



State of  
New Hampshire

# HOUSE RECORD

## First Year of the 167<sup>th</sup> General Court Calendar and Journal of the 2021 Session

Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)

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Concord, N.H.

Friday, February 19, 2021

No. 12

Contains: House Deadlines; Reports; Meetings & Notices; Amendments; Revised Fiscal Notes

## HOUSE CALENDAR

### MEMBERS OF THE HOUSE:

The House will meet in session on Wednesday, February 24th at 9:00AM , and Thursday, February 25th at 9:00 a.m. in the NH Sportsplex facility at 68 Technology Dr. in Bedford, NH.

At over 50,000 square feet of floor space, we will have more than double the usable area of the Whittemore Center Arena to spread out and socially distance. We have worked with the Department of Health and Human Services, the State Fire Marshal, Bedford Fire and Police, and the State Police to ensure a risk-mitigated and secure environment for all members and staff in attendance.

Please see the important health and safety protocol documentation for the event at the end of this calendar. We expect members to follow these protocols for the health and safety of each other and our staff.

We will send parking and arrival time information to members by email in the coming days. We are double checking all of the details with the venue to ensure you all arrive safely, on time, and are directed to the proper parking area.

I am pleased to announce the appointment of Reverend Bob Stewart as our House Chaplain this term. Serving as Pastor of St. Paul's United Methodist Church in Manchester, Bob is well known in the Manchester community and regularly participates with other clergy in the greater Manchester area on interfaith services. I would like to thank our immediate past House Chaplain, Reverend Kate Atkinson of St. Paul's Episcopal Church in Concord, for her service to our chamber over the last six years.

We look forward to seeing you in Bedford.

Sherman A. Packard, Speaker of the House

### NOTICE

House session for February 24th and 25th will be livestreamed at the following link: <http://nhhouse.edifymultimedia.com>

Please note, this link will not be live until the session begins at 9:00 a.m. on February 24th.

### NOTICE FROM THE CLERK

If you would like to continue receiving the printed House Calendar, you must contact the Clerk's Office and **opt-in** to request the mailed service.

Paul C. Smith, Clerk of the House

### NOTICE

There are many sites available for COVID-19 testing. Please click below for a list of sites in New Hampshire: <https://www.dhhs.nh.gov/dphs/cdcs/covid19/documents/covid-testing-options.pdf>

## NOTICE

At this time, **staff will see members by appointment only**. Please email or call, do not go to the State House complex. For your reference, the following is a directory of phone numbers by department.

Speaker's Office: .....	271-3661	Clerk's Office:.....	271-2548
Committee Services: .....	271-3600	Sergeant-at-Arms:.....	271-3315
Majority Office: .....	271-3665	Democratic Office:.....	271-2136
Security: .....	271-3321		

## NOTICE

**ALL** reports, scheduling and notices are due in the House Clerk's Office by **3:00 p.m. on WEDNESDAYS**. Reports and scheduling shall be turned in to House Committee Services for processing **no later than 1:00 p.m.** on Wednesday. Please be sure to complete that work in a timely fashion to meet the Calendar deadline.

### **CLOSES AT 3:00 p.m. ON:**

Wednesday, February 24, 2021  
 Wednesday, March 03, 2021  
 Wednesday, March 10, 2021

### **AVAILABLE ON:**

Friday, February 26, 2021  
 Friday, March 05, 2021  
 Friday, March 12, 2021

Paul C. Smith, Clerk of the House

## 2021 HOUSE DEADLINES

February 18, 2021	Last Day to report HBs going to a second committee
February 25, 2021	Last Day to act on HBs going to a second committee
March 11, 2021	Last day to report all HBs not in a second committee, except budget bills
March 18, 2021	Last day to act on HBs not in a second committee, except budget bills
March 25, 2021	Last day to report House Bills, except budget bills
	Last day to report list of retained HBs
April 1, 2021	Last day to report budget bills
	Last day to act on House Bills, except budget bills
April 8, 2021	BUDGET CROSSOVER – Last Day to Act on budget bills
May 6, 2021	Last Day to report Senate Bills going to a second committee
May 13, 2021	Last day to act on SBs going to a second committee
May 27, 2021	Last day to report all remaining SBs
	Last day to report list of retained SBs
June 3, 2021	Last day to act on all SBs
June 10, 2021	Last day to form Committees of Conference
June 17, 2021	Last day to sign Committee of Conference reports (4 pm)
June 24, 2021	Last day to act on Committee of Conference reports

## NOTICE ON COMMITTEE TESTIMONY

Those wishing to testify or register their position on legislation before House committees, can register online at <http://gencourt.state.nh.us/house/committees/remotetestimony/default.aspx>, additional instructions for sending testimony is included on the instruction page. Those wishing to watch committee proceedings but not participate are encouraged to log in to the NH House YouTube channel at [https://www.youtube.com/channel/UCxqjz56akoWRL\\_5vyaQDtvQ](https://www.youtube.com/channel/UCxqjz56akoWRL_5vyaQDtvQ) and view the meetings.

## WEDNESDAY, FEBRUARY 24 CONSENT CALENDAR

### CHILDREN AND FAMILY LAW

**HB 254**, relative to the placement of minors in secure settings. **OUGHT TO PASS WITH AMENDMENT**. Rep. Debra DeSimone for Children and Family Law. This bill as amended provides that under 169-B, when a minor is detained, there must be a continuum of care from least restrictive (community-based) to most restrictive (institutional). Any child placed out of home must receive a conflict-free assessment to verify the

need. States which do not fully comply with the standards of federal Families First Prevention Services Act risk losing federal matching reimbursements for Title IV-E Medicaid. The Division of Children, Youth, and Families is subsidized with significant amounts of Title IV-E funding. **Vote 14-1.**

**HB 427**, prohibiting corporal punishment of children in state agency programs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra Altschiller for Children and Family Law. The committee believes that children who are in the care and custody of state agencies, both public and private, should be free from violence. Understanding that the circumstances that lead to children being placed into state custody and programs are traumatic, it is the intention of this bill to prohibit corporal punishment (any punishment in which physical force is issued and intended to cause some degree of pain or discomfort, exclusive of restraint or physical force used to protect self or others) in all policies and procedures related to children. This effort takes a step in preventing further trauma to our most vulnerable children. **Vote 15-0.**

## COMMERCE AND CONSUMER AFFAIRS

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

Rep. John Hunt for Commerce and Consumer Affairs. This bill, as requested by the Banking Department, requires retail sellers, sale finance companies, small loan lenders, debt adjusters, and money transmitters to license and report through the Nationwide Multistate Licensing System and Registry and clarifies the filing deadlines for call reports under RSA 397-A. The bill also clarifies the circumstances under which background investigations are conducted for trust executive officers and provides for the removal of directors or officers by the commissioner. The bill adjusts fees for filings by state chartered institutions, requires payment of an assessment by institutions seeking approval to dissolve or convert and establishes minimum interest rates tied to federal funds interest rates set by the Federal Open Market Committee. Finally the bill authorizes the department to transmit consumer complaints via email rather than by certified mail. **Vote 19-0.**

## CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 145**, relative to physical force in defense of a person. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. The committee was not able to identify a problem that this bill will solve. However, opponents of this bill are very concerned that it will eviscerate long-standing self-defense law which has allowed law abiding residents and visitors alike to use force, including lethal force in self-defense. If enacted into law, this bill will repeal all of RSA 627:4, III which requires a defender to retreat from a violent encounter except in certain specific circumstances where a defender is not required to retreat. Without a "bright line" statute, the courts will be free to rule in any way they see fit. In most cases that will mean judges will rely upon the traditional common law requirement that a defender use any means necessary to avoid a confrontation. Those who are opposed to this bill informed the committee that the courts could very possibly rule that people who are victims of home invaders must leave their home instead of defending it; business owners facing assault might be forced to leave their businesses and surrender to a criminal attack; and people who are being assaulted in public would be forced to flee. Little to no consideration would be given to a person's physical ability to safely retreat. The committee believes that this bill is a solution in search of a problem where no problem exists. **Vote 18-0.**

**HB 375**, allowing the destruction of valueless contraband by the chief of police. **OUGHT TO PASS.**

Rep. Chris True for Criminal Justice and Public Safety. The committee, having heard testimony from various police departments and chiefs of police, agrees that noncontraband abandoned or lost property, that can not be returned and does not have any monetary value may be destroyed or disposed of, as directed by the chief of police of the department. **Vote 20-1.**

**HB 469**, relative to the term served by a bail commissioner. **INEXPEDIENT TO LEGISLATE.**

Rep. Dave Testerman for Criminal Justice and Public Safety. The length of service for Bail Commissioners is currently set at five years and this bill reduces it to two years. There are currently 112 commissioners. Reducing the term would increase the review of commissioners by two and a half times. **Vote 20-0.**

**HB 530**, relative to candidate background checks for law enforcement officers. **OUGHT TO PASS.**

Rep. Laura Pantelakos for Criminal Justice and Public Safety. This bill protects the cities and towns from lawsuits. It allows the Chief of Police or whomever does the hiring to contact anyone the applicant has worked for and it is confidential. **Vote 20-0.**

## EDUCATION

**HB 304**, establishing a committee to study the funding of tuition and transportation for career technical education. **OUGHT TO PASS.**

Rep. Glenn Cordelli for Education. This bill establishes a committee to make recommendations relative to tuition and transportation funding of career and technical education (CTE). 20% of the indicators used for the delivery of an adequate education reference CTE student participation, industry recognized credentials, and certification programs available to high school students. The committee heard from the NH Advisory Council for Technical Education, the Department of Education, and numerous professional business-related organizations urging the state to identify policy and funding strategies to increase student access to CTE. The legislature currently allocates \$9 million for reimbursement of tuition and transportation. Transportation is reimbursed at a rate of ten cents per student mile. For FY 20, districts were reimbursed \$680,000 while the actual amount spent was over \$2.6 million. Once the transportation amount is removed from the \$9 million, the remainder is used for tuition. No reimbursement is provided to students who attend CTE within their own districts. Only 14% of NH's high school population participates in CTE programs, unlike other states, such as Delaware that enrolls 59% of high school students. In a time in which business and manufacturers are looking for skilled, certified employees, NH is falling further and further behind the state's needed supply to remain competitive with neighboring states. This committee study is needed. **Vote 20-0.**

**HB 432**, relative to the offenses that prevent employment in a school. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Allard for Education. This bill, as amended, adds human trafficking (RSA 633:7) to the list of offenses that prevent an individual from being employed in a NH school (RSA 189:13-a, V). The bill was requested by the Department of Education, as was the amendment to remove language that would have permitted decisions made for similar offenses in out-of-state jurisdictions. **Vote 18-0.**

**HB 442**, relative to penalties for a school's failure to file department of education reports. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education. This bill, as amended, was requested by the Department of Education. They currently have the authority to withhold some funds from public schools if they fail to submit reports as required by state and federal law. This bill adds requirements and penalties for failure to submit required reports for chartered public schools and non-public schools. **Vote 20-0.**

## ELECTION LAW

**HB 127**, relative to placement and removal of political advertising. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for Election Law. The bill permits the placement of political advertising and signs on public property unless the property is posted with signs explicitly prohibiting their posting. The committee heard testimony from the prime sponsor and the NH Department of Transportation stating that this legislation is not necessary. **Vote 18-0.**

**HB 483**, prohibiting certain political advertising. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for Election Law. This bill proposes to ban political advertising that directly states or suggests a candidate for office would have opposed legislation when that candidate was not a legislator at the time to vote for it. Issues were raised with potential discrepancies with federal standards that govern broadcast mediums. The committee believes the proposal is also problematic as it raises First Amendment protection concerns. Additionally it might prevent new candidates from taking a position on prior legislation while incumbent candidates would not have such restrictions. The committee agreed with the sponsor that while there are concerns with certain practices, this legislation as presented is not the way to deal with it. **Vote 20-0.**

**HB 505**, allowing voters to vote for multiple candidates for an office. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. This bill would amend the election laws to allow voters to cast votes for as many candidates as they wish for any office. For example, a voter could vote for two candidates for Governor and not have their vote for that office counted as an over-vote. The committee had concerns that this bill would not substantially change the outcome of elections and would further delay the vote counting process while also confusing voters. **Vote 20-0.**

## ENVIRONMENT AND AGRICULTURE

**HB 73**, relative to public notice requirements for certain permits issued by the department of environmental services. **OUGHT TO PASS.**

Rep. Judy Aron for Environment and Agriculture. This bill updates the current statute (RSA:149-M:7 III, and RSA 149-M:9 VIII) to require that means of noticing the public about solid waste permits include using electronic means via the department's website and communicating permitting information with affected municipalities electronically as well. Public hearing notices regarding solid waste permits must also be posted on the department's website along with posting in local newspapers. **Vote 18-0.**

**HB 95-FN**, relative to milk pasteurization. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Homola for Environment and Agriculture. This bill updates the current statute (RSA:184:84, V) to include ice cream and frozen yogurt in the products that can be made from raw milk. It also stipulates that ice cream and frozen yogurt made from raw milk must be packaged in containers no larger than six fluid ounces, and must be marked with an expiration date of thirty days from the date of manufacture. **Vote 18-0.**

**HB 226**, relative to the repeal of laws on produce safety. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Comtois for Environment and Agriculture. This bill was requested by the Department of Agriculture. It adds a 5-year extension to the repeal date of the produce inspection program required by the Food Safety Modernization Act enacted by the USDA. Additionally, the bill provides a housekeeping change to allow the Commissioner of the Department of Agriculture, or his agent, to issue a "stop sale order" if produce is being sold in violation of the produce safety rules. **Vote 18-0.**

**HB 318**, proclaiming the daring jumping spider to be the state spider of New Hampshire. **OUGHT TO PASS.**

Rep. Megan Murray for Environment and Agriculture. This bill will make the Daring Jumping Spider the state spider of New Hampshire. The third-grade students of the Hollis Primary School did an exemplary job of educating the committee on the attributes of this spider and its importance to New Hampshire's ecosystem. The committee commends the outreach of the Fish and Game Department as the inspiration for this project derived from a workshop they hosted. **Vote 18-0.**

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB 70**, authorizing certification for the microblading of eyebrows. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill authorizes the Office of Professional Licensing and Certification, as advised by the Advisory Board of Body Art Practitioners, to approve courses, train, and certify licensed cosmetologists or estheticians to perform microblading. Microblading, often used for eyebrows, is a permanent makeup technique, that is a form of tattoo. It currently requires a tattoo license to perform this service with a year's apprenticeship. This bill will allow those in the cosmetology and skin care professions, with the proper training, to expand this service to the public. The hygiene concerns raised in the hearing will be addressed in rules developed by the advisory board and the Joint Legislative Committee on Administrative Rules. **Vote 19-0.**

**HB 94-FN**, relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would make most occupational licenses expire at the end of the month the license was issued rather than all at one time and sets the term of the licenses to two years. The bill also handles the transition from the current renewal schedule to the new one. This will spread the workload for the Office of Professional Licensing and Certification out over the year resulting in an increase in efficiency. The requirements for the licenses and the process for approval are unchanged other than the renewal date. **Vote 19-0.**

**HB 137**, relative to the rulemaking authority of the department of information technology. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill exempts Department of Information Technology standards and protocols on the state telephone system and cybersecurity from rulemaking requirements. In most cases these are technical documents, frequently industry standards, and converting them to rules (which must comply with the formats set up by the lawyers) would confuse the users of these standards, rather than make them simpler. It also clarifies when rules needed to be written. **Vote 19-0.**

**HB 150**, making a technical correction and a clarification in the law governing death benefits for emergency medical technicians and rescue squad members. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill makes a technical correction to the law that provides death benefits to the families of certain first responders who die in the line of duty. That benefit is intended for police officers, firefighters, emergency medical technicians, and rescue squad members. Emergency medical technicians and rescue squad members were left out of the list of beneficiaries in one of the nine places in the statute where the beneficiaries are listed. This bill corrects that omission. **Vote 18-0.**

**HB 173-FN**, requiring the independent investment committee of the New Hampshire retirement system to report investment fees. **OUGHT TO PASS.**

Rep. Terry Roy for Executive Departments and Administration. This bill would require that the NH Retirement System's quarterly reports to the trustees include a description of all fees incurred due to investment transactions. The committee, after hearing testimony, concluded that it was relatively easy information for the system to produce and provided another level of transparency to members. **Vote 17-0.**

**HB 208**, repealing RSA 323 regarding lightning rod dealers and salesmen. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would eliminate the requirement for a license for dealers and salesmen of lightning rods. According to the State Fire Marshal the program has

outlived it's usefulness to the state. The installation of lightening rods are governed by the state fire code and state electrical code, and included in the National Fire Protection Association (NFPA) standards. The State Fire Marshal recommends eliminating this program. **Vote 17-0.**

**HB 219**, repealing RSA 332-J regarding athlete agents. **INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would eliminate the requirement for someone acting as an athletic agent to have a certificate of registration from the state. There were changes expected to National Collegiate Athletic Association rules that might have effected this bill. Unfortunately those changes have been delayed due to the COVID-19 pandemic. As a result, an amendment was offered to turn this bill into a study committee to review those rules when they came out and their possible impact on this bill. Due to the difficulties the House faces due to COVID-19, we will not be creating study committees this year. As a result, the ED&A Committee recommends that this bill be found Inexpedient to Legislate. If appropriate, a new bill may be submitted in the future related to this issue. **Vote 14-2.**

**HB 298**, adding a member to the aviation users advisory board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill adds a representative of the unmanned aircraft systems industry to the Aviation Users Advisory Board. The representative must be a certified remote pilot at the time of the appointment. The committee supports adding this position to represent the growing segment of unmanned aircraft to the advisory board. A representative from the industry, who is also the vice-chair of the Aviation Users Advisory Board, testified in the support of the bill. The amendment clarifies the reference to the Code of Federal Regulations section cited in the bill. **Vote 18-1.**

**HB 302**, relative to the creation and use of electronic records by government agencies. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill clarifies the authority of the Department of Information Technology (DOIT) to set standards for electronic records. It also confirms that municipalities may use electronic records, at their option, without waiting for the state to set standards. It is supported by the NH Municipal Association and the counties, as well as DOIT. **Vote 19-0.**

**HB 356**, relative to the city of Manchester employees' contributory retirement system. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill makes a number of technical corrections and clarifications to the Manchester city retirement system. Most importantly, it allows the system to adopt newer versions of Internal Revenue Service codes by rule, rather than needing legislative approval. It also sets up a procedure to replace a trustee who cannot complete his term. **Vote 15-0.**

**HB 357**, establishing a committee to study the expiration and updating of administrative rules. **INEXPEDIENT TO LEGISLATE.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill was drafted to create a study committee, which legislative leadership has recommended limiting this term. Therefore, the committee voted unanimously to kill this bill. However, since administrative rules are the purview of the ED&A Committee, it was agreed we will work on some of the issues raised by this in the future. **Vote 19-0.**

**HB 377**, relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill puts into statute a clear definition for recovery houses throughout our state and provides guidance to protect those individuals in recovery. This bill gives the State Fire Marshal authority to grant exemptions to recovery houses that are unable to meet all fire codes and eliminates the dangerous practice of bypassing fire code standards that protect individuals in recovery houses. The State Fire Marshal testified in support of this bill. Although the NH Coalition of Recovery Residences opposes the bill, they were unable to make the case to the committee that this bill is discriminatory since all recovery houses are able to seek this exemption. **Vote 19-0.**

**HB 390-FN-LOCAL**, relative to the amortization of retirement system unfunded accrued liability. **INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would extend the date when the unfunded liability in the pension system is fully funded by five years, changing it from 2039 to 2044. Failing to keep a pension system fully funded is very expensive in the long run. This bill would cost the taxpayers of New Hampshire an additional \$1.4 billion. For every \$1 deferred in the short term, taxpayers will need to spend an additional \$2. The state, counties, and municipalities have been seeing the cost of the under funding of the pension system in the past and will have to continue to make significantly higher pension payments until those past mistakes are made up for. There is always pressure to maintain or increase spending and to minimize tax increases. There are often situations which increase that pressure for a time. COVID is not unique in that respect. Perhaps the worst aspect of this bill is that it would burden our children and grandchildren in the future with the cost of our lack of fiscal discipline today. **Vote 18-1.**

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

Rep. Carol McGuire for Executive Departments and Administration. This bill adds public works employees to those eligible for the \$100,000 state line of duty death benefit. Public works employees are often the first responders for accidents, and their job not infrequently puts them in harm's way. The committee felt that a line of duty death benefit was appropriate. **Vote 18-1.**

## **FISH AND GAME AND MARINE RESOURCES**

**HB 192**, relative to pistols permitted for the taking of deer. **OUGHT TO PASS.**

Rep. David Love for Fish and Game and Marine Resources. This is a modernization and housekeeping bill for Fish and Game laws. It modernizes the current law by extending the calibers allowed, to include newer and the more common calibers for the taking of deer. It also increases the rounds to six for the number of rounds allowed in a pistol. Having five rounds here, in pistols like revolvers, created an enforcement issue for Fish and Game and was making accidental criminals out of some hunters. You see, you can have six rounds in a revolver for personal protection while hunting, however only five rounds in the same revolver if used for hunting. Fish and Game Enforcement division agreed with the change, and also the change in HB 342, which brought all firearms to the same level, six rounds. This bill provides for more uniformity in law. **Vote 17-3.**

**HB 342**, relative to the taking of game by certain lever-action firearms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Raymond Howard for Fish and Game and Marine Resources. As amended, this is a modernization and housekeeping bill for Fish and Game laws. It was shown in committee that using a lever-action carbine, chambered in the handgun calibers listed in the bill, increases the overall safety in the pistol and shotgun only hunting areas across the state. This bill extends the use of those safer lever-action carbines for use in pistol and shotgun hunting areas across the state. This bill, as amended, also increases to six, the number of rounds in all firearms used for hunting, to create more uniformity in all Fish and Game laws. Pistols and rifles now can all have six rounds. This bill was highly supported by the Fish and Game Enforcement Division. **Vote 20-0.**

**HB 529-FN**, relative to cruelty to a wild animal, fish, or wild bird. **OUGHT TO PASS.**

Rep. Jonathan Smith for Fish and Game and Marine Resources. This bill creates criminal penalties for acts of purposeful or neglectful cruelty to wildlife. With this bill, Fish and Game Conservation Officers will be able to clearly and efficiently protect wildlife from acts of cruelty, while at the same time protecting the rights of individuals engaged in hunting, fishing, trapping, or nuisance animal management. The Fish and Game Department was wholly in support of the bill and believes it will be an invaluable tool for law enforcement to protect New Hampshire's wildlife. **Vote 19-1.**

## **HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS**

**HB 75**, renaming and adjusting the membership of the New Hampshire commission on deafness and hearing loss. **OUGHT TO PASS.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. This bill comes at the suggestion of the New Hampshire Commission on Deafness and Hearing Loss. Members of the deaf and hard of hearing (d/hh) community note that our title speaks about medical conditions, not about people. Members of the commission researched what similar commissions in other states are called. Invariably, their titles speak about people. The second part of the bill adds three additional members to the commission. There are three large groupings of long term care facilities in the state. While these facilities give good care to their d/hh residents, their leaders know there are periodic problems which keep them from doing even better. By inviting a representative of each of these groupings to sit on the commission, both they and commission members believe that periodic conversations could be held to the betterment of all. **Vote 20-0.**

**HB 240**, relative to identification of cannabis strain for therapeutic cannabis. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary Merchant for Health, Human Services and Elderly Affairs. Individuals who use cannabis therapeutically titrate the amount used to a particular strain. Strains of cannabis vary in their composition as does the amount needed therapeutically. When an individual uses a different strain, they need to titrate the amount to use. This bill requires an alternative treatment center to include the commercial stain name to assist individuals when purchasing cannabis to obtain an equivalent product, avoiding the need to adjust the dose. The amendment clarified that the label should use the commercial strain name's terminology and not the full name of the cannabis strain in the original bill. **Vote 21-0.**

**HB 244**, relative to the membership and duties of the joint health care reform oversight committee. **INEXPEDIENT TO LEGISLATE.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill would create a Joint Health Care Oversight Committee, determine its membership, and mandate various issues it would review. The Health,

Human Services, and Elderly Affairs Committee determined that the bill was not needed as various groups fulfill its functions. Moreover, the bill mandated studying the Affordable Care Act which is a federal program over which the state has no jurisdiction. **Vote 21-0.**

**HB 350**, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. **OUGHT TO PASS.**

Rep. Dennis Acton for Health, Human Services and Elderly Affairs. This is a bill that authorizes patients or their designated caregivers who are licensed through the New Hampshire Therapeutic Cannabis Program to cultivate three mature and three immature cannabis plants at their home. This allows patients who can't afford the Alternative Treatment Center prices or who may live hours away from the nearest location to produce their own cannabis according to their needs. This bill has passed the house multiple times so it has been carefully amended to address concerns. It is important to note that this bill is far more restrictive than cultivation laws that exist in surrounding states where any adult may grow six or more plants for recreational use. **Vote 20-1.**

**HB 363**, creating a committee to study appointing an inspector general for nursing homes in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Leah Cushman for Health, Human Services and Elderly Affairs. This bill would create a commission to study creating an additional, redundant layer of regulation and oversight. Long-term care facilities are licensed, certified, and inspected by the federal government, state government, and the Office of Long-term Care Ombudsman. The county delegations have additional oversight on the county nursing homes. The committee members agree that a commission to study creating a position of an Inspector General for Nursing Homes in New Hampshire is unnecessary, and gave the bill a unanimous recommendation of inexpedient to legislate. **Vote 21-0.**

**HB 378**, repealing the therapeutic use of cannabis advisory council. **OUGHT TO PASS.**

Rep. Dennis Acton for Health, Human Services and Elderly Affairs. The Therapeutic Cannabis Advisory Council was created by the Therapeutic Cannabis Law in 2013 with legislation added to RSA 126-X. The council was comprised of stakeholders tasked with advising the Department of Health and Human Services as they created and rolled out the state's new Therapeutic Cannabis Program. The advisory council met a total of 15 times over the next five years and provided assistance with rule-making and data-gathering. In 2018, the council published a five year review of the program as required in the law which concluded that the program rollout had been successful and should be allowed to continue. With the duties of the council now concluded and a new Medical Oversight Board formed to assist with the current program, the Health, Human Services, and Elderly Affairs committee voted Ought to Pass on the bill, which repeals the language that created the advisory council. **Vote 21-0.**

**HB 479**, relative to pharmacist provider status and nicotine cessation therapy. **OUGHT TO PASS.**

Rep. Gary Merchant for Health, Human Services and Elderly Affairs. In order to send reimbursement to New Hampshire for services performed by a health care provider, the Center for Medicare and Medicaid (CMS) requires that the state recognize the individual as a 'health care provider' in statute. Because the state does not recognize a pharmacist as a health care provider in state statute, CMS will not reimburse New Hampshire Medicaid for such services, which this bill corrects. Smoking is a public health epidemic and the single largest cause of preventable disease and death. According to the 2020 US Surgeon General's report, smoking cessation interventions should be implemented as widely as possible throughout the healthcare system including pharmacists providing smoking cessation therapy. This bill not only supports improved health for the constituents of New Hampshire, it also supports the US Surgeon General's call to implement interventions as widely as possible throughout the healthcare system in the Granite State. **Vote 20-0.**

**HB 600-FN**, relative to funding for newborn screening. **OUGHT TO PASS.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. New Hampshire's newborn screening program is a wonderful program, and the intent of this bill is not to change the program in any way. The intent is to change how they send out their bills. Under current law, the Department of Health and Human Services bills hospitals for the filter paper on which blood samples are submitted for testing. Filter paper is a supply, and this bill cannot be submitted to insurers. We are simply asking the commissioner to restructure the current fee so that these bills can be submitted to insurers. Instead of billing for "filter paper," the invoice could read "newborn screening panel." We are aware this is already done at least in Texas and Minnesota. Coverage for pediatric preventative services has been mandated by federal law without co-pay or deductible since 2014 pursuant to 45 CFR 147.130. This bill does not mandate any change whatsoever in insurance law. Passage of this bill will help maintain the economic viability of the various birthing centers in NH. **Vote 21-0.**

**HB 617**, relative to food safety training for child care centers. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. During the hearing on this bill, some committee members wondered if the goal of the bill could be better served by rule-making within the Department of Health and Human Services. The sponsor learned her goals could indeed be accomplished in this manner. As a result, she asked us to recommend the bill be found Inexpedient to Legislate. **Vote 21-0.**

## JUDICIARY

**CACR 10**, relative to powers of the legislature. Providing that the legislature may overturn any decision of a state court concerning the interpretation of a state law. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for Judiciary. This constitutional amendment concurrent resolution provides that the General Court may overturn a decision of a state court that concerns the interpretation of a state law. Our founders purposely created a system of government comprised of three separate and independent branches: executive, legislative, and judicial, to provide checks and balances and separation of powers. This system is enshrined in our federal and state constitutions. The New Hampshire legislature does not have the power to overturn decisions of state courts. This proposed constitutional amendment would turn our legislature into a de jure appeals court, and it would upset the separation of powers of the three branches of government that we so cherish. **Vote 20-1.**

**HB 331-FN**, relative to a forfeiture of personal property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia for Judiciary. This bill reinforces New Hampshire's asset forfeiture law by disallowing adoption to the Federal Equitable Sharing Program some seizures made in New Hampshire. Seizures involving \$100,000 or less in U.S. currency made by New Hampshire law enforcement, acting under state authority, shall follow New Hampshire's criminal forfeiture law. The amendment makes it clear that this bill will not prevent participation with federal joint task force operations. Seizures made in conjunction with joint task force operations under federal law would not be restricted. Any funds received in violation of this law shall be directed to the state's general fund. **Vote 18-2.**

**HB 596-FN**, prohibiting public funding of abortions and establishing the New Hampshire foster care and adoption initiative fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Trottier for Judiciary. This bill and HB 434 were heard together as they both would prohibit public funding for abortions, although this bill would also create a new foster care and adoption initiative fund. It became clear at the hearing that HB 434 had much greater support and was the preferred alternative. While many committee members support the intent of this bill, it did not make sense to have the two bills competing with each other. In addition, the creation of the new fund did not have wide support. **Vote 20-1.**

## LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

**HB 231**, relative to workplace lactation rights. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Cahill for Labor, Industrial and Rehabilitative Services. The committee appreciates the efforts of the sponsor who brought this issue to our attention. She has also worked with other stakeholders on a Senate bill. We understand that there is strong support for SB 69 and feel that is the better bill. **Vote 20-0.**

**HB 258**, relative to employee time records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gregg Hough for Labor, Industrial and Rehabilitative Services. This bill was to allow the required records between employers and employees to be processed and retained electronically. The committee found that the goal of this bill would be better suited with an amendment that placed the language in a different RSA chapter. The Amendment was offered in order to help clarify the existing law and situated HB258 in a suitable RSA section. Both the amendment and the bill were approved. **Vote 20-0.**

**HB 259**, relative to employee uniforms. **INEXPEDIENT TO LEGISLATE.**

Rep. Jonathan Mackie for Labor, Industrial and Rehabilitative Services. This bill attempted to clarify the current New Hampshire law regarding the ability of an employee to purchase optional or alternative employee uniforms offered by the employer. The committee did not feel this was a significant issue that was causing issues in NH. The Department of Labor (DOL) testified that normally issues arise when out-of-state employers do not know our laws. When informed, employers abide by NH laws and all is well. Complaints to the NH DOL average 1-3 a year. The committee felt the bill needed more clarification and asked the sponsor to submit an amendment. An amendment was filed but the committee felt that the way it was worded weakened the current law and made the law more confusing. We felt it was best to preserve the current law and recommend the bill be found Inexpedient to Legislate. **Vote 20-0.**

**HB 301**, relative to the compensation appeals board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. This bill was submitted at the request of the Department of Labor in response to the Legislative Budget Assistant's Audit Report. It sets in statute the long-time practice for compensating the Workers' Compensation Appeals Board members for work done outside of the hearing process. The amendment makes clear the basis upon which to calculate the hourly rate. **Vote 20-0.**

**HB 303**, relative to required pay. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. This language was suggested by the Department of Labor. The current language in law provides two different exceptions in 275:43-a. One exception is for municipal and county employees and one is for ski and snowboard instructors. They are meant to

be distinct, however the way the RSA is written, it is possible to confuse the two cases. This bill amends the language to make the original intent clear. The amendment reinserts the word “instructor,” left out in the initial drafting. **Vote 20-0.**

## MUNICIPAL AND COUNTY GOVERNMENT

**HB 189**, relative to accessory dwelling units. **INEXPEDIENT TO LEGISLATE.**

Rep. Ivy Vann for Municipal and County Government. This bill is not necessary because the provisions proposed are covered by another bill coming forward this session. **Vote 18-0.**

**HB 340**, permitting the designation of an open container area for the consumption of alcoholic beverages. **INEXPEDIENT TO LEGISLATE.**

Rep. Ivy Vann for Municipal and County Government. The state Liquor Commission stated that the bill was unnecessary. Jurisdictions already have the ability to create an open container area. **Vote 18-0.**

**HB 380**, relative to the election of Grafton county commissioners. **OUGHT TO PASS.**

Rep. Richard Tripp for Municipal and County Government. This bill changes the terms of the Grafton county commissioners beginning in 2022 so that one is elected to a 4-year term at each general election. This bill follows the general rule of differing term lengths for county commissioners which is utilized by many counties to preserve the corporate knowledge used to administer the county. This change precludes the possibility of electing three new commissioners at a general election. **Vote 17-0.**

**HB 383**, relative to the quarterly or semi-annual collection of taxes in certain municipalities. **OUGHT TO PASS.**

Rep. Julie Gilman for Municipal and County Government. The Department of Revenue Administration (DRA) requested this change to RSA 76:15-a, III. It will allow municipalities, counties, and school districts to apply to DRA for quarterly tax rate setting when there is a change of adequate education grants, excess tax amounts or by a change of 15% or more in taxes to be raised from the current year compared to the previous year. Allowing for quarterly rate setting will keep property owners from large drops or increases that may affect mortgage escrow among other financial matters. **Vote 19-0.**

**HB 404**, relative to the perambulation of town lines. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for Municipal and County Government. This bill deletes the frequency provision from the requirement that selectmen perambulate the lines between the towns. It also permits other methods be used to ascertain the marks and bounds physical location of the town lines. Current statute requires the town lines be perambulated once every seven years to verify the absolute location of each of the physical boundary markers used to identify the town lines. Historical boundary markers are oftentimes identified as a stone, notched tree or other subjective entity. Upkeep of the town boundary markers requires they be renewed frequently to maintain the knowledge of the markers location and to replace those moved or disturbed. The use of satellite imagery or other to be identified means to perform this is not up to task. **Vote 17-1.**

**SB 30**, permitting the towns of Tilton and Northfield to redraw their boundary lines. **OUGHT TO PASS.**

Rep. Tony Piemonte for Municipal and County Government. This is a non-controversial bill regarding an island on Lake Winnepesaukee which changes the boundaries between Northfield and Tilton. There were no significant objections. **Vote 19-0.**

## PUBLIC WORKS AND HIGHWAYS

**HB 74-FN**, relative to the Merrimack ramp toll plazas. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McConkey for Public Works and Highways. This legislation prohibits the Commissioner of the Department of Transportation (DOT) from adding ramp toll plazas or open road tolls in the town of Merrimack unless tolls are placed in other locations on the F.E. Everett Turnpike that have higher traffic. New tolling locations are not determined by the DOT Commissioner but by the Governor’s Advisory Commission on Intermodal Transportation (GACIT) and the General Court. When they are determined to be necessary they are brought forward through the 10-year transportation plan. That process begins every two years with the GACIT, moves to the Governor for input, and finally the Legislature determines what projects make into the ten-year plan. During the entire process, the DOT Commissioner is a nonvoting member. The committee recommends this bill be found Inexpedient to Legislate. **Vote 20-1.**

**HB 114-FN**, relative to the erection of a sound barrier in the vicinity of Teaberry Lane in the town of Bedford. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McConkey for Public Works and Highways. The committee is sympathetic to the plight of the residents of Teaberry Lane, but cannot support the request contained in this bill to construct a sound wall along the F.E. Everett Turnpike adjacent to their neighborhood. There is an established criterion for the construction of sound walls across the state and this project does not meet that criterion. While it does exceed the noise, measured in decibels, it does not meet other criteria in the guidelines. The Department of Transportation

estimated that to address all locations in the state that are similar to Teaberry Lane the cost would exceed \$400 million. The committee was also cognizant that there is an equity issue if this bill were to be approved outside of the Ten-year Transportation Plan process. Would the General Court be opening itself to a deluge of separate bills from members requesting a sound wall for their constituents? For these reasons the committee recommends this bill be found Inexpedient to Legislate. **Vote 20-1.**

**HB 305**, relative to motorist service signs on limited access highways. **OUGHT TO PASS.**

Rep. John Cloutier for Public Works and Highways. This bill would delete the limitation on the placement of the blue motorist service signs on limited access highways. Under existing law, these signs are prohibited north of Concord, but are allowed south of Concord. This bill would create uniformity throughout the state. This type of signage would be in accordance with federal rules and subject to approval of the New Hampshire Department of Transportation with no cost to the state. **Vote 21-0.**

## RESOURCES, RECREATION AND DEVELOPMENT

**HB 99**, relative to seasonal platforms on public waters of the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill requires that any person seeking to anchor a floating dock, seasonal platform, inflatable platform or float on public waters of the state adhere to requirements specified by the department of safety, division of marine patrol. As more and more people flock to New Hampshire's beautiful lakes, there is a proliferation of more and larger anchored floats, platforms, inflatable rafts and other "toys" used in water recreation. The situation has grown such that regulation is required as a platform could, if improperly sited, constitute a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation, or be in such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety, or be situated in such a manner that the platform presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas, or be situated in such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land. The Director of Marine Patrol shall develop rules pursuant to this legislation. The bill was amended to exempt government agencies engaged in the non-recreational execution of their duties such as construction and repair. The amendment also removed regulations concerning view obstruction from the bill. **Vote 20-0.**

**HB 115**, relative to wake surfing. **OUGHT TO PASS.**

Rep. Jim Creighton for Resources, Recreation and Development. The Resources, Recreation and Development committee approved HB 115 relative to wake surfing safety by a vote of 19 – 1. The bill addresses the safety of wake surfers by requiring them to wear personal flotation devices and use only boats with propulsion systems designed for wake-boarding. These requirements bring wake-surfing safety rules in line with those of other water sports. To provide for the safety of New Hampshire residents and guests, the committee recommends approval of HB115. This bill results from the work of the 2019 Commission to Study Wake Boats (Chapter Law 77:1). **Vote 19-1.**

**HB 193**, relative to penalties for improper timber harvesting. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill does not increase or decrease the penalties for timber trespass. It does however amend RSA 227-J:8,I and RSA 227-J:8-a to clarify the responsibilities of all parties involved in the harvesting of timber relative to timber trespassing. It explicitly extends culpability to the landowner who may have provided erroneous information about property boundaries and thereby enabled the timber trespass to occur. It does not lessen the shared responsibility of the timber harvester to conduct his/her due diligence to ensure the correct location of all boundary lines. The amendment removes the word "or" in both statutes which provides better clarification of the bill's intent. **Vote 20-0.**

**HB 256**, adding members from Londonderry to the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals into the air, soil, and groundwater in Merrimack, Bedford, and Litchfield. **OUGHT TO PASS.**

Rep. Rosemarie Rung for Resources, Recreation and Development. This bill adds a Londonderry local official and resident to the HB 737 (2019) commission, the Commission on the Environmental and Public Health Impacts of Perfluorinated Chemicals, established in 2019 to study the environmental and public health impacts relating to PFAS (per and poly fluoroalkyl substances) released in Merrimack, Bedford, and Litchfield. In addition to agency and state environmental and health specialists, the commission includes representation from each affected town. Since the passage of HB737 (2019), related PFAS contamination has been found in parts of Londonderry, thus in its 2020 interim report, the HB737 commission recommended legislation to expand to include Londonderry representation. This recommendation is supported by the NH Department of Environmental Services. This bill implements the commission recommendation. **Vote 21-0.**

**HB 311**, establishing a committee to study rail trail best management practices. **OUGHT TO PASS.**

Rep. Juliet Harvey-Bolia for Resources, Recreation and Development. Former rail line roadbeds revert to the state when abandoned. While many are reclaimed by nature, others can and have been repurposed as recreational trails which are used by residents and visitors for walking, bicycling, skiing, snowshoeing, as well as for snowmobiles and 4-wheel OHRVs. In some instances adjacent industrial activities, historic loading practices, leaks during material transfers or storage, and repair activities may have contaminated the roadbed with oil or hazardous materials. In addition, residual contamination may often be found along the length of the line, incidental to the maintenance and use of the railway itself. This bill establishes a legislative committee to study and develop rail trail best management practices for repurposing former rail beds into trails. This committee will study residual contamination from railroad operations on these abandoned roadbeds as well as other impacts common to rail trail systems. The Resources, Recreation and Development Committee unanimously supports this bill and believes it be integral to the maintenance of New Hampshire's rail trail system. **Vote 20-0.**

**HB 344**, relative to temporary docks. **OUGHT TO PASS.**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill, which was a request of the Commission to Study Structures in and on Non-tidal Waters, amends RSA 482-A:3, IV-a (a) which relate to temporary seasonal docks, in three places. First, the word "seasonal" was inadvertently removed in previous legislation and has been replaced. Second, temporary seasonal docks on rivers may no longer be permitted by notification to the department. These docks are not anchored and when installed on rivers, these floating docks are a health and safety hazard as current and storms may dislodge them. Third, Part 3 of the bill addresses a flaw in the Dock Registration criteria which was signed into law in 2020. It specifies that in cases where there is pending or adverse municipal or state compliance action or pending civil action, the new dock registration process is not applicable. **Vote 20-0.**

## **STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS**

**HB 117**, relative to the use of force at New Hampshire national guard facilities. **OUGHT TO PASS.**

Rep. David Binford for State-Federal Relations and Veterans Affairs. This bill seeks to standardize how things are done between the branches and aligns state statute with the Department of Defense rules of force to ensure cohesiveness throughout the state of New Hampshire's Department of Defense and National Guard facilities. Ultimately, aligning New Hampshire with Federal regulations. **Vote 21-0.**

**HCR 4**, recognizing the authority of states to enact laws protecting the lives of the unborn and calling for a Constitutional Convention to propose a human life amendment to the Constitution. **INEXPEDIENT TO LEGISLATE.**

Rep. Brodie Deshaies for State-Federal Relations and Veterans Affairs. An Article V Constitutional Convention will not guarantee the objective of this resolution and could actually have contrary results during an Article V Constitutional Convention, any conceivable amendments can come to fruition. Any suggested constitutional amendments made by the convention can be later ratified by individual states, and if enough individual states ratify the amendments, they become adopted in our federal constitution. This hypothetical convention could even suggest amendments that prevent very reasonable limits on abortion procedures. If enough states agree to such a change, it would run contrary to the purpose of this resolution. It is best for states to constitutionally pass legislation that defends the gift of human life; and for state's to make legal arguments in front of state and federal courts explaining why a state government has an interest in defending any and all persons in the womb. **Vote 21-0.**

**HCR 5**, supporting democracy and human rights in Hungary, Poland, and Hong Kong and supporting democracy in Taiwan. **OUGHT TO PASS.**

Rep. Brodie Deshaies for State-Federal Relations and Veterans Affairs. The committee unanimously recommends OTP because any and all governments that are democratically elected, constitutional republics or constitutional monarchies, should support the principles of freedom, liberty, and democracy at home and abroad. Today, we can observe nations like China, Russia, Iran and North Korea who oppress their people and promote other regimes and groups that are equally oppressive and grotesque. Specifically, China actively stifles these previously listed ideals in Hong Kong, stripping these democratic people of their God-given liberties; and China wishes to do the same to the people of Taiwan, forcing a free people into their oppressive grip. Nations like Hungary and Poland are also following down this same dangerous path, limiting the freedoms and liberties of their own people. We should express our concerns and ensure that we speak up for those who cannot practice such freedoms in their own countries. Democratic principles lead to happier, more fulfilling lives and create a more sustainable global peace. **Vote 21-0.**

**HR 7**, calling for the Netflix show "Cuties" to be taken off the air. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brodie Deshaies for State-Federal Relations and Veterans Affairs. The movie "Cuties" contains not only extremely inappropriate content, but content that should not be considered permissible in our society.

It is quite questionably illegal. From underage nudity to an 11-year-old dancing in a wet T-shirt, as well as seven full-minutes of a close up on 11 and 12-year old girls bumping and grinding, this is not content that the Federal Communications Commission should allow to air in our country. Senator Ted Cruz and Senator Tom Cotton have also written to the Department of Justice noting that the material appears to violate 18 U.S.C. 2251 and 2252, which puts people in legal jeopardy for reviewing, watching or even sharing images from this film. We should always condemn the sexualizing of children and the profiting from such a grotesque activity. **Vote 19-2.**

**HR 8**, requesting an investigation on whether opioids, benzodiazepines, and exposure to chemical agents contribute to suicides by veterans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Binford for State-Federal Relations and Veterans Affairs. This bill resolves to respectfully urge the U.S. Congress Department of Defense and Department of Veteran Affairs to continue investigations regarding the effects of opioids, benzodiazepines as well as exposures to agent oranges, insecticides, pyridostigmine bromide, and nerve agents and to include vaccinations, in regard to their effects contributing to veteran suicide. Our veterans truly are a National Treasure and the loss of one is tragic and even more so when it is a loss by suicide. It is critical that all agencies involved seek to end veteran suicide as well as offer alternative care/treatment such as chiropractic, acupuncture, occupational and physical therapy, massage therapy and other osteopathic treatment prior to or in place of opioid or prescription treatments. **Vote 21-0.**

## TRANSPORTATION

**HB 159-FN**, relative to organizations authorized to issue decals for multi-use decal number plates. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for Transportation. This bill to permit the New Hampshire State Council of the Knights of Columbus to issue decals for multi-use plates was merged into HB 451-FN as a streamlining measure and in no way dilutes this bill. **Vote 18-0.**

**HB 222-FN**, authorizing New Hampshire municipalities to issue decals for motor vehicle plates to municipal officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. The underlying bill intended to provide special plates for municipal officials. There were multiple technical details unresolved and no evidence of buy in from municipal officials. The committee amendment replaces the bill with a housekeeping measure regarding legislative cover plates. RSA 261:90 is vague regarding whether the number of title plates should included in the total sets of plate the director may issue. Past practice has been that seat plates are given first, title plates later. Members as a rule do not return their initial sets of seat number plates. The committee amendment codifies this practice. The committee amendment also authorizes the clerk of the New Hampshire House to be eligible for cover plates. **Vote 19-0.**

**HB 423**, establishing a commission to study the implementation of enhanced automation of traffic lights. **OUGHT TO PASS.**

Rep. Ted Gorski for Transportation. This bill amends RSA 236 (by inserting after section 8) to establish a commission to study the implementation of enhanced automation of lights. The members of this commission will include 3 members from House (appointed by the Speaker of the House), 3 members of the Senate (appointed by President of the Senate), 1 representative from the Department of Safety (appointed by Commissioner of Department of Safety), the Commissioner of the Department of Safety (or designate) and representative of the adaptive traffic signal control systems industry (appointed the Governor). The commission shall report their findings on or before November 1, 2021. **Vote 18-1.**

## WAYS AND MEANS

**HB 134**, repealing certain inactive dedicated funds. **OUGHT TO PASS.**

Rep. Alan Bershtein for Ways and Means. This bill repeals various inactive dedicated funds and adds new dedicated funds to comply with recent statutory changes. This bill was requested by the Joint Committee on Dedicated Funds, which was established to review the finances and purpose of all dedicated funds on a rotating basis every five years and recommend continuance, amendment, or repeal of relevant provisions. This housekeeping bill is the result of two years of work by the committee, as last year's bill was never enacted due to legislative challenges presented by the COVID pandemic. This bill involved significant input from affected agencies. The high degree of attention to detail required to craft a bill such as this is acknowledged and appreciated and has earned the unanimous support of the Ways and Means Committee. **Vote 23-0.**

**HB 181**, relative to the local option for operation of sports book retail locations. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Almy for Ways and Means. This bill is identical to one filed last year in the Senate which was lost in the complications of the COVID sessions. It was specific to the desire of the City of Nashua to hold a vote on a municipal issue during the 2020 state primary election. The committee found that the city will be

able to vote on this in November in its biennial city election, and that the bill will not help that issue. Several committee members also felt that the participants in a state primary are by and large quite different from those concerned with municipal issues, and that there should not be an exemption from the existing standard that limits municipal issues to municipal elections. **Vote 23-0.**

**HB 281-FN**, relative to the tax expenditure report and relative to delaying the enactment of the single sales factor under the business profits and business enterprise taxes. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This bill does three things. First, it removes the weighted apportionment factors under RSA 77-A:3, II(a) and adds the regional career and technical education center tax credit pursuant to RSA 188-E:9-a, respectively, from and to the tax expenditure report which is produced by the Department of Revenue Administration (DRA) annually. This is a simple housekeeping matter. Second, it delays the implementation of single sales factor under the business profits tax from taxable periods ending on or after December 31, 2022 to periods on or after December 31, 2026. It was the unanimous belief of the committee that with the movement to market-based sourcing for taxable periods ending on or after December 31, 2021 as the new form of apportionment for sales due to services and other intangibles, that more time is needed to evaluate whether moving to the single sales factor method of apportionment would be a positive move in terms of revenues to the state. The committee wanted to see what the new baseline of revenue would be before modifying any of our other apportionment strategies. Given that business taxes are the largest source of NH state revenues, the committee felt moving forward without good data would not be prudent. The DRA has just finished the implementation of a new tax collection software system that will soon start providing very useful back end data. Other states that have implemented single sales factor have many other revenue streams, thus if they made a mistake in modifying their apportionment methodology, it would not be as dramatic as if NH made a mistake. Also, underlying the committee's concerns is that single sales factor apportionment was placed in HB 4, the compromise FY 2020-21 budget trailer bill, without public hearings or an affirmative vote by House Ways and Means. Third, this bill creates a Joint Legislative Committee on Apportionment. The committee felt that all things apportionment needed to be monitored closely by the House and Senate together. **Vote 22-0.**

**HB 306**, relative to revenue estimates while operating under emergency orders caused by the COVID-19 pandemic. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. The intent of this bill is to formalize the committee's continuing revenue estimating role after the biennial budget is passed. Revenue estimates are cemented into law in the budget bill, as part of the requirement that the approved budget is balanced. But the economy changes, we sometimes pass new legislation that impacts revenues, and other states or the federal government take action that affects them. When the chair of the committee determines that a significant amount of revenue may have changed, the committee is convened to re-examine part or all of the estimate, and subsequently, if the House is in session, present an updated estimate as a House Resolution. The committee finds it advisable to make this process transparent in our law. **Vote 24-0.**

**HB 324-FN**, relative to the administration of certain state taxes by the department of revenue administration. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. This was a housekeeping bill requested by the Department of Revenue Administration (DRA). The bill does four things: clarifies electronic filing of meals and rooms tax, excludes interest for the 30-day period after notice of assessment of state taxes for amounts paid within the 30-day period, removes the consideration of weighted apportionment factor under the business profits tax from inclusion in the tax expenditure report, and provides for conformity in business tax filing dates of non-profit corporations in this state with United States Internal Revenue Code filing dates. In committee, after direct questioning and discussion with the DRA staff, it was deemed in a unanimous vote that these changes were required. **Vote 23-0.**

**HB 330**, relative to sports book locations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Fred Doucette for Ways and Means. This bill as amended, allows for "tier II" sports wagering. This will allow the same wagering options to occur in the brick and mortar sports book locations as can be done on the mobile application. The amendment retains the restriction that "no more than 10 sports book retail locations may be in operation at any given time." **Vote 24-0.**

**HB 354**, relative to the local option for sports betting. **OUGHT TO PASS.**

Rep. Robert Elliott for Ways and Means. This bill makes the language relative to the adoption of sports betting parallel to the language relative to local adoption of Keno. This bill is about the problem of liability. The present wording says: "We" are liable, but that term is not very clear as to who "We" is. The new wording is an attempt to make it perfectly clear the town or city is the liable entity. Therefore, the wording should be "Shall the Town/City of \_\_\_\_ allow the operation of sports book retail within the Town/City of \_\_\_\_." Thus making the Town/City liable, not "We." **Vote 23-0.**

**HB 528-FN**, relative to electronic filing of state tax returns. **INEXPEDIENT TO LEGISLATE.**

Rep. Tim Baxter for Ways and Means. This bill requires a tax return preparer for more than 25 different taxpayers to electronically file state tax returns. This bill introduces unnecessary requirements for tax preparers in New Hampshire who are preparing New Hampshire state business taxes. If a person is compensated for preparing New Hampshire state taxes using tax software for 25 or more people, this bill requires those filings to happen electronically. The Department of Revenue Administration (DRA) does not have the infrastructure in place at this time to handle this change, which may or may not introduce more expenditures for that department. Members of the committee believe this introduces unnecessary complications to our tax code, and introduces unneeded regulation on experts who assist others with filing their taxes, while simultaneously increasing the burden on the DRA. **Vote 23-1.**

**HB 533**, establishing a division of investigation and compliance in the lottery commission. **OUGHT TO PASS.**

Rep. Patrick Abrami for Ways and Means. First, this bill codifies in statute a Division of Investigation and Compliance in the Lottery Commission. The functions and roles within this division are already being performed and thus no new positions are being requested or position title changes, and thus no grade changes impacting salary levels, are being requested. The committee unanimously supported this change given the growth in lottery in recent years with things such as Keno, sports betting, and the expansion of charitable gaming. The second thing this bill does is modify the way in which the Lottery Commission interacts with the Attorney General's Office when it comes to the investigation of license applicants. With this bill, the Lottery Commission would pick up more of the responsibility for fact-finding about all applicants for the variety of gambling-related licenses that the Lottery Commission offers. The important point is that the Attorney General's Office will still have the final say in whether an individual is fit to hold a license. The committee fully supported this realignment of responsibilities, once they received assurances that the Attorney General's Office had no objections and actually welcomed this change. **Vote 22-0.**

## WEDNESDAY, FEBRUARY 24 REGULAR CALENDAR - PART ONE

### CHILDREN AND FAMILY LAW

**HB 188-FN**, relative to appointment of counsel in juvenile court proceedings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cody Belanger for Children and Family Law. The majority believes that this bill allows earlier intervention needed with indigent minors to facilitate justice. The amendment addresses financial concerns when a civil suit is present and a minor may need counsel. **Vote 15-0.**

### COMMERCE AND CONSUMER AFFAIRS

**HB 76-FN**, prohibiting paper billing fees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul Terry for the **Majority** of Commerce and Consumer Affairs. This bill prohibits a person from being charged an additional fee for paying by mail or receiving a paper bill statement. The majority of the committee is opposed to the bill for several reasons. There is no evidence that any other state has banned these nominal fees. The majority was also overwhelmingly opposed to exempting all government agencies while adversely impacting a whole range of much smaller providers directly and their customers who pay electronically. The bill's sponsors have not provided measurable and meaningful data to demonstrate the number of customers who have failed in their efforts to appeal to providers for a hardship exemption or the types and degrees of difficulty encountered by customers who have been unable to locate and secure the services of an alternate provider who either does not charge for paper billing or whose fees are less than an existing provider. Finally, the bill's fine for a first offense is up to \$500. We regard this amount as rather large, particularly because we suspect that it would fall disproportionately on smaller providers. Even more problematically, "first offense" is not clearly defined. It could be interpreted as the first individual billed or all those who are effectively a class of persons billed in a first billing period. **Vote 13-6.**

Rep. Christy Bartlett for the **Minority** of Commerce and Consumer Affairs. This bill would prohibit an additional charge for paying by mail or receiving a paper billing statement. There are many in our communities who, for various reasons, cannot access a computer to make payments. They may be unable to obtain a secure broadband, may be uncomfortable making payments over the Internet, may not have a checking account or may not understand the intricacies of technology. This affects New Americans, elderly and low-income NH residents disproportionately. The minority felt this was unfair when companies try to compel their customers to reduce the company's costs by disallowing paper payments by making an additional charge.

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 63-FN-A**, relative to the reversal or forgiveness of emergency order violations. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for the **Majority** of Criminal Justice and Public Safety. The COVID-19 pandemic has been a difficult time for everyone. Small businesses have been hurt especially hard. Without large legal compliance teams or alternative staff available to cover for those with medical issues, many have struggled to implement the guidance in the highly technical pandemic emergency orders. This bill would forgive any violations of the emergency orders when the state of emergency is over: return any revoked or suspended licenses, refund any fines collected, annul any criminal charges, and make the history inadmissible in future licensing decisions. This limits the long term damage to small businesses, gives them certainty that they are getting their licenses back so they can plan for the future, and provides a path for unity when these trying times are behind us. It also mitigates the constitutional concerns, and court challenges that may arise from them, regarding the alternative civil penalties issued under Emergency Order #65 when a penalty has already been identified in statute for violating an emergency order. The amendment removes some unnecessary language related to enforcement methods that have not been utilized and makes the bill effective upon the end of the COVID-19 state of emergency instead of upon passage. **Vote 11-10.**

Rep. David Meuse for the **Minority** of Criminal Justice and Public Safety. This bill would essentially remove any reason for citizens or for businesses to comply with legal orders issued by the governor under a state of emergency. It would require fines to be refunded and the record of any penalties to be removed from an individual's record at the end of the state of emergency. This bill should be rejected because it takes away the possibility of holding people accountable for violating orders designed to protect public health during the worst public health emergency in over 100 years. While penalties could continue to be imposed and orders enforced by the Attorney General during the state of emergency, this bill would effectively reverse those penalties once the state of emergency is allowed to expire. This is simply bad public policy. During a pandemic that has

touched us all, passing this bill would allow those who feel entitled to ignore orders motivated by the need to protect public health that has killed over 1,000 New Hampshire residents and over 400,000 of our fellow Americans to violate them impunity and with the knowledge that they will suffer no long term consequences. By removing the threat of consequences for violators, this bill sends precisely the wrong message at a time when compliance with these orders is essential to contain the further spread of the coronavirus and ensure the survival of our citizens and our businesses while minimizing additional hospitalizations and deaths. The minority urges rejection of this bill.

**HB 498-FN**, relative to the appointment of bail commissioners. **OUGHT TO PASS WITH AMENDMENT.** Rep. David Meuse for Criminal Justice and Public Safety. The majority recommends this bill Ought to Pass as Amended. This bill addresses an ongoing issue regarding the payment of bail commissioners. In New Hampshire, bail commissioners are officers of the court with the power to set a cash bail or to release a person accused of a crime on personal recognizances. Working mainly during off-hours when courts are closed, bail commissioners are called in by local police after a person is arrested. They assess the accused's condition and previous record and decide whether to require a cash bail, release them on their own recognizances, or—if they present a danger to others—to hold them until they can be brought before a judge. For this service, they are allowed to collect a \$40 fee from the accused. The problem is that a significant number of people don't pay the fee claiming to be indigent. When that happens, the court has no mechanism to ensure the bail commissioner gets paid. This bill requires the court to step in to pay the bail commissioner's fee in cases where a defendant is found to be indigent or doesn't pay the fee. It builds on legislation passed in 2020 that required the courts to establish a procedure to determine an offender's indigence and required the court to develop criteria for determining whether an offender is indigent. The 2020 legislation also directed the courts to "utilize all possible means" to ensure bail commissioners were paid, but did not create a mechanism to ensure they were paid in all cases. This bill fixes that by requiring the court system to develop uniform criteria to evaluate and determine whether an offender is indigent—and to pay the bail commissioner's fee. The majority believes that if the court develops the proper criteria, the estimates in the fiscal note—which assumes 50% of people using the services of bail commissioners would claim to be indigent—would be significantly lower. We urge you to pass this legislation to right a wrong and ensure that bail commissioners are paid reliably for the valuable service they provide to our citizens, our police, and our courts. **Vote 14-6.**

**HB 615-FN**, reducing the penalty for certain first offense drug possession charges. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Casey Conley for Criminal Justice and Public Safety. This bill contains four elements that reflect modern practice and policy consensus on drug sentencing. It reduces maximum penalties for non-violent drug offenses, eliminates felony charges for a first-time personal possession charge and eliminates mandatory minimum sentences for drug infractions. It increases penalties for certain fentanyl offenses to reflect the potentially deadly effects of very small quantities. The provisions in HB 615 previously passed the House on a voice vote in two separate bills in 2020. The Senate failed to take up either bill due to COVID-19. The majority of the committee considers this good public policy and recommends passage of this bill. **Vote 15-6.**

## EDUCATION

**HB 96-FN-A**, establishing the office of school counseling and psychology, establishing the position of school counselor coordinator, and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ralph Boehm for the **Majority** of Education. The Department of Education should be using their budget to determine what their needs are. They should put in positions as they see the need. If the department thinks they should have a School Counselor Coordinator, then they should use their resources to make that position. If the department believes they need that position, they should put it in their budget request. Proponents for that and any other position should not be made by the legislature. Micromanagement is not our job. **Vote 11-9.**

Rep. Patricia Cornell for the **Minority** of Education. The minority of the Education Committee agree that the intent of this bill, to reestablish and fund the position of the school counselor coordinator in the Department of Education (DOE), is an important one and should have been passed in this session of the legislature, as it was last session (18-2) in committee and by the full house. This position was in place until 2018. People in the field asked the sponsors for this bill, as, now more than ever, leadership from the top is needed. Students today are facing more and different issues than ever before and counselors, psychologists, and social workers need a specific liaison in the DOE that has the time to devote to them and the knowledge of available resources to aid them in assisting students and their families. There is a fiscal note to the bill of an appropriation of \$118,000 in FY 2022.

**HB 497-FN**, allowing a school district to exempt its chief administrative officer from compulsory participation in the retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Education. This bill allows a school district by action of its governing body to negotiate participation in the NH Retirement System (NHRS) in the initial contract with a newly hired or appointed

superintendent. This legislation is opposed by both the majority and the New Hampshire School Administrators Association. This legislation would reduce the overall solvency of the retirement system by creating a significant impact to unaccrued actuarial liability, according to testimony of the NHRS. CEOs of municipalities and school districts are typically the largest contributors to the NHRS in each community, and this bill does not include any mandatory employee contributions which are 7% of payroll. This bill would make the superintendent position more attractive for out-of-state candidates with established retirement accounts in other states, while potentially becoming less attractive to New Hampshire candidates who are current members of the NHRS. The committee is not convinced that this bill is necessary. **Vote 18-2.**

**HB 594-FN**, relative to the school building aid program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education. This bill as amended sets the amount of school building aid grants for construction and renovation projects at no less than \$50 million per fiscal year. Current law states ‘not to exceed \$50 million per fiscal year.’ The amended bill also requires the Department of Education to develop and maintain a 10-year plan for school building grant projects. The plan shall provide the department and legislature a summary of projects with school facility capital expenditures that are anticipated for the next ten-year time frame. This procedure will result in better identifying potential statewide school construction and renovation projects and knowing the condition of projects in the plan. **Vote 20-0.**

**HB 613-FN-LOCAL**, relative to state aid to school districts with special education pupils. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the **Majority** of Education. This bill would lower the formula threshold for special education state aid (formerly CATAID) to 2.5 times the average cost of education from 3.5 times the average cost of education. In addition, the amendment enables the creation of association risk pools of the type outlined in RSA 5-B. The association might self-insure or use insurance products or both so that school districts could be assured, prior to their budgets being set, of the mitigation of potentially large and unexpected special education costs. Currently 117 districts have rainy-day funds to address unexpected special education costs. This bill would allow districts the option to join together to address these financial risks in a more efficient manner. **Vote 10-9.**  
Rep. Douglas Ley for the **Minority** of Education. As amended, this bill now provides enabling legislation to permit the establishment of “risk management associations” amongst school districts to manage the costs of special education. In essence, these are voluntary insurance associations entered into by school districts to control for and to manage sudden costs of special education, replacing the dedicated or rainy day funds many districts currently maintain. Members of the committee agreed that the concept was intriguing and that as a financial and insurance instrument, the proposal should be reviewed by the Commerce Committee. Where the minority diverged was in the complete lack of any public input or foreknowledge of the amendment, which completely changes and replaces the original bill considered in the public hearing. Neither school officials, superintendents, nor concerned parties in the special education community had any prior knowledge of this amendment and the minority believe it would be best to first consider the policy implications contained herein. This bill would enable creation of a particular financial instrument, but there are always policy and social implications as well as potential unintended consequences. The minority believe the policy merits of the proposed bill should be publicly and carefully examined prior to deciding whether to move forward.

## ELECTION LAW

**HB 121-FN-A**, establishing an independent redistricting commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Fenton Groen for the **Majority** of Election Law. This bill proposes to establish an Independent Redistricting Commission whose members would be appointed by elected state Senate and House leaders. The United States Constitution provides that individual state constitutions establish the laws governing their election process, including the establishment of voting districts for elected officers. The New Hampshire Constitution provides that our legislature has sole responsibility for the establishment of voting districts. The majority of the committee believes that to assign this responsibility would be contrary to the constitutions of New Hampshire and the United States which we have sworn to uphold and defend. Additionally, the appointment of commission members by elected leaders of the respective political parties continues to establish it as a political process but further insulated from the will of the NH voters. New Hampshire has the largest state legislative body in the United States. This makes us the most representative group, “commissioned of the people” if you will, to perform this constitutional responsibility. The majority of the committee recommends that this task be done as charged in our constitution and not be delegated to an appointed commission, contrary to our constitution. **Vote 11-9.**

Rep. Connie Lane for the **Minority** of Election Law. Gerrymandering is one of the major reasons why voters have lost faith in democracy and feel that their votes do not count. This bill establishes an Independent Redistricting Commission that is charged with conducting an open and transparent process enabling full public consideration of and comment upon the redistricting of county, state and federal electoral districts. It

is intended to put the interest of voters, constituents, and communities of common interest ahead of purely political considerations. Historically, NH has conducted redistricting by establishing committees composed of members of the NH House and Senate. In NH, as in other states, the process of redistricting has become a bitterly contested, expensive, and litigated partisan battle. This bill creates a framework in statutory law, which will enable NH to have the next redistricting process conducted by an independent commission composed of 15 citizens, selected from a pool of citizens who fulfill the qualifications set out in the bill. The commission is independent, but the process continues to involve the Secretary of State and the elected leadership of both the NH House and Senate. The process leaves the ultimate decision to adopt the commission's plan to the legislature as the NH Constitution requires. It is akin to the commission established by the Governor to assist him with his constitutional duty to choose judges. This bill puts the interest of NH voters before our own as legislators seeking easy re-election.

## ENVIRONMENT AND AGRICULTURE

**HB 532-FN**, creating an animal records database. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Bixby for the **Majority** of Environment and Agriculture. This bill was requested by the Department of Agriculture, Markets, and Foods to provide a tool for meeting its statutory obligation to track transfers of dogs, cats, and ferrets for the purpose of pet vendor licensing. The bill establishes a database application that enables veterinarians to submit animal health certificates electronically, and enables the department to track the number of animals transferred to determine if a person needs to become licensed as a pet vendor. The amendment removes rabies vaccination certificates and all fees from the original bill, and replaces the term health "certificate" with "certificate of transfer." The confidentiality section, which is based on the Prescription Drug Monitoring Program confidentiality provisions and pet license confidentiality statutes, has been amended to insure that authorized local, state, and federal authorities can use data only in animal health and pet vendor licensing investigations. This amendment adds a right of civil redress for violations, and strengthens it, based on advice from the department and the Chair of the Criminal Justice and Public Safety Committee. The establishment of the database is funded with existing department funds and an appropriation is requested for management costs in the second year of the biennium. **Vote 16-2.**

Rep. Barbara Comtois for the **Minority** of Environment and Agriculture. This bill is a result of a mandate passed in the last budget that never had a hearing in the House of Representatives. The provisions of this mandate placed a hardship on hobby breeders and preservationist breeders. The database will collect personal information in relation to health certificates (which are only good for 14 days). The Commissioner of Agriculture asked us not to get into the weeds of the database, as they do not want to be ham-stringed in the future, if it needed to be expanded. The reality is that this database is a policing tool to make sure those hobby breeders who transfer 25 or more dogs or cats and 30 or more ferrets have applied for a pet vendor license. This bill will also, after its implementation, add \$250,000 plus an additional informational technology person to the department budget.

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB 91-FN**, relative to death benefits of first responders who die from suicide. **OUGHT TO PASS.**

Rep. Terry Roy for Executive Departments and Administration. This bill provides a line of duty death benefit to police officers, firefighters, emergency medical technicians and rescue squad members who die by suicide after being exposed to traumatic events in the course of their duties. The majority of the committee agreed that suicide is one of the possible unfortunate effects of post-traumatic stress disorder which often results from conditions many of these first responders face on a regular basis and that when there is a nexus between their employment and their death, their families should be eligible for line of duty death compensation. **Vote 14-4.**

**HB 274-FN-LOCAL**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. **WITHOUT RECOMMENDATION**

**Statement in support of Ought to Pass:** This bill requires the state to pay 5 percent of the normal and accrued liability contributions of the political subdivision retirement employers for group I teachers as well as group II (police and fire) members beginning in FY 2022. The intention of this bill is to alleviate the burden of the sole contribution by all participating municipalities in the New Hampshire Retirement System (NHRS), thus relieving the tax burden to the citizens when the state removed its obligation as a co-contributor to the NHRS system. This bill is a partial, prudent, and conservative attempt to reconstruct the state obligation. It is not at the original agreed to rate of 35% that was paid in the 1970's, but at a sensible rate of 5% relieving the applied tax to municipalities and their taxpayers this reduction inadvertently caused. To make a fair decision on this matter a brief overview and explanation is needed of the original agreement between the state and the contributing municipalities. NHRS was founded in 1967 from a combination of four existing retirement groups, Fire, Police, Teachers, and employees (e.g. state and local workers). Teachers and employees became

known as group I, fire and police became known as group II. To entice municipalities to become contributing members, the state agreed to pay 40% of the shared costs in 1967. It was changed in the 1970's to what many of us remember of 35% of the shared costs. It remained under this agreement until 2010 when it was amended again to 30% then again amended to 25%, then further reduced to the current funding of zero. In 2012 it was understood by many of the municipalities that in 2012 it was supposed to be reinstated to 35%, but it was eliminated in the 2011 budget process which brings us to our current funding level of zero. Although changes were made over the years, at no time was it understood by the municipalities that this agreement by the state came with a sunset or termination date. Instead, it was understood that the state would continue as contributing partner in perpetuity. If municipalities had known in 1967 that the state would not fund their contributions, perhaps a different opinion would have been expressed by the municipalities at that time with legislation to continue the partnership. If one thinks that this elimination of the state's contribution responsibility was the panacea to the unfunded actuarial accrued liability (UAAL) they would be mistaken, for the UAAL still exists and other legislation was introduced to adjust that issue. In summary, the state walked away from being a contributing partner, which has led to a promise made and a promise unkept. Currently the state makes no contributions leaving the municipalities and taxpayers holding the bag and in essence a tax of 35% to member municipalities. This bill has the support of your municipal government expressed through the New Hampshire Municipal Association (NHMA). If you have employees in the NHRS, please just go ask your mayors, town administrators or other town officials if your community is feeling the pinch this downsizing has caused. So, you may then ask what is the solution? It is the adoption of this bill, which is a judicious and prudent attempt to compromise the absence of the state's contribution, not to the full 35%, but at a more practical 5%, and providing the 2012 intention of reinstating 35% that was eliminated in HB 2: Chapter 224, Laws of 2011, thus alleviating the inadvertent tax levied upon our constituents. This will allow each, and every contributing municipality and her taxpayers a minor breather, and perhaps allow each community additional funding to combat the other elephant in the room, COVID-19.

Rep. Michael O'Brien

**Statement in support of Inexpedient to Legislate:** This bill would require the state to pay 5% of the employer's portion of pension contributions paid by municipalities. It would cause every taxpayer in the state to subsidize local employees, without any say in the number of such employees employed, their pay or benefits. This subsidy creates incentives for localities to increase the number or pay of their employees, since they would not pay the full cost themselves. In addition, committee members are skeptical that this would actually provide property tax relief because we've all seen cases where outside funds sent to local governments result in higher spending, not lower taxes. We are also concerned that the minimal 5% share in this bill could easily be increased by future legislatures. Finally, the constant cry about broken promises and downshifting to localities is based on a mistaken premise. In 2011, when the pension system was restructured, the employees were required to pay in 2% more than they had previously, which provided approximately as much money as the state's contribution. If there is any downshifting in this scenario, it is to the employees, not the employers. The increased requirements for employer payments since then are due to paying off 17 years of miscalculated employer contributions (plus interest), demographic changes, poor investment results, and changing policies at the retirement system.

Rep. Carol McGuire

**HB 425-FN**, establishing the position of chief information security officer and deputy chief information security officer in the department of information technology. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill was submitted at the request of the Department of Information Technology and brings into statute an executive order issued by Governor Hassan. The Chief Information Security Officer and Deputy Chief Information Security Officer work with all executive branch agencies to establish cyber security policy; in addition, they interact with the cyber risk assessment task force and implement steps to mitigate risk impact. These positions exist now and are in the budget as proposed. There was no opposition to this bill at the hearing and, recognizing the need for cyber security in NH, the bill passed through the committee unanimously. The committee amendment deletes language that inadvertently created duplicate positions. **Vote 17-0.**

**HB 591-FN**, relative to certain liquor license fees and establishing 2 liquor investigator positions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tony Lekas for Executive Departments and Administration. This bill, as amended, would permit the issuance of a retail tobacco license to any business which already has a license to sell alcoholic beverages for an additional fee of \$6. It also makes some minor clarifications of certain other liquor license provisions. As introduced, the bill as introduced established two investigator positions. While those investigators may or may not actually be needed by the Liquor Commission, they do not need to be added to implement the provisions of this bill. The ED&A Committee does not normally get involved with the Liquor Commission and does not have the information or expertise to determine the commission's staffing needs. If the liquor commission does require additional staff that would be better addressed by another committee which has such expertise. **Vote 11-8.**

## HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

**HB 187**, relative to the emergency powers of the commissioner of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill establishes retrospective legislative oversight over emergency orders from the commissioner of the Department of Health and Human Services (DHHS), issued under RSA 21-P. The bill also establishes legislative oversight over various powers under the public health and infectious disease laws. The critical part of this bill, and the only issue on which there was a difference of opinion, is on page. 2, line 32, which gives the Health and Human Services Oversight Committee the authority to rescind emergency orders by a two-thirds vote. The majority feels this measure is essential to restore the balance of power between the branches, but is sufficiently high to prevent its misuse. Current law was appropriately used to limit the distribution of hydroxychloroquine under the emergency order when there was a shortage. The bill clarifies that we did not grant the power to prevent the prescribing of a drug medical professionals have reason to believe might be effective. Existing law in RSA 21-P:53 V clearly states individuals have a right to refuse ordered treatment including vaccination. However the statutory reference calls that into doubt as it refers to a statute telling a justice of the peace to order treatment. The bill corrects the reference, clearly allowing individuals to refuse treatment and remain in quarantine. Legislative oversight over other emergency powers is also established through the Ethics Oversight Advisory Committee. This committee is in statute but had no members appointed; the Governor used the State Disaster Medical Advisory Committee to reconstitute this necessary committee to create the vaccine distribution plan. This committee would also review other emergency orders, and address ethical concerns with emergency orders. The amendment does the following: It eliminates section 2 of the bill as drafted, which was determined to be unnecessary. It rewrites the charge to the Ethics Oversight Advisory Committee to be less burdensome and to use aggregate and de-identified data. Last, it undoes changes to the membership of HHS Oversight in last year's HB1245 on page 9. We do not believe those changes were intended to remove minority party input from HHS Oversight. **Vote 19-2.**

**HB 246**, establishing a protective order for vulnerable adults. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bill King for the **Majority** of Health, Human Services and Elderly Affairs. This bill is similar to several other bills that have been considered and rejected over the past several years. This bill would create a civil process to address potential elder or vulnerable adult abuse. Many concerns were raised about financial abuse of adults and "that the money was gone" before someone could act. Stealing someone's retirement funds is already a crime under the criminal statutes as is physical abuse and neglect. The committee heard from numerous citizens expressing concerns about due process violations and use of civil processes when there is evidence that criminal activity had occurred. Specific issues were raised about the phrase, "...the court shall not be bound by the technical rules of evidence..." which would allow for 'evidence' that might be hearsay or double and even triple hearsay. The language in the proposed statute would allow the confiscation of personal property, including animals. The language would also kick in federal law that would allow for confiscation of firearms from the accused without a trial where the accused was found guilty. This bill also included an indefinite look back in time whereby an incident that had occurred decades ago could be used as evidence of abuse. This is a significant departure from traditional, American, jurisprudence. As a society, we have been careful to ensure that the accused is presumed innocent until proven guilty in a court of law. The committee heard significant concerns that this civil process would do away with those protections. Numerous suggestions were made to correct the flaws brought up in the public hearing but nothing was agreed to during the executive session. Members considered retaining the bill to work on it, however the committee decided that this bill was unworkable. **Vote 14-7.**

Rep. Lucy Weber for the **Minority** of Health, Human Services and Elderly Affairs. This bill provides protections for vulnerable adults. This refers to persons who are mentally, physically or emotionally unable to manage their personal, home or financial affairs in their own best interest, and who may be suffering abuse, neglect or exploitation, whether physically, emotionally, or financially, at the hands of another. This bill is needed because existing statutes do not provide the prompt relief from the kinds of abuse, neglect or exploitation that seniors and persons with disabilities or with mental illness suffer all too often, sometimes at the hands of caregivers or their own families. Existing criminal statutes can punish those who abuse or exploit the vulnerable adult, but criminal prosecution takes a long time, and the abuser is often out on the street continuing to drain finances or perpetrating physical or emotional abuse of the victim for significant periods of time before a case comes to trial. By the time of trial, the financial resources of the victim may have been drained, leaving them destitute and a charge of the state, or leaving them battered, either physically or emotionally. In some cases, existing relief from abuse orders may be used, but they cover only family or household members or domestic partners. Often the abuser is a caregiver or unrelated party who has wrongfully gained access to the victim's home, finances or other assets, and existing domestic relations orders

offer no help. A guardianship may eventually provide the victim with appropriate supervision of financial or personal matters, but again, the process is lengthy and, in practice, the process usually does not start until after the victim's assets are gone or significant abuse has occurred. This bill offers a quick, effective process for the victim, aided by a support person if they choose, to file for a protective order in the circuit court. An expedited hearing schedule protects the substantive rights and due process rights of both the vulnerable adult and the alleged abuser without creating a whole new state bureaucracy. The resulting order may restrain the abuser from continued abuse, exploitation or neglect, keep the abuser away from the victim and the victim's home and property, and require the return of personal property wrongfully taken from the victim, providing desperately needed immediate protection for the victim.

## JUDICIARY

**HB 420-FN**, relative to the use of funds in the drug forfeiture fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. The majority of the committee agrees that our state has a serious substance abuse crisis, and that more treatment programs are needed. However, prevention is just as necessary as treatment, and this relatively small funding source is essential for local, county, and state law enforcement agencies. Currently, the Drug Forfeiture Fund is administered by the Attorney General's Office. In Fiscal Year 2020, this fund directed about \$100,000 towards street-level drug investigations, along with a variety of local substance abuse prevention programs. This is the most effective use for that money. This bill would also eliminate the only current funding source for the new and much needed Police Psychological Stability Screening Fund, which was established just last year as part of a bi-partisan law enforcement omnibus bill. **Vote 15-6.**

**HB 481-FN-A**, establishing the office of the right-to-know ombudsman and making an appropriation therefor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the **Majority** of Judiciary. This bill creates a Right to Know Ombudsman. The office of ombudsman was proposed by the 2017 bipartisan Right to Know Commission as the best solution to give our citizens better access to government documents. It has worked effectively in many states, including Maine. Since RSA 91-A has no enforcement mechanism, individuals who have disputes over access must go to court for resolution. That is expensive and time-consuming for both the citizen and the government. Local governments have spent tens of thousands of dollars defending Right to Know cases, and people, who can rarely afford a lawyer, many thousands on these suits. The ombudsman will provide a faster, cheaper, and less adversarial way to resolve disputes. Either party retains the right to go to court after an ombudsman ruling, but the court will have to address the reasoning in the ombudsman's ruling, leading to a clearer understanding of the law for all concerned. This bill contains a two-year sunset clause to ensure the ombudsman solution is working. **Vote 16-5.**

Rep. Michael Sylvia for the **Minority** of Judiciary. This bill seeks to resolve numerous problems surrounding New Hampshire's Right-To-Know laws. The minority of the committee believes this solution to be just another patch in a law that simply lacks the teeth to correct the abuses of RSA 91-A. While it has a sunset provision, the minority is very familiar with the life expectancy of a government program. If there are as many problems as we believe exist (on this we agree), then we can expect the ombudsman to be very busy and perhaps need to expand the office. Lacking growth of the office, the volume might cause resolution to cases to be drawn out for long periods of time. A better method for correcting the issues of 91-A would be to enhance penalties for bad actors, whether they be citizens or public bodies.

**HB 625-FN**, relative to the protection of fetal life. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Marjorie Smith for the **Majority** of Judiciary. This bill prohibits a health care provider from performing an abortion if the gestational age of the fetus is at least 24 weeks, unless there is a medical emergency. This bill sets an extremely narrow exception to the prohibition of abortion, excluding emotional, psychological, and other health factors worthy of consideration as determined by a patient and the patient's doctor. Not even rape or incest would be a permissible exception. Viability varies with each pregnancy. It has no predictive value in utero. It is only after birth that viability might become a relevant measure. This bill requires that all patients, no matter at what state of the pregnancy, seeking an abortion to have an ultrasound, imaging studies, and possibly other costly and invasive tests. The majority believes that doctors must be able to provide the best possible health care for each individual patient. By threatening criminal charges against providers who are exercising their best medical judgment, passage of this bill will result in intimidation and harassment against medical professionals. **Vote 11-10.**

Rep. Kimberly Rice for the **Minority** of Judiciary. This bill prohibits abortions on babies older than 24 weeks who can live outside of the mother's womb, except when the alternative poses significant risk to the life or health of the mother. This bill implements the compelling state interest in protecting viable babies and minimizes risk to the mother's health. This is about the values that define us. We see potential in every life- including the pre-born, and we recognize that the pre-born has been endowed by her creator with the

inalienable right to life. We believe that viable babies should be allowed to live even if they have Down Syndrome or are otherwise less than perfect. We know every OB/GYN with a pregnant patient has two patients; mother and child, and uses all their skills to protect both. We believe the law should do the same. Testimony showed this bill to be consistent with standards of care for pregnant women who present with very difficult pregnancies. The minority of the committee believes that New Hampshire should never be a haven for those like Kermit Gosnell, the Pennsylvania abortionist who heartlessly snipped the spinal cords of “accidentally” born babies. We are proud to support legislation that reflects our values and protects the sanctity of human life. The minority stands in the gap, defending the most defenseless, and giving voice to the voiceless. New Hampshire should join the many states with post-viability bans by adopting this bill.

## **LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

**HB 590-FN**, relative to paid sick time. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill would mandate each and every employer provide paid sick time to each and every employee. Currently, the majority of employers in our state already provide either paid sick time or a personal day/sick time “bank” as an added benefit or incentive to retain employees. Just as an employee’s pay is determined by agreement between the employer and employee, perks and benefits should also be between the two parties and not a mandate instituted by bureaucrats. The bill adds a voluminous number of ancillary and unrelated provisions to the point that the legislation becomes similar in scope and more analogous to a paid Family Medical Leave program, a program this House has rejected numerous times. Business leaders and business associations who testified unanimously reject this legislation. Their universal statement was “do not dictate and mandate universal and ‘one-size-fits-all policies’ to business owners. Allow us, those who know are businesses, to run our businesses.” **Vote 11-9.**

Rep. Joshua Adjutant for the **Minority** of Labor, Industrial and Rehabilitative Services. The minority on the committee is disappointed that on the same day Governor Sununu promised more in tax breaks to businesses in the state of New Hampshire, the majority of the committee decided that low-wage workers who have been showing up for work during the COVID-19 crisis do not deserve the most basic paid sick leave protection. The minority of the committee recognizes that while some companies already provide a paid sick leave program for their employees, many low-wage employees don’t have those basic benefits, and the minority believes that this bill is asking employers to provide a very reasonable and affordable benefit.

## **MUNICIPAL AND COUNTY GOVERNMENT**

**HB 459**, prohibiting a transfer of funds within an adopted budget to a general ledger line item in such budget that contains an entry of zero dollars. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurel Stavis for the **Majority** of Municipal and County Government. This is a bill that seeks to impose severe penalties on any public official in our state who may transfer funds into an approved budget ledger line containing zero dollars. The bill demands no burden of proof that such a transfer may have been made inadvertently – or even as the result of a subsequent approval by the voters. In fact, it places the burden of proof solely on the accused, which runs counter to everything our system of justice is based on. Those who manage our towns and cities do so, in large part, on a voluntary basis and out of a sense of commitment to the common good. This bill would be a powerful disincentive to anyone considering public service in New Hampshire and would place a significant burden on our courts. **Vote 11-7.**

Rep. Tony Piemonte for the **Minority** of Municipal and County Government. The minority of the committee believed that this bill would properly address and potentially cure long-existing problems in which approved municipal and school budgets often contain general ledger line items containing an entry of zero dollars. It is a reasonable expectation of those authorized to grant final approval of budgets that no transfers of funds are to be made to general ledger line items that contain an entry of zero dollars in approved budgets, but nevertheless, some of the relevant governing bodies are known to make such transfers, effectively contravening the intent of the voters and, as applicable, the governing bodies, that approved the respective budgets with the expectation that an entry of zero dollars in a line item means that no money shall be transferred into such a line in the approved budget.

**HB 586-FN-A-LOCAL**, relative to training and procedures for zoning and planning boards and relative to financial investments and incentives for affordable housing development. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the **Majority** of Municipal and County Government. In 2020, the Governor’s Task Force on Housing proposed legislation to encourage the development of affordable housing within the state. Unfortunately, after extensive work by several House committees, the two amended companion bills died on

the table due to the pandemic. This bill is the combined version of those amended bills. In amending last year's bills, the committees worked closely with all major stakeholders to make the provisions enabling rather than mandatory, and to maintain and enhance local control of development. HB 586 provides for free training materials for planning boards and zoning boards of appeals. It streamlines the appeals process, clarifies what can be incorporated in inclusionary zoning ordinances, and modifies the criteria for workforce housing. It permits municipal economic development and revitalization districts under RSA 162-K to be used to increase workforce housing and other residential development within a city or town, and increases the community revitalization tax relief incentive period for eligible housing projects under RSA 79-E. Finally, it establishes the New Hampshire housing champion certification program as an incentive for communities who seek to make housing a priority. This enabling legislation gives communities a toolbox of options to use if they so choose and maintains local control. **Vote 15-3.**

Rep. Tony Piemonte for the **Minority** of Municipal and County Government. The minority of the committee believed, even after hours of testimony from two prior bills presented in 2020 that failed to pass, and after hours in subcommittee meetings trying to combine them into HB 586, that this bill made the pendulum swing further in favoring land developers. This bill started off with good intentions. This bill will grow government bureaucracy bigger and expand regulations through this bill if that happens. It creates a 16-member advisory board and the minority is concerned about the potential training for said members. The committee heard from many towns about how these policies will be implemented and how much it would cost. Hopefully the House Finance Committee will have more information.

## SCIENCE, TECHNOLOGY AND ENERGY

**HB 614-FN**, exempting the state and political subdivisions from payment of the costs of compliance with the renewable portfolio standard. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Harrington for the **Majority** of Science, Technology and Energy. As amended, bill echoes the Governor's budget promise of tax cuts for everyone. As amended, it allows a county, city, town, school district, or other public body to reduce costs that could then lower property taxes. The bill exempts these public institutions from paying the portion of their electricity bills that goes to support the renewable portfolio standard (RPS). It even exempts the state, which spends between \$400,000-500,000 per year on the RPS. This state money could be used for education, health services, or strengthening the rainy-day fund. Cities like Manchester and Nashua could realize tens of thousands of dollars in savings by not paying for the RPS. Even a small town like Epping could save a few thousand dollars per year. The bill also gives town taxpayers the freedom to decide for themselves whether to continue paying to subsidize renewable energy and to remain eligible to request renewable energy grant money. This legislation relieves citizens of the double jeopardy of paying for the RPS on their personal electricity bills, and then paying for it again on their property taxes. It shifts no costs to other ratepayers. During these uncertain economic times, any budgetary relief provided under this kind of legislation will help ensure that the state can fund its most important activities uninterrupted. **Vote 11-9.**

Rep. Lee Oxenham for the **Minority** of Science, Technology and Energy. The minority disagrees with the Ought to Pass recommendation of the majority. The Renewable Portfolio Standard (RPS) is the primary mechanism supporting the development of Renewable Energy in NH. It requires NH utilities to buy a certain percentage of their total electrical supply from renewable sources (solar, wind, hydro and biomass). This bill would exempt state and local governments from paying for these requirements, on the false premise that this would "save" the average electric ratepayer on their bills (a small amount), at the cost of far larger long-term savings from greater energy efficiency. Remember, NH has no fossil fuel industry; what we do have is a job-creating renewable energy business sector. Renewable energy brings investment capital to the state, attracts high tech firms, a young demographic, and provides thousands of jobs. Good Jobs. Renewable energy is also poised to grow exponentially with offshore wind development if we are able to compete with incentives provided by our neighboring states. Why would anyone want to unnecessarily spend ratepayers' money to deep six the RPS? What is the benefit to NH in sending billions of dollars out of state to pay for damaging fossil fuels? The RPS is a win-win proposition which provides grants for low to moderate income community solar projects, incentivizes private investment in home-grown renewable energy, and protects public health while producing good-paying local jobs, stronger business development, and enhanced economic growth.

**HB 624-FN**, decreasing the fee to file a petition for a declaratory ruling with the site evaluation committee. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jeanine Notter for the **Majority** of Science, Technology and Energy. This bill reduces the fee charged to obtain a declaratory ruling from the Site Evaluation Committee (SEC), the body that approves energy projects like hydroelectric plants or wind and solar farms. This legislation lowers the fee from either \$10,500 or \$3,000 to \$250, depending upon whether a subcommittee of the full committee provides the ruling. This reduction makes the declaratory ruling process more accessible to the general public. A declaratory ruling responds to a question or complaint about an energy project site certificate. It typically asks the SEC to rule on a possible violation of

the terms or conditions of a certificate. The bill further clarifies that only the full SEC can determine whether an energy project operator is meeting the terms and conditions of its site certificate. This language change ensures that an SEC administrator can observe and record possible violations, but only the full SEC owns the responsibility for enforcing the terms and conditions of the certificate. The minority sought an amendment to restrict the fee reduction to non-corporate requesters, but the majority believes that fairness dictates otherwise. Public accessibility to the SEC is essential to the transparency and responsiveness of the site certificate process. Such accessibility enables public trust in the process of energy project siting. **Vote 19-1.**

Rep. Peter Somssich for the **Minority** of Science, Technology and Energy. The minority disagrees with the Ought to Pass recommendation of the majority. Currently there are five levels of fees (ranging from \$3000 to \$10,500), for requests to the Site Evaluation Committee (SEC), which is in charge of approving large infrastructure projects. According to testimony, originally, the SEC only charged businesses involved in these projects those fees, while regular citizens who were affected by the projects, were not required to pay any fee when they requested clarification of compliance to a project's specifications in the form of a declaratory ruling. The thinking was that the high fees that financed the operations of the SEC would be overly burdensome for the average citizen, while the projects' proponents could well afford to pay those fees. Over time, fees at all levels were applied also to everyone, including residents who would not benefit from a project, but were impacted. This measure made it unaffordable for a resident to ask for a declaratory ruling. The sponsor of this bill originally requested that the fee for such a ruling be reduced to only \$250, but did not specify that this reduction was intended for residents and not for business interests. Both the majority and the minority were overwhelmingly supportive of allowing residents to request such a ruling at the lower fee of \$250, and the minority suggested a minor amendment that would specify this. While the majority and the sponsor agreed to this arrangement, they subsequently indicated that they do not want to do that at this time. Therefore, the fee as recommended in this bill can now be used by business interests to obstruct or slow a project down out of self-interest.

## WEDNESDAY, FEBRUARY 24

### REGULAR CALENDAR - PART TWO

#### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 81**, relative to the justified use of deadly force upon another person. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for the **Majority** of Criminal Justice and Public Safety. HB 81 makes a two word change by adding 'or another' to the RSA. The law now says that a person may use deadly force on his own property if the owner reasonably believes that a person is likely to use any unlawful force in the commission of a felony against the owner. Adding 'Or another' to the law means the property owner would also be legally allowed to defend their guest that do not live in the home. Current law allows for a person in their home to defend all that live in the home. This bill simply restates the rights stated in the NH Constitution, Part First, article 2-a: "All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state." **Vote 11-10.**

Rep. Casey Conley for the **Minority** of Criminal Justice and Public Safety. HB 81 represents an unnecessary and problematic expansion of New Hampshire's existing self-defense statute. State law has long allowed use of deadly force in defense of one's home, and by extension the occupants within it. As such this bill is not needed, and efforts to loosen that standard could invite serious unintended consequences.

**HB 197**, relative to the use of deadly force in defense of another. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer Rhodes for the **Majority** of Criminal Justice and Public Safety. NH laws already permit a person to use deadly force to protect themselves and their family inside their dwelling. This bill expands this right to allowing a person to protect themselves and their family against unlawful force during the commission of a felony while inside their vehicle. The rights of Granite Staters and their loved ones are of utmost importance and shall always be protected, upheld, and reaffirmed, regardless of property line boundaries. **Vote 11-9.**

Rep. John Bordenet for the **Minority** of Criminal Justice and Public Safety. This bill was an extension of the stand your ground law. However, it would have given permission to use deathly force when witnessing the commission of a felony using unlawful force in a vehicle. Previous subparagraphs would in RSA 427:4 would cover all issues justifying this bill. It is difficult to justify using deadly force against someone if your or other's life is not in danger. We felt the bill went too far.

**HB 365**, giving peace officer status to federal law enforcement officers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dave Testerman for the **Majority** of Criminal Justice and Public Safety. HB197 AN ACT relative to the justified use of deadly force upon another person. This bill was an extension of the stand your ground law. However, it would have given permission to use deathly force when witnessing the commission of a felony

using unlawful force in a vehicle. Previous subparagraphs would in RSA 427:4 would cover all issues justifying this bill. It is difficult to justify using deadly force against someone if your or other's life is not in danger. We felt the bill went too far. **Vote 17-4.**

Rep. David Meuse for the **Minority** of Criminal Justice and Public Safety. Some of the more dangerous police work done in New Hampshire is conducted by joint task forces made up of local and state police augmented by federal authorities. This bill provides that certified federal officers who receive training in New Hampshire law and swear an oath will be allowed to enforce New Hampshire state laws under very narrow circumstances. Those circumstances include protecting an individual in the presence of the officer from the imminent infliction of serious bodily injury, providing immediate assistance to an individual who has suffered or is threatened with serious bodily injury, preventing the escape of any individual whom the officer reasonably believes has committed a crime in the presence of the officer and preventing the escape of any individual whom the officer reasonably believes has committed a felony under New Hampshire law. The Director of the New Hampshire Police Standards and Training Council testified that in cases like this it is imperative for federal officers to have limited state authority. This bill would provide that authority. What the bill does not do is allow any federal officer vacationing in New Hampshire to simply start arresting people under our state laws. A similar provision in New Hampshire law currently exists for federal homeland security officers. This bill would narrowly expand it to other federal officers, including officers or inspectors of the U.S. Customs Service, the Department of the Treasury, or the U.S. Department of Justice, including the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco and Firearms, and the U. S. Marshalls.

**HB 564**, prohibiting the use of rubber bullets and tear gas by law enforcement. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gary Hopper for the **Majority** of Criminal Justice and Public Safety. This bill prohibits the use of rubber bullets and tear gas (non-deadly force) by law enforcement. The majority of the Criminal Justice Committee believes it to be inexpedient to legislate at this time. In 2020 we saw, all across our country peaceful protests that morphed into riots. Businesses were destroyed, parts of cities were taken over, hundreds of police officers were injured and many were murdered. Removing a non-lethal tool that police have to restore order in chaotic times is ill advised. Advocates for the bill mentioned that police departments such as Nashua are well trained and they did not know of any misuse of the rubber bullets or tear gas. There was no evidence given to the committee of the abuse of these tools in NH. **Vote 12-8.**

Rep. Casey Conley for the **Minority** of Criminal Justice and Public Safety. Events over the last year have demonstrated the need for uniform standards for deployment of non-lethal weapons. This bill made a good-faith effort to establish those boundaries. The minority acknowledges concerns with the language of the existing bill but believe it could have been addressed with an amendment.

## EDUCATION

**HB 110**, relative to the distribution of adequate education grants. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the **Majority** of Education. Consistent with school funds raised through tax assessments, this bill would direct adequate education grants to the municipality rather than directly to the municipality's school district or districts. This bill increases transparency and addresses disputes which have occurred. **Vote 11-9.**

Rep. Linda Tanner for the **Minority** of Education. The minority feels this is an unnecessary bill that will create more paperwork, more layers of bureaucracy, and for regional school districts with multiple towns, a significant increase in the number of financial transactions. During committee testimony, the superintendents, as well as representatives of towns and cities including the municipal association, failed to see the need and confirmed the added burdens and possible issues that could result from this bill.

**HB 194**, relative to the release of student assessment information and data. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education. This bill is parent and local district support legislation. State assessments are mandated by federal legislation which also specifies that the results be provided to parents in a timely fashion. Not providing the results in a timely fashion also risks loss of federal funds. The results are also important information for parents on their child's achievement and growth. This bill simply provides the option for the Department of Education to have the testing agency send the results to the parents directly. This provision is already built into their contract along with data security provisions. **Vote 11-9.**

Rep. Patricia Cornell for the **Minority** of Education. The minority of the Education Committee feels this is an unnecessary bill that solves a problem that doesn't exist. This bill has the Department of Education (DOE) provide the testing entity with individual pupil names, unique pupil identifiers, and student addresses for the purpose of distributing assessment results. In New Hampshire, we value our privacy and this is a gross

breach of privacy. According to the sponsor, parents are not getting the testing results in a timely manner or not at all. According to the DOE representative, in the fall of 2020, the department heard from about 25 parents who were displeased. In turn, the department sent a notice to the building administration and superintendent and offered support. Approximately 25 out of over 150,000 public school pupils had a problem. Schools have procedures in place to meet with parents/ guardians to go over assessments and explain the results; this bill would take away that control. In conclusion, this is a bill to change a policy that is working and doesn't need fixing.

**HB 242**, relative to the content of an adequate education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for the **Majority** of Education. This bill, as amended, defines an adequate education as rigorous academic study and applied learning in the core knowledge domains. This legislation also establishes the necessary resource elements to be included in the costing of an adequate education, and requires notice to the legislative oversight committee and parents regarding a public school that is unable to demonstrate it provides an opportunity for an adequate education. Through this input-based costing model, base cost represents the essential per pupil resources to provide a general education student the substantive educational content for the opportunity of an adequate education. The second element of costing an adequate education is identified as differentiated aid and shall support all students with greater educational needs, such as: special education, English language proficiency, and economic disadvantage. The cost of fiscal capacity disparity aid is a separate grant from adequacy and shall be provided to municipalities based upon equalized property valuations per pupil with additional support to improve student academic achievement and growth in all eligible public schools including charter schools. The ultimate purpose of this bill is that of improving educational quality while ensuring that all students regardless of educational need shall benefit from their public school experience and have the opportunity for an adequate education as defined by the legislature. **Vote 11-9.**

Rep. David Luneau for the **Minority** of Education. Overall, NH students perform very well and, in fact, rank among the best in the country. Student outcomes are measured using a combination of student performance on statewide assessment tests, graduation rates, and attendance rates. In districts with higher incidences of poverty, student outcomes are well below state average and these school districts spend less on education than do districts serving more affluent communities. The lack of access to financial resources leaves many districts unable to provide the opportunity for an adequate education and inequities manifest themselves in more needy districts through lower student outcomes and higher property tax burdens. This bill changes the criteria for an adequate education, adds a provision for third parties to issue certificates for high school graduation credit with no accountability to the local property taxpayer via the local school board, and defines the cost of education in terms of things as opposed to achieving student outcomes. The minority believes that the proposed changes will have a negative effect on student outcomes, and, most importantly, do nothing to address student inequities. A student-centered approach is what we need.

**HB 320**, requiring a civics competency assessment as a high school graduation requirement. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Moffett for the **Majority** of Education. This bill, as amended, requires that as a graduation requirement, NH high school students shall score at least 70% on the 128-question citizenship exam created by the U.S. Immigration and Naturalization Service. Provisions are included for districts to make local accommodations for special education students. Numerous other states have already successfully put this requirement in place to better ensure that high school students possess civics education fundamentals in order to be more informed and engaged U.S. citizens. **Vote 12-8.**

Rep. Patricia Cornell for the **Minority** of Education. While the minority agrees that civics is an integral component of a student's education, we feel that this bill, requiring students to attain 70% or better on the 2020 Civics Naturalization examination, in addition to a passing grade on the already required civics competencies required by state statutes, in order to graduate, is not the path to accomplish this. High school graduation requirements include one credit in United States and New Hampshire history; 1/2 credit in United States and New Hampshire government/civics; and 1/2 credit in world history, global studies, or geography. Teaching to the test is always discouraged, but that is what this bill would do, with memorized information soon forgotten. Students would memorize the answers, rather than acquiring knowledge and understanding. We believe in local control, and we should trust our local school districts to be providing civics education to our students. If this is not happening, it should be addressed by local school boards.

**HB 349**, relative to certification requirements for school nurses. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for the **Majority** of Education. We should not be micromanaging school districts or the Department of Education (DOE) by telling them what their requirements for hiring nurses should be. In order to get around the requirements, school districts are now renaming the school nurse to another name, or using public health nurses, etc. An RN is an RN and not determined by their college degree. An associate degree

nurse must take the same exam called the NCLEX-RN as a bachelor's degree nurse. And not everyone can take this test, you have to apply to take it, and you have to be a nursing school graduate. This bill will allow school districts and the DOE to develop their own criteria. **Vote 12-8.**

Rep. Linda Tanner for the **Minority** of Education. The minority sees no reason to repeal the current requirements for specific knowledge and experience that the NH Nurses' association and the NH School Nurses' association state are necessary to provide consistent, competent, and quality care for our school children and for the safety, health, and wellbeing of the students, their parents, the teachers, the staff, and the community at our public schools. Since there is no shortage of school nurses and no reasonable justification to repeal this certification, we feel the current statute should stand.

**HB 513**, relative to the degree granting authority of Signum university and relative to the authority of the higher education commission. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James Allard for the **Majority** of Education. This bill requires approval by the higher education commission as a prerequisite to the granting of a degree by an education institution. The bill also authorizes Signum University to grant degrees in New Hampshire. Signum is a new, nonprofit, and independent university with an innovative and completely online structure. The institution currently has one credit-bearing program which is a Master's of Arts in Language and Literature and has been given a comprehensive approval by the NH Higher Education Commission comprised of university and college chancellors, presidents, and the commissioner that represent private and public post-secondary institutions. During the past ten years, the legislature has authorized four higher education institutions based upon review and approval from the Higher Education Commission. The majority supports authorizing Signum University, as the committee has been given no cause or reason to do otherwise. Signum has complied with all requests from the commission and is worthy of granting degrees in New Hampshire. **Vote 11-8.**

Rep. Mel Myler for the **Minority** of Education. The minority believes that Signum University should not be authorized to grant degrees. In previous testimony, the president of the university demonstrated strong opposition to US Higher Education Act Title IV federal student financial aid programs. The committee believes Signum's non-profit 501(c)(3) status is inconsistent with their objection to accept federal student financial aid. For at least these reasons, we believe that degree-granting authority should be denied.

**HB 609-FN-LOCAL**, relative to innovation schools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alicia Lekas for the **Majority** of Education. With this bill, a public school can request a waiver from state regulations which may interfere with a innovative idea to better provide the opportunity for an adequate education for all students. The process to initiate and implement an innovation plan begins with the local school and is enacted by that school if approved by the school board, the public, and the Department of Education. This process must follow local collective bargaining agreements. If the proposed plan does not follow the local agreement, the school must renegotiate the agreement in order to implement the plan for creating an innovation zone. In summary, this legislation will provide districts and schools support in meeting challenges resulting from declining student demographics and related program and funding issues. **Vote 11-9.**

Rep. Stephen Woodcock for the **Minority** of Education. The minority believes that this bill is not needed. The bill presents itself as legislation that would provide the opportunity for innovation in public schools, which currently already exists in every NH public school. As recently as this fall, NH has been the incubator for many innovative schools; we call them charter schools, and 33 currently exist. This bill lacks clear definition in many places regarding terminology such as "each public school that would be affected by the plan shall have an opportunity to participate" what does that mean actually? Furthermore, during testimony, the prime sponsor clearly indicated that the bill would not authorize waiving the collective bargaining agreement provisions, but indicated that the issue could be taken up with the bargaining agent. The bill provides little, if any, oversight, lacks local control, except for the initial approval by the local school board, it doesn't include a fiscal note, and has no mention of teacher involvement in the development of the Innovative School Plan.

## ELECTION LAW

**HB 105**, relative to political contributions made by limited liability companies. **INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney for Election Law. This bill proposes that political contributions made by a limited liability company (LLC) be allocated to the company's membership and the total amount contributed tracked by each member. The state of New Hampshire does not track or list the membership of registered LLCs and therefore this proposed change would not be enforceable. In numerous United States Supreme Court decisions campaign contributions have been seen as an act of free speech, protected under the First Amendment of the United States Constitution. As a result, the majority of the Election Law Committee believes that it is unenforceable and unconstitutional to place a revision to campaign finance rules for LLC's that would dilute an organization's political autonomy and expression as currently allowed. **Vote 11-9.**

**HB 391**, increasing the threshold for reporting by political committees. **OUGHT TO PASS.**

Rep. Fenton Groen for Election Law. This bill proposes that the threshold for the itemized reporting requirement for political campaign contributions be increased from \$25 to \$100. The \$25 amount has been in place since 1984 and has been outdated by time and the cost of money. The purpose of reporting contributions is to disclose potential financial influence on elections. In light of current funding levels of elections the majority of the committee thinks that single or aggregate donations of \$100 or less do not represent undue influence by a donor. The change will encourage small donations awhile maintaining disclosure of amounts that may have an influence on candidates and /or their campaigns. **Vote 11-9.**

**HB 465-FN**, relative to permissible campaign contributions by business organizations and labor unions. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for Election Law. This bill proposes to modify the current prohibition on labor unions making direct political contributions by allowing them to contribute through political committees that operate independently of such organizations. The concept raises issues of free speech and what entities have been recognized as having such rights. The bill seeks to equalize unions with corporations for the purposes of contributions to political committees with contributions being made through a separate fund consisting of voluntary contributions from individuals who are employees, officers, shareholders, directors, partners, or members of the labor unions or groups of labor unions. The majority was concerned that, if passed, the legislation would create unequal treatment of entities that are recognized as being able to contribute to political causes, and that the concept of voluntary contributions by union members was troubling. **Vote 11-9.**

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**CACR 7**, relating to the governor. Providing that there be a lieutenant governor who shall assume the duties of the governor if the governor is incapacitated. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This constitutional amendment concurrent resolution establishes the office of lieutenant governor and changes succession provisions in the event a governor is unable to perform the duties of the office. Instead, believing that the vision of the framers of the New Hampshire constitution has proven itself over the centuries, the strong majority of the committee chooses to retain the structure laid down by the framers regarding the office of the chief executive, and how, in the case of incapacitation, that officer is to be replaced. Just as, being wary of gubernatorial overreach, our founders checked the authority of the chief executive through a powersharing executive council, they also established no lieutenant governor, and turned to the legislature, calling upon the senate president to replace the governor in case of incapacitation. This had, and still has, the virtue of being extremely thrifty. This arrangement has functioned beautifully over two centuries, and the committee majority sees no compelling reason to abandon it for a potentially pricey growth in state government. Additionally, the proposed implementation of this new office was ill-defined and of questionable workability. **Vote 16-3.**

**HB 345**, establishing a license for mushroom harvesters. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sallie Fellows for the **Majority** of Executive Departments and Administration. This bill legalizes the sale of safe varieties of wild harvested mushrooms in restaurants and markets. The Food and Drug Administration Food Code explicitly prohibits the sale of wild harvested mushrooms unless an oversight agency establishes an approval process for licensed harvesters. Some wild mushrooms are poisonous. Licensing will ensure those sold in NH are safe. The Department of Health and Human Services (DHHS) will oversee training programs, testing and licensing of harvesters, and will specify the authorized varieties. Harvesters must have permission to take wild mushrooms from someone else's land. This bill doesn't apply to cultivated mushrooms or picking wild mushrooms for personal consumption. DHHS supports this bill and indicated they can absorb the operational cost. The amendment simply adds a definition of mushrooms. **Vote 12-7.**

Rep. Tony Lekas for the **Minority** of Executive Departments and Administration. This bill would license wild mushroom harvesters. Wild mushrooms have been harvested for sale in New Hampshire for many years. Up to now that has not caused enough trouble for there to have been a call for regulating the practice in our state. That would likely still be the case except that, unfortunately, the Department of Health and Human Services chose to adopt the 2017 Food and Drug Administration Food Code into New Hampshire rule and the legislature accepted that action. There are reasons that there are separate states. What is necessary and appropriate for one state may not be for another. We should end the practice of adopting standards without carefully considering if they are all really necessary for New Hampshire. We should not be licensing additional professions just to deal with an earlier error.

**HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS**

**HB 163-FN**, relative to cannabis use during pregnancy. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for the **Majority** of Health, Human Services and Elderly Affairs. This bill directs the Department of Health and Human Services to create a poster and make information available at dispensaries regarding the use of cannabis while pregnant or lactating, accidental poisoning, and, use during adolescence. This parallels the information currently being made available in Colorado dispensaries. As cannabis has been made available for therapeutic use by the General Court, and not by the FDA, it becomes incumbent upon the General Court to provide consumers with information, just like the FDA provides package inserts for prescription drugs. We know from a June 2019 study in the Journal of the American Medical Association (JAMA) that the rate of pre-term birth among reported cannabis users was 12% vs. 6% in non-users. We also know from a June 2018 study in Obstetrics Gynecology that 69% of dispensaries in Colorado recommend cannabis for first trimester morning sickness. Surgeon General Jerome Adams has expressed concern about subsequent learning disabilities, and about the risk of accidental poisoning, particularly with edibles. The Amendment 2021-0238h clarifies language as recommended by the therapeutic cannabis medical oversight board. **Vote 18-3.**

Rep. Leah Cushman for the **Minority** of Health, Human Services and Elderly Affairs. The minority does not support this bill. While it is important for patients to be informed of the benefits and risks of a medication, and in this case, the therapeutic use of cannabis, the responsibility of providing informed consent is already required of medical providers. It is unusual for risk counseling for a specific medication to be mandated by statute. The minority believes the nature of the discussion on cannabis use should be between the prescriber and the patient, and the bill allows government to micro-manage medical practice. Therefore the minority believes this bill should be Inexpedient to Legislate.

**HB 185-FN**, removing the work requirement of the New Hampshire granite advantage health care program. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Schapiro for the **Majority** of Health, Human Services and Elderly Affairs. The work/community engagement requirement, a good faith compromise when it was enacted in 2018, was part of a five-year renewal of Expanded Medicaid, renamed the New Hampshire Granite Advantage Health Care Program. Since that time, the landscape has changed dramatically. In July of 2019, Governor Sununu delayed implementation of the work requirement due to difficulties contacting and signing up eligible Medicaid recipients. It would later be reported by the US Government Accountability Office that the unsuccessful attempt at implementation had cost a total of \$4.4 million, with \$187,000 in state funds and the rest in federal dollars. Later that month, a federal judge ruled that the Department of US Health and Human Services had misused its authority in approving the new requirement, halting any further attempts at implementation. Similar work requirements in Arkansas and Kentucky were also struck down. Now, in the midst of a pandemic, Covid 19 presents further ethical, practical, and public health impediments to implementation. The initial intent of this statute was never to deny people health care coverage, but rather to encourage self-reliance and independence. Nevertheless, it is now clear to the majority that this policy puts residents' health at risk, is legally questionable, administratively unworkable, and presents an enormous financial liability for the state of New Hampshire. **Vote 11-10.**

Rep. William Marsh for the **Minority** of Health, Human Services and Elderly Affairs. The minority appreciates the bipartisan coalition which passed SB 313 establishing the Granite Advantage Program. The minority recognizes that tweaks to programs may need to be made on a data-driven basis as programs are implemented, but does not agree that the repeal of the work requirement is supported by data, especially as this requirement is suspended due to the Covid-19 pandemic. The minority recognizes this bipartisan coalition no longer exists. Repeal of the work requirement opens the door to subsequent changes to the Medicaid Expansion Program based solely on changes in the political climate in New Hampshire. Various providers who might be inclined to create programs expecting stability in reimbursement through Medicaid Expansion for five years might well decide to forego capital investments without that stability. Given the need to expand programs addressing behavioral health, discouraging capital investments in healthcare is very much not in the interest of the state of New Hampshire. If the work requirement successfully allows 1% of participants (500) to lift themselves out of poverty, and those participants lose their eligibility for Medicaid Expansion due to their increased income, the minority believes that would validate the efficacy of the work requirement. For these reasons, the minority recommends this bill be found Inexpedient to Legislate.

**HB 290**, relative to policies required for health facilities and special health care service licenses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jerry Knirk for the **Majority** of Health, Human Services and Elderly Affairs. Currently, licensed health care facilities must provide services to all persons regardless of the source of payment. This bill would exempt licensed health care facilities who provide services exclusively to people who pay directly for the service (with no reimbursement or third party involvement) from that requirement. The majority of the committee feel that skimming off the higher-paying patients will adversely affect our critical access hospitals which need to remain solvent to be available in the communities to provide essential services such as maternity and emergency services. **Vote 18-3.**

Rep. Leah Cushman for the **Minority** of Health, Human Services and Elderly Affairs. This bill would help drive down healthcare prices for consumers by reducing administrative costs for medical facilities that accept only direct payment. This model of payment also provides for price transparency to the consumer, and offers an affordable option for under-insured medical consumers, including those who are uninsured but not eligible for medicaid and those with high insurance deductibles. This bill would expand the benefits of free-market healthcare enjoyed by primary care physicians who utilize the direct primary care model to certain medical facilities. The minority therefore recommends this bill ought to pass.

## JUDICIARY

**HB 233-FN**, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Marjorie Smith for the **Majority** of Judiciary. This bill establishes the Born Alive Infant Protection Act. It provides that legislators, not parents and their physicians, should determine appropriate medical care. Doctors already have an obligation to provide appropriate medical care in order to maintain their certification, and they willingly honor that obligation. The committee heard testimony that this bill, if enacted, would force obstetricians and pediatricians to ignore their best medical judgment and administer futile, painful treatments against the wishes of the family under the threat of civil or criminal litigation. Infants with a few moments, hours, or days would be taken out of the arms of their parents, hooked up to machines, and their parents would be denied the right to say how these last moments of a child's life would be spent. The majority concluded that passage of this bill was not in the best interests of the state or its citizens. **Vote 11-10.**

Rep. Kurt Wuelper for the **Minority** of Judiciary. The minority believes that every baby born in NH should be treated in law and in fact as a legal person deserving normal medical care and the full protection of the law. We ask no more than that "medically appropriate and reasonable care" be provided to every baby born; no matter the circumstances of birth, no matter if the baby is wanted or not. No conditions are stated. The decision of what is medically appropriate and/ or reasonable remains where it has been, with medical providers and families. This bill seeks to prevent situations we have seen in other states where healthy born babies have been left to die for lack of care at all. The choice is simple but profound: life or death for a helpless child.

**HB 430**, repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Alexis Simpson for the **Majority** of Judiciary. This bill would repeal the law passed in 2014 that authorized flexible, non-arbitrary, "buffer zones" around reproductive health care facilities to provide for patient safety. The current law allows flexibility for communities to tailor a zone according to local factors and public safety needs. New Hampshire's buffer zone law was carefully crafted to balance the first amendment right to free speech with patient safety. No one should face violence, harassment, or threats when accessing safe, legal health care, and this law provides a small corridor for privacy. A bipartisan majority of the committee believes that the current law allowing health care centers to establish buffer zones that suit their local situations should remain in place. **Vote 11-10.**

Rep. Mark McLean for the **Minority** of Judiciary. This bill repeals RSA 132:37-40, which allows for the creation of a "buffer zone" around reproductive health care facilities. This law was enacted several years ago amid safety concerns around abortion clinics, and has long been seen as problematic by free speech advocates. In 2014, the US Supreme Court struck down the Massachusetts buffer zone law upon which this law is based, and the call for a repeal of its New Hampshire counterpart has followed ever since. The minority of the committee expressed the belief that existing criminal threatening laws are adequate to address security concerns at reproductive health care facilities, and noted that no facility has ever implemented the law's provisions in spite of the urgent need expressed by its supporters.

## LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

**HB 107**, relative to the minimum hourly rate. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill establishes a minimum wage in New Hampshire of \$22.50 per hour for non-tipped employees and \$10.12 per hour for tipped employees. The majority of the committee, including members that want to increase the minimum wage, felt that this was too significant of an increase without step increases to be viable for New Hampshire employers. **Vote 19-1.**

Rep. Janice Schmidt for the **Minority** of Labor, Industrial and Rehabilitative Services. We know now who our most essential workers are, and these are the very people who work in public and private service for wages that don't come close to paying for food, clothing, shelter, and health care. Failing to ensure for them a living wage is tantamount to taxpayers subsidizing employers' failure to prioritize their workers, since it is up to us to make up the difference with social services. Thus \$22.50 per hour is a reasonable goal for the future of minimum wage, and it is better sooner than later.

**HB 348**, requiring a public employer to provide notice of a new or amended collective bargaining agreement. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Leonard Turcotte for the **Majority** of Labor, Industrial and Rehabilitative Services.

The bill would provide both union members and interested taxpayers the ability to review a tentative agreement prior to the Collective Bargaining Agreement (CBA) being ratified by their respective authorizing bodies by permitting a 30-day review period. While public sector CBAs are eventually put into the public domain for viewing, it is unfortunately an “after the fact” situation where it is too late for taxpayers or union members to have any solid input to provisions they may deem exceedingly onerous. **Vote 11-9.**

Rep. Brian Sullivan for the **Minority** of Labor, Industrial and Rehabilitative Services. The minority opposes the ought to pass motion. We believe that a 30-day posting of a tentative agreement prior to ratification by the board of the employer and the members of the bargaining unit will be seriously disruptive to the collective bargaining process for public sector employers and employee organizations. It will require the parties to wait for those 30 days not knowing if the two sides will support ratification. There is no point in providing public access to a tentative agreement that may not have the support of the board and the employees. The public has an opportunity to review a ratified collective bargaining agreement for 30 days prior to being approved or rejected by a vote of the legislative body, usually at a town or school district meeting. This bill adds an additional 30 day waiting period to the timeline. We believe this adds unnecessary delay and potential confusion to the process.

**HB 385-FN**, relative to workers’ compensation for heart and lung disease in firefighters. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Soucy for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill, as amended, provides that the benefits stated in RSA 281-A:17(c) shall not continue beyond one month after a call, volunteer, or permanent firefighter reaches his or her 70<sup>th</sup> birthday. This is a change from age 65 to 70 years of age. Firefighters are working longer. This change would give those individuals that retire at 65 the same benefit of the prima facie presumption for Workers Compensation benefits of 5 years from the effective date of said firefighter’s retirement as stated in RSA 281-A:17(b). **Vote 13-7.**

Rep. Stephen Boyd for the **Minority** of Labor, Industrial and Rehabilitative Services. This bill relates to workers compensation for firefighters. Currently, heart or lung disease is presumed to be occupationally related for firefighters while employed and after retirement up to age 65. This bill as amended would extend the presumption to an additional 5 years to age 70. While respectful of the dangers of the job, the minority believes this age limit will lead to more claims for workers’ compensation and increased insurance costs for municipalities, continued future age extensions will put taxpayers on the hook for even higher medical costs, even when a direct causal link cannot be proven. The minority believes this bill does not adequately address future expenditures. The fiscal note indicates that there will be an increase of indeterminable amount for state, county and local governments.

**HB 448**, establishing a committee to study and compare federal Occupational Safety and Health Act standards with the safety and health standards the New Hampshire department of labor uses for public sector employees. **WITHOUT RECOMMENDATION**

**Statement in support of Ought to Pass:** Half of the committee members support an Ought to Pass motion. We believe that the NH Department of Labor will gain great benefit from a study comparing OSHA standards to the department’s safety and health standards currently used for public sector employees. At the very least it will provide insight as to where improvements can be made in the department standards. It may further allow the legislature to make a fully informed decision in the next session whether to create a state OSHA plan for public sector workers. We believe that worker safety is a critically important issue for both private and public sector employers and employees.

Rep. Brian Sullivan

**Statement in support of Inexpedient to Legislate:** This bill would seek to establish a study to compare OSHA standards with NH standards of the Department of Labor for public sector employees. This bill raises concern for reasons of excessive costs to municipalities.

Rep. Gregg Hough

**HB 563**, establishing a committee to study a living wage and the utilization of public assistance among low wage workers and their families in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. William Infantine for the **Majority** of Labor, Industrial and Rehabilitative Services. The majority of the committee felt that the information being requested in the study committee was already available from annual reports being produced by the Massachusetts Institute of Technology (MIT). MIT produces a report for each county in each state outlining what they calculate as a living wage, poverty wage, and the minimum wage. They calculate the expenses for the major living items such as food, rent, and transportation to name a few. Their study further calculates the required income by number of adults, number of adults working,

and number of children in the household. This is a very complex and complete report and something the NH Department of Labor or Department of Employment Securities would not be able to duplicate in a short period of time especially by town as the sponsors would like. Given the time constraints of the two departments during the Covid-19 pandemic, the majority believes that the information looking to be compiled in the study committee is already available. **Vote 11-9.**

Rep. Donald Bouchard for the **Minority** of Labor, Industrial and Rehabilitative Services. The minority of the committee opposes the Inexpedient to Legislate recommendation. This bill will set up a study committee to study the disparities within the State of New Hampshire and the level of living wages necessary to satisfy workers' and families' basic needs. In the interest of transparency, this bill will also study the effect of how much it costs NH taxpayers to provide basic needs when businesses pay their workers far less than a living wage. This bill will satisfy that essential question, "How many of these workers are dependent on safety-net programs to supplement their income so they can meet their basic needs?" We as taxpayers need to know how much corporate welfare is costing us.

## STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

**HB 112**, establishing a committee to study the effects of deportation of primary earners on family members who are United States citizens. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Brodie Deshaies for the **Majority** of State-Federal Relations and Veterans Affairs. This study is redundant and does not effectively utilize tax payers' dollars. Statistics on the effects of deporting primary earners are already collected by non-profits across the nation. Any non-profit could do so in NH. Additionally, the policy issue of immigration falls under federal jurisdiction. Per the U.S. Constitution, the federal government is responsible for all immigration enforcement matters, and customs enforcement is established under federal law and delegated as such in the U.S. Constitution. Everyday immigration matters, such as application processing, are handled by U.S. Citizenship and Immigration Services (USCIS). Customs and border protection is another important aspect, guarding not only the U.S. border, but a broad swath of land within it, plus other points of entry such as air and seaports. This study will have no effect on NH and it will just lead back to the federal government having to take action upon public and private studies that have already been conducted. **Vote 11-10.**

Rep. Amanda Toll for the **Minority** of State-Federal Relations and Veterans Affairs. The minority recommends that this bill OUGHT TO PASS. This study committee will provide the much-needed current data on the economic impact on communities in NH of deportation of primary breadwinners. NH communities are experiencing a workforce shortage, and the vibrancy and vitality of communities are being reduced, while human potential is being underutilized, due to deportations. This study would give us a basis to find appropriate solutions to sustain communities' economic growth. Additionally, this study will help us to further understand the humanitarian impact of deportation on our immigrant communities.

**HB 580**, requiring the approval of the governor before the New Hampshire National Guard can be deployed overseas. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Brodie Deshaies for the **Majority** of State-Federal Relations and Veterans Affairs. This bill is contrary to how our federal and state government regulates the National Guard and its mobilization for duty. In 1986, the US Congress passed the Montgomery Amendment, which prohibited state governors from, "withholding [their] consent to a National Guard unit's active duty outside the country because of an objection to the site, purpose or schedule of the duty." The US Supreme Court unanimously upheld this federal statute in the 1990 case, *Perprich v. Department of Defense*. In 2006, Congress passed the 2007 National Defense Authorization Act, which gave the President the authority to mobilize National Guard units within the United States without the consent of state governors. These laws and the cited Supreme Court precedent show us that the federal government has the authority to deploy National Guard units, as long as such powers are mandated by the Constitution or Congress and even if it is against a governor's or state's desire. Additionally, there is a fear that this legislation could cause New Hampshire to lose federal funding for our National Guard. In title 32 of the federal code, in section 108, it states: "If, within a time fixed by the President, a State fails to comply with a requirement of this title, or a regulation prescribed under this title, the National Guard of that State is barred, in whole or in part, as the President may prescribe, from receiving money or any other aid, benefit, or privilege authorized by law." This means if we mandate that New Hampshire's governor withhold our National Guard units, doing so against federal code, then we could lose federal funding. Therefore, this legislation contradicts the federal government's authority over the National Guard and could very well risk our procurement of federal funding for the New Hampshire National Guard. **Vote 20-1.**

Rep. Tony Labranche for the **Minority** of State-Federal Relations and Veterans Affairs. The purpose of the National Guard, as the name implies, is to guard our nation, our homeland, and our people. The job of the National Guard was not intended to fight in foreign interventions and endless wars. It is for that reason that we must curb federal encroachment and that the National Guard should only be deployed with the governor's consent. That is what this bill does. It's time to bring our troops home.

**HCR 1**, relative to urging Congress to practice fiscal restraint and applying to Congress for a Constitutional Convention for such purpose. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. John Leavitt for the **Majority** of State-Federal Relations and Veterans Affairs. The majority believes that any objective weighing of these conventions comes down heavily on the side of “risk and hazards.” Especially heavily does it come down so when the amendments are claimed to be necessary to get the constitution to do what it was written to do i.e., constrain the federal government. This benefit will obviously not be added to a Constitution whose problem is that the federal government is ignoring it. Yet, the proponents want us to put our very Constitution at risk, in order to fix a fault that is not the Constitution. Any such proposal needs to have weighed the risks and hazards of such a convention, over against its potential for benefits, particularly, for such benefits as the convention proponents promise. **Vote 19-2.**

Rep. Tony Labranche for the **Minority** of State-Federal Relations and Veterans Affairs. This concurrent resolution calls for a convention of the states to propose amendments to the United States Constitution for term limits and fiscal restraint. With a ballooning federal debt, it is time for a change.

## COMMITTEE MEETINGS FRIDAY, FEBRUARY 19

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

- 9:00 a.m. Regular meeting.  
This meeting will take place as a Zoom webinar.  
Committee and staff members will receive secure Zoom invitations by e-mail.  
Members of the public and state agency personnel may attend using one of the following alternatives:
1. Join the webinar: <https://zoom.us/j/99054565866>
  2. iPhone one-tap:  
US: +13017158592,,99054565866# or +13126266799,,99054565866#
  3. Telephone: Dial (for higher quality, dial a number based on your current location):  
US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or  
+1 346 248 7799 or +1 669 900 6833
  4. Webinar ID: 990 5456 5866
  5. International numbers available: <https://zoom.us/u/abansboGB>
- The following e-mail address will be monitored throughout the meeting by JLCAR staff who can assist with and alert the JLCAR to any technical issues: [cheryl.walsh@leg.state.nh.us](mailto:cheryl.walsh@leg.state.nh.us) or call 603-271-6647.

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

- 9:30 a.m. Regular meeting.  
This meeting will take place by remote conference. To listen in or join the meeting, please follow the instructions below:
1. Meeting link:  
<https://nhgov.webex.com/nhgov/j.php?MTID=m5e364d1d4b3f7d8a940e346bcfdc3105>
  2. Meeting number: 180 945 1449
  3. Password: P8ApTR7fj6s
  4. Dial the call-in number: 1-415-655-0001 (Access Code: 180 945 1449)
  5. Send an e-mail request to [asb@dra.nh.gov](mailto:asb@dra.nh.gov) to receive information to join the meeting.

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

- 12:00 p.m. Regular meeting.  
Commission members will receive secure Zoom invitations via email.  
Members of the public may attend using the following links:
1. Link to join Zoom Webinar: <https://zoom.us/j/98239913699>
  2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-312-626-6799, or 1-929-205-6099, or 1-301-715-8592, or 1-346- 248-7799, or 1-669-900-6833, or 1-253-215-8782
  3. Or iPhone one- US: +13126266799,,98239913699# or +16465588656,,98239913699#
  4. Webinar ID: 982 3991 3699
  5. To view/listen to this hearing on YouTube, use this link:  
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
- The following email will be monitored throughout the meeting by someone who can assist with and alert the commission to any technical issues: [remotesenate@leg.state.nh.us](mailto:remotesenate@leg.state.nh.us) or call (603-271-6931).

**COMMISSION TO STUDY TELEHEALTH SERVICES (RSA 329:1-f)**

1:00 p.m. Regular meeting.

Members of the public may attend using the following links:

1. To join the webinar: <https://zoom.us/j/99695905362>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location):  
1-301-715-8592 or 1-312-626-6799 or 1-929-205-6099 or 1-253-215-8782 or  
1-346-248-7799 or 1-669-900-6833
3. Or iPhone one-tap: US: : +13017158592,,99695905362# or  
+13126266799,,99695905362#
4. Webinar ID: 996 9590 5362
5. To view on YouTube, click here:  
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [remotesenate@leg.state.nh.us](mailto:remotesenate@leg.state.nh.us) or call (603-271-6931).

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

10:00 a.m. Regular meeting.

Committee members will receive secure Zoom invitations by e-mail.

Members of the public and state agency personnel may attend using one of the following alternatives:

1. Join the webinar: <https://zoom.us/j/93479421129>
2. iPhone one-tap : US: +13017158592,,93479421129# or +13126266799,,93479421129#
3. Telephone: Dial (for higher quality, dial a number based on your current location):  
US: +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 or +1 253 215 8782 or  
+1 346 248 7799 or +1 669 900 6833
4. Webinar ID: 934 7942 1129
5. International numbers available: <https://zoom.us/u/adHo3nxdGQ>

The following e-mail address will be monitored throughout the meeting by staff who can assist with and alert the committee of any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us)

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

9:30 a.m. Regular meeting.

Meeting registration at: <https://www.eventbrite.com/e/nh-governors-commission-on-alcohol-and-other-drugs-meeting-tickets-137924480835>

**JUDICIARY**

9:00 a.m. **HB 108-FN-L**, relative to minutes and decisions in nonpublic sessions under the right-to-know law.

9:30 a.m. **HB 206**, relative to collective bargaining agreement strategy discussions under the right-to-know law.

10:00 a.m. **HB 216**, relative to public notice of and access to meetings under the right to know law.

11:00 a.m. **HB 630**, relative to remote board meetings under the right-to-know law and authorizing certain procedures for rulemaking.

1:00 p.m. **HB 384-FN**, prohibiting the sharing of location data.

2:00 p.m. **HB 474**, prohibiting surveillance by the state on public ways or sidewalks.

2:30 p.m. **HCR 3**, declaring that the Claremont case's mandates that the legislative and executive branches define an adequate education, determine its cost, fund its entire cost with state taxes, and ensure its delivery through accountability, are not binding on the legislative and executive branches. Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/92168223794>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location):  
1-929-205-6099
3. Webinar ID: [921 6822 3794](https://www.zoom.us/j/92168223794)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

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

1:00 p.m. Regular meeting.

Join Zoom Meeting:

<https://zoom.us/j/91816005499?pwd=dnMzWTBzRWZ2SEJFb2dpbytKblR6QT09>

1. Meeting ID: 918 1600 5499
2. Passcode: 382146
3. One tap mobile: +16465588656,,91816005499#,,,,\*382146# (NY) or +13017158592,,91816005499#,,,,\*382146# (DC)
4. Join via phone: +1 646 558 8656, or +1 301 715 8592, or +1 312 626 6799, or +1 669 900 9128, or +1 253 215 8782, or +1 346 248 7799
5. Meeting ID: 918 1600 5499
6. Passcode: 382146
7. Find your local number: <https://zoom.us/u/abBtB5pfBN>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [torene.k.tango-lowy@dncr.nh.gov](mailto:torene.k.tango-lowy@dncr.nh.gov) or call 603-271-3556.

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

3:00 p.m. Regular meeting.

Join Zoom Meeting

<https://nh-dhhs.zoom.us/j/91641950783?pwd=SmtLVThQSFVrciZRem1raG9CeDBhUT09>

1. Meeting ID: 916 4195 0783
2. Passcode: 980698
3. One tap mobile: +13126266799,,91641950783#,,,,\*980698# US (Chicago) +16465588656,,91641950783#,,,,\*980698# US (New York)
4. Dial by your location: +1 646 558 8656 US (New York)
5. Meeting ID: 916 4195 0783
6. Passcode: 980698
7. Find your local number: <https://nh-dhhs.zoom.us/u/acrPby9LIv>

The following email address will be monitored throughout the meeting, to alert the committee to any issues: [sai.s.cherala@dhhs.nh.gov](mailto:sai.s.cherala@dhhs.nh.gov). The following phone number will also be monitored: (603) 271-4110.

### PUBLIC WORKS AND HIGHWAYS

Capital Budget Presentations.

- 9:30 a.m. Treasury Department
- 10:00 a.m. Governor's Office
- 10:30 a.m. Department of Information Technology
- 11:00 a.m. Dept. of Military Affairs and Veterans Services
- 11:30 a.m. Veterans Home
- 1:00 p.m. Department of Administrative Services

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/98276394710>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [982 7639 4710](https://www.zoom.us/j/98276394710)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

### SCIENCE, TECHNOLOGY AND ENERGY

- 9:00 a.m. **HB 106**, establishing procedures for municipal host customer-generators of electrical energy.
- 10:00 a.m. **HB 294**, relative to the purchase of output of limited electrical energy producers.
- 11:00 a.m. **HB 407**, relative to the purchase of output of limited electrical energy producers in intrastate commerce and including qualifying storage system.
- 1:00 p.m. **HB 225**, relative to the calculation of net energy metering payments or credits.
- 1:30 p.m. **HB 148**, allowing increased net energy metering limits for municipal hydroelectric facilities.
- 2:30 p.m. **HB 167-FN**, relative to net energy metering limits for customer generators and the purchase of output of limited electrical energy producers.

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/97871766128>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [978 7176 6128](#)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

#### STATE HEALTH ASSESSMENT AND STATE HEALTH IMPROVEMENT PLAN ADVISORY COUNCIL (RSA 126-A:82)

9:30 a.m. Regular meeting.

Council members and members of the public may attend using the following links:

1. Link to join Zoom Webinar: <https://unh.zoom.us/j/92947346000?pwd=UUM4Y0VzWlN5c0kwSHJwMWRWUXRYUT09&from=addon;>
2. Password: 013515
3. Dial: +1 312 626 6799 (US Toll)
4. Meeting ID: 929 4734 6000,
5. International numbers available: <https://unh.zoom.us/j/92947346000>
6. Or iPhone one-tap: 13126266799,92947346000# or 16468769923,92947346000#

The following email will be monitored throughout the meeting by someone who can assist with and alert the council to any technical issues: [ciera.hunter@unh.edu](mailto:ciera.hunter@unh.edu).

#### TRANSPORTATION

- 9:00 a.m. **HB 515**, relative to confidentiality for reporting possibly medically unfit drivers.
- 9:30 a.m. **HB 386**, relative to the operation of certain watercraft on Wachipauka Pond.
- 10:00 a.m. **HB 100**, relative to driving to the left of an unbroken painted line.
- 10:30 a.m. **HB 461**, relative to motorcycle auxiliary lamping, and adding the New Hampshire Motorcyclists' Rights Organization to the traffic safety commission.
- 11:00 a.m. **HB 628-FN**, relative to maximum vehicle speed limitations.
- 1:00 p.m. **HB 522-FN**, relative to motor vehicle inspections for new vehicles.
- 2:00 p.m. Executive Sessions on **HB 393**, relative to the indication of blood type on drivers' licenses and nondrivers' picture identification cards; **HB 583-FN**, relative to kidney donation designation on drivers' licenses; **HB 174**, relative to reporting a collision between a cat and a motor vehicle; **HB 224**, relative to tinted windows on motor vehicles; **HB 116**, relative to personal delivery devices and mobile carriers; **HB 78**, relative to certificates of title and drivers' licenses for members of the United States foreign service; **HB 329**, relative to storage of rail cars containing hazardous materials; **HB 279**, relative to the maximum allowable vehicle gross weight for a combination of truck-tractor and single semi-trailer with 4 or more axles.
- Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
- Committee members will receive secure Zoom invitations via email.
- Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/98257633759>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [982 5763 3759](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

## MONDAY, FEBRUARY 22

#### COASTAL MARINE NATURAL RESOURCES AND ENVIRONMENT COMMISSION (RSA 485-G:1)

10:00 a.m. Regular meeting.

Join from PC, Mac, Linux, iOS or Android: <https://unh.zoom.us/j/96876131197>

Keyboard shortcuts are available to navigate this Zoom meeting or webinar:

<https://support.zoom.us/hc/en-us/articles/205683899-Hot-Keys-and-Key-board-for-Zoom>

1. Or iPhone one-tap: 16468769923,96876131197# or 13017158592,96876131197#
2. Or Telephone:  
Dial: +1 646 876 9923 (US Toll)
3. Meeting ID: 968 7613 1197
4. International numbers available: <https://unh.zoom.us/j/96876131197>

5. Or a H.323/SIP room system:

H.323: rc.unh.edu or 162.255.37.11 (US West) or 162.255.36.11 (US East)

6. Meeting ID: 968 7613 1197

7. SIP: [96876131197@zoomcrc.com](mailto:96876131197@zoomcrc.com)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [michelle.lemos@unh.edu](mailto:michelle.lemos@unh.edu) or call (603-295-3729).

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

10:00 a.m. **HB 128**, adding notification requirements to the weather modification statute.

10:30 a.m. **HB 567**, declaring February 5, 2021 as Apollo 14 Day.

10:32 a.m. Public Hearing on non-germane amendment #2021-0276h to HB 567, declaring February 5, 2021 as Apollo 14 Day. The amendment permits certain military personnel, emergency medical technicians, and paramedics to apply for licensure as a nursing assistant. Copies of the amendment are available in the Sergeant-at-Arms office, Room 318, State House.

1:00 p.m. **HB 170**, commemorating the first labor strike in the United States by women.

1:15 p.m. **HB 204**, proclaiming January 24 as "Granny D" day.

1:30 p.m. **HB 273**, relative to the 50th anniversary of the passage of the 26th amendment, granting the right to vote to 18-21 year olds and celebrating youth voting and office holding.

1:45 p.m. **HB 283**, proclaiming April 11 as Wentworth Cheswill Day.

2:00 p.m. **HB 84**, declaring May 21 as Ona "Oney" Judge Day and naming the new terminal at Portsmouth international airport at Pease in her honor.

2:15 p.m. **HB 155**, renaming Columbus Day as Indigenous People's Day.

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://zoom.us/j/97378434787>

2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099

3. Webinar ID: [973 7843 4787](https://zoom.us/j/97378434787)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

#### FINANCE - DIVISION II

10:00 a.m. Department of Transportation

1:00 p.m. Department of Safety

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/96814127480>

2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099

3. Webinar ID: [968 1412 7480](https://www.zoom.us/j/96814127480)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us)

#### FINANCE - DIVISION III

9:30 a.m. Department of Health and Human Services - Office of the Commissioner, continued.

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/93701004543>

2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099

3. Webinar ID: [937 0100 4543](https://www.zoom.us/j/93701004543)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

#### INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2)

2:30 p.m. Regular meeting.

The link is:

<https://zoom.us/j/98630873797?pwd=bjFzeGNzbWlleEZ2emFqNTMzck1XQT09>

#### LEGISLATIVE ADMINISTRATION

9:00 a.m. **HB 156**, relative to posting legislative amendments on the New Hampshire legislative website.

9:30 a.m. **HB 190**, relative to financial disclosures by legislators.

- 10:00 a.m. **HB 509**, relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.
- 10:30 a.m. **HB 558**, establishing a committee to study the use of information technology in the legislative process.
- 11:00 a.m. **CACR 5**, New Hampshire general court. Providing that the provision for compensation of legislators is removed.
- 11:30 a.m. **CACR 11**, relating to powers of the general court. Providing that the legislature have the power to submit a binding referendum on whether to overturn a decision of a state court that interprets a provision of the state constitution.
- Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
- Committee members will receive secure Zoom invitations via email.
- Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/91906391213>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [919 0639 1213](https://www.zoom.us/j/91906391213)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

#### NEW HAMPSHIRE STATE COMMISSION ON AGING (RSA 19-p:1)

- 10:00 a.m. Regular meeting.
- Please click the link below to join the webinar:
1. By Computer:  
<https://us02web.zoom.us/j/87430173115?pwd=bUFER3I5emt3NGVVueDBYYW9SZThLUT09>
  2. By Phone: +1 (929) 205-6099
  3. Meeting ID: 874 3017 3115
  4. Passcode: 295220
- Public attendance is always welcome though there may not always be an opportunity for public input. Questions? Please contact Rebecca Sky before or during the meeting at [Rebecca.Sky@nh.gov](mailto:Rebecca.Sky@nh.gov) or 603-848-4204.

#### SCIENCE, TECHNOLOGY AND ENERGY

- 10:00 a.m. **HB 549**, relative to the energy efficiency resource standard and the system benefits charge.
- 11:00 a.m. Continued Public Hearing on **HB 213**, relative to the elimination of useful thermal energy from renewable energy classes.
- 1:00 p.m. Continued Public Hearing on **HB 315**, relative to the aggregation of electric customers.
- Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
- Committee members will receive secure Zoom invitations via email.
- Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/96779849927>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [967 7984 9927](https://www.zoom.us/j/96779849927)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

#### THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a)

- 2:00 p.m. Regular meeting.
- [Join Zoom Meeting](#)  
<https://nh-dhhs.zoom.us/j/94446793905?pwd=UTA4NEtPTHVHT2s4emFoQ1JLYXkyUT09#success>
- Phone one-tap:  
US: +13017158592,,94446793905#,,,,\*360722# or +13126266799,,94446793905#,,,,\*360722#
- Meeting URL:  
<https://nh-dhhs.zoom.us/j/94446793905?pwd=UTA4NEtPTHVHT2s4emFoQ1JLYXkyUT09>
- Meeting ID:  
944 4679 3905
- Passcode:  
360722
- Join by Telephone**  
For higher quality, dial a number based on your current location.

Dial:

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128

Meeting ID:

944 4679 3905

Passcode:

360722

[International numbers](#)

## TUESDAY, FEBRUARY 23

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

4:00 p.m.

Regular meeting.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83775204918>

1. Or iPhone one-tap :

US: +13017158592,,83775204918# or +13126266799,,83775204918#

2. Or Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128

3. Webinar ID: 837 7520 4918

4. International numbers available: <https://us02web.zoom.us/j/83775204918>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: <mailto:David.Watters@leg.state.nh.us>

[David.Watters@leg.state.nh.us](mailto:David.Watters@leg.state.nh.us) or call (603) 969-9224.

### EDUCATION

9:15 a.m.

**HB 500**, relative to reducing school food waste and addressing child hunger.

9:45 a.m.

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

10:15 a.m.

**HB 257**, prohibiting political advocacy in public schools

10:45 a.m.

**HB 215**, permitting school districts to contract with independent schools and private schools.

11:15 a.m.

**HB 458-L**, relative to provision of menstrual products for students in need.

12:45 p.m.

**HB 401**, relative to the duty of school superintendents regarding criminal history records checks.

1:15 p.m.

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

2:15 p.m.

**HB 71**, relative to school district emergency special meetings.

2:45 p.m.

**HB 234**, relative to freedom of speech and association on college campuses.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/94382337363>

2. Or Telephone: Dial (for higher quality, dial a number based on your current location):  
1-929-205-6099

3. Webinar ID: [943 8233 7363](https://www.zoom.us/j/94382337363)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

### FINANCE - DIVISION I

9:00 a.m.

Department of Corrections with the Parole Board.

10:30 a.m.

Governor's Commission on Disabilities.

11:00 a.m.

Insurance Department.

12:30 p.m.

Judicial Council.

1:30 p.m.

Retirement System.

2:00 p.m.

Department of Information Technology

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/94444579237>

2. Or Telephone: Dial (for higher quality, dial a number based on your current location):  
1-929-205-6099

3. Webinar ID: [944 4457 9237](https://www.zoom.us/j/94444579237)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA.Fiscal@leg.state.nh.us](mailto:LBA.Fiscal@leg.state.nh.us).

**FINANCE - DIVISION II**

- 10:00 a.m. Department of Education  
Committee members have received secure Zoom links.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/96814127480>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [968 1412 7480](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

**FINANCE - DIVISION III**

- 9:30 a.m. Department of Health and Human Services - Division of Economic and Housing Stability.  
Committee members have received secure Zoom links.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/93701004543>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [937 0100 4543](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

**HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS**

- 9:00 a.m. **HB 89-FN**, adding qualifying medical conditions to the therapeutic use of cannabis law.
- 9:45 a.m. **HB 90**, allowing alternative treatment centers to acquire and use in manufacturing hemp-derived cannabidiol (CBD) isolate.
- 10:30 a.m. **HB 599-FN**, relative to the therapeutic cannabis medical oversight board.
- 11:15 a.m. **HB 146**, requiring health care providers to furnish upon request a list of ingredients contained in an injectable medication that is recommended or administered.
- 1:00 p.m. **HB 605-FN**, relative to the therapeutic cannabis program.  
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.  
Committee members will receive secure Zoom invitations via email.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/95885653389>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [958 8565 3389](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**JUDICIARY**

- 9:00 a.m. **HB 82**, relative to amending a conservation easement between the state and a landowner.
- 9:30 a.m. **HB 83**, prohibiting non-disparagement clauses in settlement agreements involving a governmental unit.
- 10:15 a.m. **HB 111**, establishing a cause of action against the state to protect individual rights.
- 1:00 p.m. **HB 212**, relative to drug courts and alternative drug offender grant programs.
- 1:30 p.m. **HB 569**, relative to offering vocational training as part of the drug court and alternative drug offender grant program.
- 2:00 p.m. **HB 578-FN**, relative to standards for mental health courts.
- 2:30 p.m. **HB 561**, relative to potential jurors excused from jury duty due to a lack of residency in the county of jury service.  
Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.  
Committee members will receive secure Zoom invitations via email.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/91815905671>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [918 1590 5671](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**RULES**

- 9:00 a.m. Regular Meeting.  
 Committee members will receive secure Zoom invitations via email.  
 Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/96283797276>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [962 8379 7276](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**WAYS AND MEANS**

- 9:00 a.m. Revenue Estimates.  
 Committee members will receive secure Zoom invitations via email.  
 Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/95668526702>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [956 6852 6702](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**FRIDAY, FEBRUARY 26****CRIMINAL JUSTICE AND PUBLIC SAFETY**

- 9:00 a.m. **HB 436**, relative to eyewitness identification procedures.  
 9:45 a.m. **HB 270-FN**, relative to post-conviction DNA testing.  
 10:45 a.m. **HB 525-FN**, relative to the seizure of personal computers and other electronic devices in child sexual assault cases.  
 11:45 a.m. **HB 408**, relative to employment restrictions for registered sex offenders.  
 1:45 p.m. **HB 316**, requiring a person issued a summons to remain of good behavior.  
 2:30 p.m. **HB 200-FN**, increasing the penalty for certain invasions of privacy; **HB 296-FN**, establishing the crime of unsolicited disclosure of an intimate image.
- Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.  
 Committee members will receive secure Zoom invitations via email.  
 Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/92701022260>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [927 0102 2260](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

- 10:00 a.m. Executive Sessions on **HB 499**, prohibiting the state from using a face recognition system; **HB 211-FN**, revising certain benefit provisions in the city of Manchester employees contributory retirement system.
- Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.  
 Committee members will receive secure Zoom invitations via email.  
 Members of the public may attend using the following links:
1. To join the webinar: <https://zoom.us/j/92827099402>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [928 2709 9402](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**FINANCE - DIVISION II**

- 10:30 a.m. University System of New Hampshire  
 Community College System of New Hampshire

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/96814127480>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [968 1412 7480](#)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

## JUDICIARY

- 9:00 a.m. **HB 133**, creating a cause of action for censorship by social media websites.  
 9:30 a.m. **HB 453**, shielding journalists from mandatory disclosure of sources by subpoena.  
 10:00 a.m. **HB 584-FN**, relative to guilt by association and defamation by media outlets.  
 11:00 a.m. **HB 540**, relative to supported decision-making as an alternative to guardianship.  
 1:00 p.m. **HB 440**, relative to the protection of religious liberty.  
 2:00 p.m. **HB 418**, relative to supreme court reporting.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/91679735236>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [916 7973 5236](#)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

## PUBLIC WORKS AND HIGHWAYS

Capital Budget Presentations.

- 9:30 a.m. Agriculture, Markets and Food  
 9:45 a.m. Judicial Branch  
 10:15 p.m. Dept. of Education  
 10:45 a.m. Fish and Game Commission  
 11:00 a.m. Liquor Commission  
 1:00 p.m. Dept. of Environmental Services  
 1:45 a.m. Dept. of Corrections

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/94019113592>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [940 1911 3592](#)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

## MONDAY, MARCH 1

### CRIMINAL JUSTICE AND PUBLIC SAFETY

- 9:00 a.m. **HB 147-FN**, relative to assault against an elderly person.  
 9:45 a.m. **HB 493-FN**, establishing a criminal penalty for an assault committed against a person who is conveying public health or safety guidance or requirements during a declared state of emergency.  
 10:45 a.m. **HB 419-FN**, relative to assault of a campaign worker at the polling place.  
 11:30 a.m. **HB 239-FN**, relative to prosecutions for certain assaults against minors.  
 1:30 p.m. **HB 526**, relative to the fine for the sale or possession of cannabis; **HB 511-FN**, relative to the penalties for possession of certain controlled drugs.  
 2:30 p.m. **HB 603-FN**, relative to manslaughter and the use of deadly force in circumstances involving the sale or use of a controlled drug or controlled drug analog; **HB 238**, prohibiting provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in manslaughter cases.  
 Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.  
 Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/93127871930>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [931 2787 1930](#)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

#### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

10:00 a.m. **HB 275**, relative to the governor's power to initiate a state of emergency and various emergency powers; **HB 414**, relative to evacuations under a state of emergency; **HB 417**, relative to the powers of the governor during a renewal of a declared state of emergency; **HB 433**, limiting renewal of states of emergency.

\*The Full Committee Work Session will start at the earlier of 1:30 p.m. or 30 minutes following the close of public hearings.

\*1:30 p.m. Full Committee Work Sessions on **HB 275**, relative to the governor's power to initiate a state of emergency and various emergency powers; **HB 414**, relative to evacuations under a state of emergency; **HB 417**, relative to the powers of the governor during a renewal of a declared state of emergency; **HB 433**, limiting renewal of states of emergency.

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://zoom.us/j/97946186413>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [979 4618 6413](#)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

#### FINANCE - DIVISION III

9:30 a.m. DHHS - New Hampshire Hospital/Glencliff Home  
DHHS - Division of Behavioral Health.

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/93701004543>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [937 0100 4543](#)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

#### LEGISLATIVE ADMINISTRATION

9:00 a.m. **HCR 2**, terminating the state of emergency declared by the governor due to the Novel Coronavirus (COVID-19).

11:00 a.m. **HB 277**, relative to termination of a state of emergency by the legislature.

11:15 a.m. **HB 280**, relative to termination of an emergency order issued by the governor.

11:30 a.m. **HB 325**, relative to termination of a state of emergency by simple resolution.

11:45 a.m. **HB 559**, relative to state of emergency declarations.

3:00 p.m. **HB 389**, relative to the establishment of a joint legislative emergency executive order oversight committee during a declared state of emergency.

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/95526791336>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [95526791336](#)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**MUNICIPAL AND COUNTY GOVERNMENT**

- 9:00 a.m. **HB 431**, relative to the responsibilities of an elected animal control officer.
- 9:30 a.m. **HB 439**, relative to the powers of city councils.
- 10:00 a.m. **HB 463**, requiring the Gorham town clerk to be appointed by the board of selectmen.
- 10:30 a.m. **HB 467**, relative to current use tax rate eligibility.
- 11:00 a.m. **HB 486-FN**, relative to eligibility for the low and moderate income homeowners property tax relief.
- 11:30 a.m. **HB 512**, relative to emergency housing assistance.
- 12:00 p.m. **HB 545**, relative to the use of certain out-of-state banks by the state treasurer and municipal and county treasurers or trustees.
- 2:00 p.m. Executive Session.  
Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.  
Committee members will receive secure Zoom invitations via email.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/97119253057>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [971 1925 3057](https://www.zoom.us/j/97119253057)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**NEW HAMPSHIRE RECOVERY MONUMENT COMMISSION (RSA 4:9-p)**

- 11:00 a.m. Regular meeting.  
Please click the link below to join the webinar:  
<https://us02web.zoom.us/j/83192426939>
1. Or iPhone one-tap :  
US: +13126266799,,83192426939# or +16465588656,,83192426939#
  2. Or Telephone:  
Dial (for higher quality, dial a number based on your current location):  
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782
  3. Webinar ID: 831 9242 6939
  4. International numbers available: <https://us02web.zoom.us/j/83192426939>
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [David.Watters@leg.state.nh.us](mailto:David.Watters@leg.state.nh.us) or call (603) 969-9224.

**TUESDAY, MARCH 2****FINANCE - DIVISION I**

- 9:00 a.m. Budget Work Session  
Committee members have received secure Zoom links.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/94444579237>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [944 4457 9237](https://www.zoom.us/j/94444579237)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

**FINANCE - DIVISION III**

- 9:30 a.m. DHHS - Division of Behavioral Health continued.  
DHHS - Division of Children, Youth and Families.  
Committee members have received secure Zoom links.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/93701004543>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [937 0100 4543](https://www.zoom.us/j/93701004543)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

**NEW HAMPSHIRE SCHOOL BUILDING AUTHORITY (RSA 195-C:1)**

- 3:00 p.m. Regular meeting.  
Join Zoom Meeting:  
<https://zoom.us/j/99412943011?pwd=QnNsQTY4KzZWdzg2cHh5eWVEM1Z0QT09>
1. Meeting ID: 994 1294 3011
  2. Passcode: 122347
  3. One tap mobile:  
[+16465588656](tel:+16465588656),[99412943011](tel:+13017158592)# US (New York)  
[+13017158592](tel:+13017158592),[99412943011](tel:+13017158592)# US (Washington DC)
  4. Dial by your location:  
[+1 646 558 8656](tel:+16465588656) US (New York)  
[+1 301 715 8592](tel:+13017158592) US (Washington DC)
  5. Meeting ID: 994 1294 3011
  6. Find your local number: <https://zoom.us/u/abGOzgjJsF>

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

- 5:00 p.m. Regular meeting.  
This meeting will take place via phone/zoom conference. Please call Paul Lloyd at (603) 715-5579 for the conference call information.

**WAYS AND MEANS,**

- 9:00 a.m. Full committee work session on all remaining House bills  
**CACR 1**, relative to taxes. Providing that an income tax on earned personal income shall be prohibited; **CACR 2**, relative to taxes. Providing that any broad-based sales tax shall be prohibited; **HB 10-FN**, relative to the rates of business profits tax and the business enterprise tax; **HB 15-FN**, relative to including under the meals and rooms tax facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies; **HB 102**, relative to worldwide combined reporting for unitary businesses under the business profits tax; **HB 210-FN**, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes; **HB 252**, creating a committee to study the creation of a program giving employers tax credits on business taxes in exchange for providing stipends for child care needs to employees; **HB 346-FN**, relative to the funding source for the domestic violence programs fund; **HB 353**, establishing a credit under RSA 77 for tax paid on income subject to taxation in another state; **HB 355**, relative to Keno; **HB 364**, expanding the definition of charitable organization to include fraternal organizations for the purposes of holding raffles; **HB 400**, relative to the collection of sales taxes of foreign jurisdictions by New Hampshire businesses; **HB 504-FN-L**, relative to the state education property tax and the low and moderate income homeowners property tax relief program; **HB 565**, establishing a committee to study charitable gaming; **HB 568-FN-A**, increasing exemptions to the interest and dividends tax and repealing the tax in 2025; **HB 621-FN**, allowing registers of deeds to retain a portion of the land and community heritage investment program surcharge; **HB 626-FN**, relative to historic horse racing.  
Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.  
Committee members will receive secure Zoom invitations via email.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/94528213728>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [945 2821 3728](https://www.zoom.us/j/94528213728)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**WEDNESDAY, MARCH 3****FINANCE - DIVISION I**

- 9:00 a.m. Budget Work Session.  
Committee members have received secure Zoom links.  
Members of the public may attend using the following links:
1. To join the webinar: <https://www.zoom.us/j/94444579237>
  2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099

## 3. Webinar ID:

[944 4457 9237](https://www.zoom.us/j/94444579237)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

**FINANCE - DIVISION III**

9:30 a.m. Budget Work Session.

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/93701004543>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [937 0100 4543](https://www.zoom.us/j/93701004543)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

**RESOURCES, RECREATION AND DEVELOPMENT**

9:00 a.m. Continued Public Hearing on **HB 184**, relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.

9:30 a.m. Full Committee Work Session on **HB 184**, relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.

11:00 a.m. **HB 397**, relative to permitting fees under the shoreland protection act.

1:00 p.m. **HB 446**, establishing a committee to study the effects of recreational vehicles and other vehicles used in recreational activities on class 5 and 6 roads.

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

2:00 p.m. Executive Session continued.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/94760331850>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [947 6033 1850](https://www.zoom.us/j/94760331850)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

**WAYS AND MEANS**

9:00 a.m. Full committee work session on all remaining House bills

**CACR 1**, relative to taxes. Providing that an income tax on earned personal income shall be prohibited; **CACR 2**, relative to taxes. Providing that any broad-based sales tax shall be prohibited; **HB 10-FN**, relative to the rates of business profits tax and the business enterprise tax; **HB 15-FN**, relative to including under the meals and rooms tax facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies; **HB 102**, relative to worldwide combined reporting for unitary businesses under the business profits tax; **HB 210-FN**, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes; **HB 252**, creating a committee to study the creation of a program giving employers tax credits on business taxes in exchange for providing stipends for child care needs to employees; **HB 346-FN**, relative to the funding source for the domestic violence programs fund; **HB 353**, establishing a credit under RSA 77 for tax paid on income subject to taxation in another state; **HB 355**, relative to Keno; **HB 364**, expanding the definition of charitable organization to include fraternal organizations for the purposes of holding raffles; **HB 400**, relative to the collection of sales taxes of foreign jurisdictions by New Hampshire businesses; **HB 504-FN-L**, relative to the state education property tax and the low and moderate income homeowners property tax relief program; **HB 565**, establishing a committee to study charitable gaming; **HB 568-FN-A**, increasing exemptions to the interest and dividends tax and repealing the tax in 2025; **HB 621-FN**, allowing registers of deeds to retain a portion of the land and community heritage investment program surcharge; **HB 626-FN**, relative to historic horse racing.

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/92309184005>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [923 0918 4005](https://www.zoom.us/j/92309184005)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

## THURSDAY, MARCH 4

### FINANCE - DIVISION I

9:00 a.m. Budget Work Session.

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/94444579237>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [944 4457 9237](https://www.zoom.us/j/94444579237)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

### LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

9:00 a.m. **HB 501**, establishing a minimum pay rate for adjunct faculty of the university system of New Hampshire and community college system of New Hampshire.

9:00 a.m. Public Hearing on non-germane amendment #2021-0297h to **HB 501**, relative to establishing a minimum pay rate for adjunct faculty of the university system of New Hampshire and community college system of New Hampshire. The amendment requires the university system of New Hampshire and community college system of New Hampshire to annually report faculty salaries to the higher education commission. Copies of the amendment are available in the Sergeant-at-Arms Office, Room 318, State House and on the General Court website.

9:30 a.m. Executive Sessions on **HB 113**, relative to payment for earned but unused vacation or personal time; **HB 261**, relative to apprenticeship programs in trade and industry; **HB 517-FN**, relative to the state minimum hourly rate; **HB 589-FN**, requiring workers' compensation to cover prophylactic treatment for critical exposure

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/92992494588>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
3. Webinar ID: [929 9249 4588](https://www.zoom.us/j/92992494588)

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [hcs@leg.state.nh.us](mailto:hcs@leg.state.nh.us) or call (603-271-3600).

## FRIDAY, MARCH 5

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

9:00 a.m. Organizational meeting.

Please click the link below to join the webinar:

<https://nh-dhhs.zoom.us/j/96109909403?pwd=ZjhPck92T3JtUGgwUHRPZVFvS1Vzdz09>

1. Passcode: 848133
2. Or iPhone one-tap: US: +13126266799,,96109909403#,,, \*848133# or +16465588656,,96109909403#,,, \*848133#
3. Or Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782
4. Webinar ID: 961 0990 9403
5. Passcode: 848133
6. International numbers available: <https://nh-dhhs.zoom.us/u/ape7dGePV>

**MONDAY, MARCH 8****NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H)**

9:00 a.m. Regular meeting.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85288129397>

1. Or iPhone one-tap :

US: +13126266799,,85288129397# or +19294362866,,85288129397#

2. Or Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592 or +1 346 248 7799 or  
+1 669 900 6833 or +1 253 215 8782

3. Webinar ID: 852 8812 9397

**TUESDAY, MARCH 9****FINANCE - DIVISION I**

9:00 a.m. Budget Work Session.

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/94444579237>

2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099

3. Webinar ID: [944 4457 9237](https://www.zoom.us/j/94444579237)The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).**NEW HAMPSHIRE DRUG OVERDOSE FATALITY REVIEW COMMISSION (RSA 126-BB:1)**

4:00 p.m. Regular meeting.

Join Zoom Meeting:

<https://nh-dhhs.zoom.us/j/7629646757?pwd=dUJnaTVCOEk1bnZMTepDZEkrOGk4QT09>

1. Meeting ID: 762 964 6757

2. Passcode: 782701

3. One tap mobile:

+16465588656,,7629646757#,,, \*782701# US (New York)

4. Dial by your location:

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

5. Meeting ID: 762 964 6757

6. Passcode: 782701

Find your local number: <https://nh-dhhs.zoom.us/u/a1xePCEZ>**WEDNESDAY, MARCH 10****FINANCE - DIVISION I**

9:00 a.m. Budget Work Session.

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/94444579237>2. Or Telephone: Dial (for higher quality, dial a number based on your current location):  
1-929-205-60993. Webinar ID: [944 4457 9237](https://www.zoom.us/j/94444579237)The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).**THURSDAY, MARCH 11****FINANCE - DIVISION I**

9:00 a.m. Budget Work Session.

Committee members have received secure Zoom links.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/94444579237>

2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-929-205-6099
  3. Webinar ID: [944 4457 9237](#)
- The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [LBA\\_Fiscal@leg.state.nh.us](mailto:LBA_Fiscal@leg.state.nh.us).

## MONDAY, MARCH 15

### INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2)

- 2:30 p.m. Regular meeting.  
The link is:  
<https://zoom.us/j/93162377581?pwd=ZXg0ZmlTbnhlc0VOM1ZjZXRzZUVwdz09>

## FRIDAY, MARCH 19

### COUNTY-STATE FINANCE COMMISSION (RSA 28-B:1)

- 9:00 a.m. Regular meeting.  
Please click the link below to join the webinar:  
<https://nh-dhhs.zoom.us/j/97552338127?pwd=RzF2RU03andJU1RCeS9XemovOU0zdz09>
1. Passcode: 481852
  2. Or iPhone one-tap :  
US: +16465588656,,97552338127#,,,,\*481852# or  
+13017158592,,97552338127#,,,,\*481852#
  3. Or Telephone:  
Dial (for higher quality, dial a number based on your current location):  
US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799
  4. Webinar ID: 975 5233 8127
  5. Passcode: 481852
- International numbers available: <https://nh-dhhs.zoom.us/u/apNhQ1Ydz>

## OFFICIAL NOTICES

Pursuant to RSA 24:23, there will be an Executive Committee meeting via zoom of the Hillsborough County Executive Committee on **Friday, February 26, 2021 at 10:00 am**. The purpose of the meeting is to consider the agenda items before them. This meeting will be held using zoom meeting technology, with limited availability for attendance at the Bouchard Building. For more information, including how to attend the Zoom meeting, please visit the Hillsborough County website at [www.hcnh.org](http://www.hcnh.org) or contact Delegation Coordinator, Paul Hunt, at 603-627-5631. Paul Hunt will also be monitoring the following email address during the meeting: [phunt@hcnh.org](mailto:phunt@hcnh.org) To enter the meeting telephonically follow the following steps:

1. Dial the following call in number: 1-929-436-2866 (US Toll Free)
2. When prompted enter the following Meeting ID: 87562826015
3. Then, when prompted enter the Meeting Password: 102729#

The following codes are used when participating by telephone only: \*6 to mute/unmute and \*9 to Raise hand  
Digital Link is below: <https://us02web.zoom.us/j/87562826015?pwd=VXUxOHJCazZXUmw5QXF2UXZXVGxIQT09> Meeting ID: 875 6282 6015  
Passcode: 102729

Rep. Megan Murray

## REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB10, HB20, HB103, HB121, HB188, HB209, HB346, HB497, HB590, HB592, HB593, HB594, HB595, HB601, HB610, HB611, HB619, HB620, HB623, HB624, HB625, HB626, HB627.

Paul C. Smith, Clerk of the House

## MEMBERS' NOTICES

The following notices are published in the House Record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

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**On February 19th, 2021 from 12:00pm-12:30pm**, the Bipartisan Disability Caucus will be hosting a Zoom “lunch and learn” webinar from with key partners including Granite State Independent Living, ABLE NH, Parent Information Center, NH Council on Developmental Disabilities, Community Support Network Inc, Brain Injury Association and the Disability Rights Center. Join us to learn more about our partners and legislative issues affecting the caucus. For more information about the caucus and zoom details please email Representative Gaby Grossman at [gabygrossmanfornh@gmail.com](mailto:gabygrossmanfornh@gmail.com)

Rep. Gaby Grossman

Members of the House are cordially invited to the first meeting of the bipartisan NH Legislators Children’s Caucus on **Monday February 22**, from **12:15 - 1:00 pm**. Priorities and topics of interest will be discussed. Please join by using the following Zoom link.

Join Zoom Meeting:

<https://zoom.us/j/94803654155?pwd=V0hmZUFYU9tYjd3ZFM0ZktU2lYdz09>

Meeting ID: 948 0365 4155

Passcode: 670881

Rep. Patty Cornell

The New Hampshire Commission to Study School Funding invites all Representatives and Senators to attend a briefing on the Commission’s final report, including findings and recommendations. The briefing will be held via Zoom webinar on **February 22nd, from 2pm to 4pm**. The briefing will present information on New Hampshire’s current funding formula, the pandemic impact, and approaches to improve student and taxpayer equity. This meeting will take place by remote conference. To listen in/watch, please follow the instructions below:

1. Dial the call in number: 1-312-626-6799

2. Enter the conference code, followed by the pound sign: 966 6854 3100#

Video access is available at: <https://unh.zoom.us/j/96668543100>

The following email address will be monitored throughout the meeting by someone who can alert the Commission of any issues: [schoolfunding.commission@unh.edu](mailto:schoolfunding.commission@unh.edu). The following phone number will also be monitored: 360-609-5824

Rep. David Luneau

The New Hampshire Council on Developmental Disabilities will be hosting a Virtual Introduction to the NHCDD on **Monday, February 22, 2021, from 4:30 pm - 5:00 pm**.

All Representatives are invited to join NHCDD Council members to discuss the Council’s legislative agenda and the Council’s work to enable individuals with developmental disabilities to exercise self-determination and be fully included in civic and community life. Closed caption and ASL interpreter will be provided.

Register at: <https://www.universe.com/NHCDDintro2legislators>

Rep. Gaby Grossman

Legislators are invited to a virtual event hosted by The New Hampshire Rare Action Network in recognition of Rare Disease Day on **February 24th from 3-4:30pm**. This is an opportunity for a variety of stakeholders to gather to recognize rare disease day and to share stories about living with and advocating for people with rare disorders. The event will include discussion about the rare disease advisory council in NH, stories from patients and caregivers. Register for this event: <https://www.congressweb.com/signup/?id=A3916D5E-5056-9235-14C3F1F8EB1794F0>

Rep. William Marsh

You are cordially invited to join us for Capitol Prayer and Bible Study with Pastor Chamberlain via Zoom : Time: **Thursday, February 25, 2021 at 8 am** Eastern Time (US and Canada) All are invited to attend. Please join us using the following Zoom link:

Topic: Capitol Prayer & Bible Study . Join Zoom Meeting: <https://us02web.zoom.us/j/9938245244>

Meeting ID: 993 824 5244

Rep. Linda Gould

Legislators and staff are invited to a virtual briefing hosted by River Valley Community College, **Tuesday March 23 at 3pm**. We will focus on the new Licensed Practical Nurse (LPN) program which was created to meet hiring needs in long-term care and other healthcare facilities; nursing and healthcare pathways generally; how the college worked with students during COVID-19; and an overview of other key programs and priorities. We look forward to hearing your questions and comments about how River Valley serves its students, region, industry partners and the State. You may register in advance for this meeting at <https://ccsnh.zoom.us/meeting/register/tJ0yceuvpzouG9RVv5lwdLw0Pgl3ucZfJ6k4> . After registering, you will receive a confirmation email containing information to join the meeting.

Rep. John Cloutier

Join Clean Energy NH and the Québec Government Office in Boston for a discussion on the future of electric transportation in Québec and the Northeast. As our regions take advantage of this growing sector, we can work together to make our transportation system cleaner and support the green workforce needed to support the clean transportation ecosystem. Register at: [https://us02web.zoom.us/webinar/register/WN\\_jVofK32lQl-G9229ck7DhZg](https://us02web.zoom.us/webinar/register/WN_jVofK32lQl-G9229ck7DhZg)

Rep. Tim Egan

The House Veterans Interest Caucus invites all Representatives to associate with others interested in legislative and other issues affecting our veterans. Whether you are a veteran, or someone interested in veteran's issues, you're welcome to engage your fellow Representatives in a non-partisan organization. The caucus shares information on bills effecting veterans without taking a position on them by regularly distributing a status tracker. Future events may consist of talks presented by groups such as Easter Seals, Veterans Affairs Medical Center, and Veteran Service Organizations. We have approximately 75 current associates. If interested, email [jess.edwards@leg.state.nh.us](mailto:jess.edwards@leg.state.nh.us) with the subject line reading "VIC".

Rep Jess Edwards, Rep Matt Wilhelm, Rep Mike Moffett

Members of the House are cordially invited to join the Vegas Caucus to discuss legalization of anything that is allowed in Nevada and other states, but not in New Hampshire. Contact me at my legislative email, [Max.Abramson@leg.state.nh.us](mailto:Max.Abramson@leg.state.nh.us), to schedule our first meeting and elect co-chairs. If members have a bill before the House or an idea for a bill, they should bring it with them so that we can read it beforehand. Remember, "what happens in Vegas stays in Vegas."

Rep. Max Abramson

## AMENDMENTS (LISTED IN NUMERICAL ORDER)

### Amendment to HB 63-FN-A (2021-0079h)

#### Proposed by the Majority of the Committee on Criminal Justice and Public Safety - r

Amend section 1 of the bill by replacing paragraphs I and II with the following:

I. Void and if already paid, refund, any fines issued under emergency order #65, any other emergency order, or RSA 21-P:47; and

II. Void, or direct the attorney general to request that the court dismiss, any enforcement action related to violation of an emergency order; and

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect upon its passage or upon termination of the state of emergency due to Novel Coronavirus (COVID-19) declared in Executive Order 2020-04 as extended, whichever is later.

### Floor Amendment to HB 91-FN (2021-0401h)

#### Offered by Reps. Leishman and Hatch

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

AN ACT relative to death benefits of first responders and corrections officers who die from suicide.

Amend RSA 21-I:29-a, I(f) as inserted by section 1 of the bill by replacing it with the following:

(f) "Killed in the line of duty" means a death, *including suicide*, of a police officer, firefighter, emergency medical technician, *correctional officers, probation and parole officers, correctional line personnel*, or rescue squad member while in the performance of his or her duties as a result of incident, accident, or violence causing death or injuries which are the direct or proximate cause of death. *Death by suicide shall be considered a work related cause of death.* "Incident" shall include any death that is determined to be occupationally related by the worker's compensation insurance carrier, a self-insured worker's compensation plan, or by the labor commissioner for workers' compensation purposes pursuant to RSA 281-A.

2021-0401h

AMENDED ANALYSIS

This bill includes suicide under the definition of "killed in the line of duty" when considering eligibility for death benefits of first responders and corrections officers.

### Amendment to HB 95-FN (2021-0190h)

#### Proposed by the Committee on Environment and Agriculture - c

Amend RSA 184:84, V as inserted by section 1 of the bill by replacing it with the following:

V. A milk producer-distributor who daily produces for sale less than 20 gallons of raw milk or processes less than 20 gallons of raw milk into cheese aged at least 60 days, yogurt, cream, butter, *ice cream, frozen yogurt*, or kefir shall not require a milk producer-distributor license, provided these products are offered as direct sales from the producer-distributor's own farm, farm stand, or at a farmers' market to the food consumer within the state of New Hampshire only. *Ice cream and frozen yogurt produced and sold under this paragraph shall be packaged in containers no larger than 6 fluid ounces and shall be marked with an expiration date 30 days from the date of manufacture.*

**Amendment to HB 99  
(2021-0203h)**

**Proposed by the Committee on Resources, Recreation, and Development - c**

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Anchored Seasonal Platforms. Amend RSA 270 by inserting after section 72-a the following new subdivision:

Anchored Seasonal Platforms

270:72-b Definitions. In this subdivision:

I. "Anchored seasonal platform" means a seasonal platform, inflatable platform, float, or device attached to such platform, inflatable platform, or float, that is attached by chains, cables, ropes, or related equipment to a fixed object or stationary point, or that is attached to an anchor or weight which is designed to rest on the bed or to be buried in the bed of a navigable body of water.

II. "Director" means the director, division of state police, department of safety.

III. "Division" means the division of state police, department of safety.

IV. "Shorefront property" means any property abutting public waters of the state. "Shorefront property" shall include:

(a) A lot on the public waters that is divided by a road so that the lot is on the opposite side of the road from the public waters or divided by an exclusive right-of-way which has been acquired as a result of an eminent domain proceeding which resulted in the break or loss of property between the property owner's residence and shore frontage.

(b) A lot of record with not less than 25 feet of frontage.

(c) Shorefront property shall not mean a deeded right-of-way, nor shall it mean lots not contiguous to the shore with any other type of legal shorefront access. Property owned in common by associations and other groups shall be deemed owned by the group and shall not convey any rights to individual members of such group.

270:72-c Anchored Seasonal Platform; Limitations.

I. No person shall erect, install, maintain, or exercise control over an anchored seasonal platform on the public waters of the state who is not the legal owner of the adjacent shorefront property.

II. Any person erecting, installing, maintaining, or exercising control over an anchored seasonal platform on any public body of water shall attach his or her name and contact information to any such seasonal platform as provided in this subdivision.

270:72-d Anchored Seasonal Platform Prohibited.

I. No anchored seasonal platform shall be located:

(a) In such a manner that it constitutes a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation; or

(b) In such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety; or

(c) In such a manner that it presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas; or

(d) In such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land.

II. The director shall develop rules for the purposes of this subdivision pursuant to RSA 541-A and 270:72-g.

270:72-e Removal of Anchored Seasonal Platforms; Powers of Director.

I. The director or his agents shall remove or cause the removal of, or shall move or cause the moving of, any anchored seasonal platform, which:

(a) Is in violation of RSA 270:72-d; or

(b) Does not bear the owner's name and contact information as required under RSA 270:72-c; or

(c) Constitutes a hazard to public safety because of the manner in which it is constructed or maintained.

II. The owner of record of anchored seasonal platform, if known, shall be notified, by the director or his agents, of the removal, by certified mail with return receipt requested, within 10 days of removal.

III. Any anchored seasonal platform which is removed pursuant to paragraph I shall be stored in a safe place and the owner shall be notified. Before he or she may reclaim a platform which has been removed pursuant to paragraph I, the owner shall reimburse the person who removes the platform for any costs incurred in transporting and storing the platform.

270:72-f Liability. Nothing in this subdivision shall relieve the owner or installer of an anchored seasonal platform from liability relating to water pollution, accidents, or other liabilities associated with ownership of an anchored seasonal platform.

270:72-g Rulemaking.

I. The director of the division shall adopt rules under RSA 541-A relative to:

(a) The use, design, weight or size, construction, lighting, placement including safe spacing, and required maintenance of individual anchored seasonal platforms.

(b) The enforcement of this subdivision.

270:72-h Penalty. Any person violating the provisions of this subdivision shall be guilty of a violation for the first offense and guilty of a misdemeanor for any additional offenses.

270:72-i Exemptions. This subdivision and any rules implemented under RSA 270:72-g shall not apply to any local, state, or federal government agency, such as an agency's sub-contractors, or to any conservation groups engaged in the non-recreational execution of their duties including, but not limited to, work related to law enforcement, bridge and road work, pollution control, the protection of fish and wildlife, or environmental studies.

**Amendment to HB 163-FN  
(2021-0238h)**

**Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs - r**  
Amend the bill by replacing sections 3-4 with the following:

3 New Paragraph; Use of Cannabis for Therapeutic Purposes; Departmental Rules. Amend RSA 126-X:6 by inserting after paragraph V the following new paragraph:

VI. The department shall adopt rules, pursuant to RSA 541-A, to document that counseling has been provided by the certifying provider to all women of child-bearing age and adolescents 25 years of age or less, and the parent or guardian of a patient less than age 18, about the risks of cannabis use in adolescence, during pregnancy, and while breastfeeding, prior to issuing or reissuing a therapeutic cannabis card to such individuals.

4 New Subparagraphs; Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers; Requirements. Amend RSA 126-X:8, XVI(c) by inserting after subparagraph (6) the following new subparagraphs:

(7) Information about the risks of cannabis use during pregnancy and while breastfeeding, as outlined by the therapeutic cannabis medical oversight board. Such information shall include the posting of an informational poster regarding the risks of cannabis use during pregnancy and while breastfeeding in a conspicuous location at the alternative treatment center's dispensary location.

(8) Information regarding safe storage and disposal of cannabis and paraphernalia to prevent accidental poisonings, including the contact information for the Northern New England Poison Control Center.

(9) Information about the risks of cannabis use in adolescence as outlined by the therapeutic cannabis medical oversight board. Such information shall include the posting of an informational poster on the risks of cannabis use in adolescence in a conspicuous location at the alternative treatment center's dispensary location.

**Amendment to HB 187  
(2021-0161h)**

**Proposed by the Committee on Health, Human Services and Elderly Affairs - r**  
Amend the title of the bill by replacing it with the following:

AN ACT relative to the emergency powers of the commissioner of health and human services and relative to the membership of the oversight committee on health and human services.

Amend RSA 21-P:53, VIII as inserted by section 1 of the bill by replacing it with the following:

***VIII. Except as provided in paragraph IX, an emergency order issued under this section shall be subject to review by the joint legislative oversight committee on health and human services, established in RSA 126-A:13, and may be rescinded by a 2/3 vote of that committee. The commissioner shall notify the ethics oversight advisory committee established in RSA 141-C:27 of any emergency order issued under this section, and the joint legislative oversight committee shall consider the input of the ethics committee, if provided, in any decision. If the emergency precludes either committee from meeting in person, they shall be authorized, notwithstanding any other provision of law, to meet remotely for this purpose.***

Amend RSA 21-P:53 as inserted by section 1 of the bill by inserting after paragraph VIII the following new paragraph:

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

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

2 Communicable Disease; Ethics Committee. Amend RSA 141-C:27 to read as follows:  
141-C:27 Ethics ***Oversight Advisory*** Committee.

I. There is hereby established an ethics ***oversight advisory*** committee to offer advice to the commissioner relative to the ethical issues that may be identified in the course of planning for, and responding to, outbreaks of communicable disease that threaten to become epidemic or pandemic ***and to review and provide recommendations for investigations, orders, and treatment ordered by the commissioner.***

II. The committee shall:

(a) Consider the ethical implications of any of the powers that may be exercised by the commissioner under the provisions of this chapter including, but not limited to, the confiscation, distribution, and rationing of anti-toxins, serums, vaccines, immunizing agents, antibiotics, and other pharmaceutical agents, and mechanical equipment; the issuance and enforcement of orders of isolation, quarantine, medical examination, and medical treatment; issues relative to information sharing and confidentiality; and the provisions for due process for orders issued pursuant to this chapter.

(b) ***Review, at least annually, a report of investigations conducted pursuant to RSA 141-C:9 and orders issued under RSA 21-P:53, V and VI, and provide recommendations to the department. Any information furnished to the committee shall be aggregated and de-identified. The department shall not share any confidential information with the committee.***

(c) ***Consider the competing rights of disabled persons who might be unable to comply with certain orders, health care workers who are entitled to a safe workplace, and the need to protect the public from communicable disease, and may recommend modification of orders to address specific concerns.***

(d) ***Consider both the need to protect the most vulnerable members of society as well as the need for the most efficacious means to control a public health emergency when consulting with the commissioner pursuant to RSA 21-P:53, III-b in developing a plan for the distribution of a new treatment or vaccination.***

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

(a) ***Two members of the house or representatives, one of whom shall be from the minority party, appointed by the speaker of the house of representatives.***

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

(c) The director of the ***department of health and human services***, division of public health services.  
[(b)] (d) The state epidemiologist.

[(c)] (e) The attorney general, or designee.

[(d)] (f) A representative of a public health network, appointed by the commissioner.

[(e)] (g) A representative from a college or university public health program, appointed by the commissioner.

[(f) A chief of police or a police officer of a local police department, appointed by the New Hampshire Association of Chiefs of Police.]

\_\_\_\_ [(g) A chief of a local fire department, appointed by the New Hampshire Association of Fire Chiefs.]

(h) A physician, licensed under RSA 329, appointed by the New Hampshire Medical Society.

(i) The commissioner of the department of safety, or designee.

(j) [A member of a fire department with a minimum of EMT-B certification, appointed by the Professional Firefighters of New Hampshire.]

[(k)] A representative of a hospital, appointed by the New Hampshire Hospital Association.

[(l) A county representative, appointed by the New Hampshire Association of Counties.]

(k) ***A representative of the Disability Rights Center of New Hampshire, appointed by the center.***

(l) ***The commissioner of the department of labor, or designee.***

IV. [The commissioner shall appoint a member of the committee to act as chairperson.] ***The committee shall elect one of the legislative members as chairperson. Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.*** The committee shall meet initially within 30 days of the effective date of this section and then as regularly as the chairperson shall direct.

V. The commissioner may at any time direct questions to the committee or request guidance on ethical issues.

VI. The committee [shall be solely advisory in nature and any guidance, guidelines, or protocols issued by the committee shall not be binding on the commissioner] ***may provide advisory opinions, including draft guidance, guidelines, or protocols, which shall not be binding on the commissioner or any member of the public.***

3 Department of Health and Human Services; Oversight Committee. Amend RSA 126-A:13, I to read as follows:

I. There shall be an oversight committee on health and human services consisting of [5] ***the following*** members [as follows]:

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

(b)(1) [~~Three~~] ***Five*** members of the house of representatives, [2] ***3*** of whom shall be from the health, human services and elderly affairs committee, and one of whom shall be from the house finance committee ***division responsible for the department of health and human services***, appointed by the speaker of the house of representatives.

(2) ***Two members of the house of representatives, one of whom shall be appointed by the speaker of the house of representatives, and one of whom shall be appointed by the leader of the minority party of the house of representatives, shall be available to serve, at the request of the committee chairperson, as an alternate member for an absent committee member. An alternate member shall have full voting authority while serving for an absent committee member.***

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

2021-0161h

#### AMENDED ANALYSIS

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

#### Amendment to HB 188-FN

(2021-0387h)

#### Proposed by the Committee on Children and Family Law - r

Amend the bill by replacing sections 3 and 4 with the following:

3 Delinquency Children; Issuance of Summons and Notice; Appointment of Counsel. RSA 169-B:7, III is repealed and reenacted to read as follows:

III. The court shall appoint counsel for the minor upon receipt of the petition. Such appointment shall occur no later than the time the summons is issued. The court shall apply the presumption of indigency required by RSA 169-B:12, I, so that such appointment is not delayed. The summons shall contain the contact information of the appointed counsel. The appointment shall be made sufficiently before any hearing to allow for consultation between counsel and client, as well as for any appropriate investigation. Notice of the appointment shall be provided to counsel and to the petitioner telephonically, electronically, or in some other manner that is calculated to provide actual notice on the same day as the appointment.

4 Appointment of Counsel; Waiver of Counsel. Amend RSA 169-B:12, I and I-a to read as follows:

I. [~~Absent a valid waiver, the court shall appoint counsel at the time of arraignment of an indigent minor, provided that an indigent minor detained pursuant to RSA 169-B:11, III, shall have counsel appointed upon the issuance of the detention order.~~] ***Absent a valid waiver, the court shall appoint counsel for an indigent minor pursuant to RSA 169-B:7, III.*** For purposes of [the appointment of counsel under] this section, an indigent minor shall be a minor who satisfies the court, after appropriate inquiry, that the minor is financially unable to independently obtain counsel. ***So that counsel can be appointed promptly pursuant to RSA 169-B:7, III, indigency shall be presumed for all minors who are the subject of petitions brought under this chapter, subject to the court's reconsideration following the receipt of complete information regarding the minor's financial ability to independently obtain counsel.*** If the court has received information indicating that the minor has an intellectual, cognitive, emotional, learning, or sensory disability, the court shall require the minor to consult with counsel.

I-a. When an attorney is appointed as counsel for a child, representation shall include counsel and investigative, expert, and other services, including process to compel the attendance of witnesses, as may be necessary to protect the rights of the child. ***Representation also shall include representation in related proceedings when such matters are based on the same factual circumstances as the petition under this chapter. Such appointment shall remain in effect until the court no longer has jurisdiction over the child pursuant to this chapter, except in situations where the only remaining issue involves the payment of fines or restitution. If an action for damages is commenced based on the same factual circumstances as a petition under this chapter, representation by counsel appointed under this chapter in such action may only extend to protecting the minor's right against self-incrimination***

*and other constitutional and statutory rights as related to the petition brought under this chapter. Under no circumstances shall representation by counsel appointed under this chapter in related proceedings continue after the court no longer has jurisdiction over the child pursuant to this chapter.*

**Amendment to HB 193  
(2021-0157h)**

**Proposed by the Committee on Resources, Recreation, and Development - c**

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

1 Timber Harvesting; Trespass; Civil Penalty. Amend RSA 227-J:8, I to read as follows:

I. No person shall negligently cut, fell, destroy, injure, [or] carry away, ***or cause to be cut, felled, destroyed, injured, or carried away***, any tree, timber, log, wood, pole, underwood, or bark which is on the land of another person, or aid in such actions without the permission of that person or the person's agent.

2 Timber Harvesting; Trespass; Criminal Penalty. Amend RSA 227-J:8-a, I to read as follows:

I. No person shall recklessly cut, fell, destroy, injure, [or] carry away, ***or cause to be cut, felled, destroyed, injured, or carried away***, any tree, timber, log, wood, pole, underwood, or bark which is on the land of another person, or aid in such actions without the permission of that person or the person's agent.

**Amendment to HB 194  
(2021-0268h)**

**Proposed by the Majority of the Committee on Education - r**

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

1 Statewide Assessment Program; Assessment Information. Amend RSA 193-C:12 to read as follows:

193-C:12 Pupil Assessment Information.

***I.*** The department shall provide the testing entity as defined in RSA 189:65, VIII, with individual pupil names and unique pupil identifiers. The testing entity shall maintain the results, scores, or other evaluative materials for the purpose of measuring and reporting individual student growth.

***II.*** The department may provide, ***or may request the testing entity to provide***, the assessment results and comparative data to a parent, a legal guardian, or the pupil's school as provided in RSA 193-C:11. ***The department may collect, and the districts shall provide, student address information from the individual school districts solely for the purpose of effectuating the distribution of assessment results and comparative data as provided in this section.***

***III.*** ***The report shall be provided to parents in an informative and instructional manner to help children meet challenging state academic standards and advance student learning,***

***IV.*** The testing entity shall destroy all student data after 8 years.

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

2021-0268h

AMENDED ANALYSIS

This bill:

I. Permits the department of education to collect student address information for the purpose of distributing assessment results.

II. Requires a testing entity to destroy student data at certain times.

**Amendment to HB 197  
(2021-0249h)**

**Proposed by the Majority of the Committee on Criminal Justice and Public Safety - r**

Amend the bill by replacing section 1 with the following:

1 Justification; Physical Force in Defense of a Person. Amend RSA 627:4, II(d) to read as follows:

(d) Is likely to use any unlawful force in the commission of a felony against ~~[the actor within such actor's]~~ ***a person in a vehicle***, dwelling or its curtilage.

2021-0249h

AMENDED ANALYSIS

This bill permits the use of deadly force against another person in circumstance where deadly force is used in the commission of felony against a person in a vehicle.

**Amendment to HB 222-FN  
(2021-0224h)**

**Proposed by the Committee on Transportation - c**

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

AN ACT relative to official cover plates.

Amend the bill by replacing section 1 with the following:

1 Number Plates; Official Cover Plates. Amend RSA 261:90 to read as follows:

261:90 Official Cover Plates. Upon payment of a fee, the director may issue and shall designate official cover plates with the reproduction of the state seal thereon to be affixed to a vehicle of United States senators from this state, representatives to congress from this state, the governor, members of the governor's council, the president of the senate, members of the senate, the speaker of the house of representatives, members of the house of representatives, *the clerk of the house of representatives*, the attorney general, the secretary of state, the state treasurer, the President of the United States and members of his or her executive staff, and any ambassador or member of the foreign diplomatic corps. The fee for official cover plates shall be \$1 in addition to any other number plate manufacturing fee otherwise required. The official cover plates, exclusive of the seal, shall be white with green lettering, which shall alternate with red lettering every other biennium. Official cover plates shall have the title of the person requesting the plates, except for members of the governor's council whose plates shall have their council district numbers embossed on them, and members of the general court, whose plates shall have their house seat numbers or their senate district numbers embossed on them unless the president of the senate, for members of the senate, or the speaker of the house of representatives, for members of the house of representatives, shall designate a title for their plates. The president of the senate, or a designee, and the speaker of the house of representatives, or a designee, shall provide the director with input as needed on the cover plate design for members of the general court. The director shall not issue more than 2 sets of *house seat number or senate district number* official cover plates to any person. ***The director shall not issue more than 2 sets of official cover plates bearing a title to any person.*** Official cover plates may be attached only to vehicles registered in the name of the person issued the plates or the name of the spouse of a member of the general court, or any vehicle being operated by a member of the general court. Nothing herein shall be construed as affecting the issuance of regular motor vehicle plates and the payment of the registration fee therefor. Official cover plates shall be manufactured at the state prison and the prison shall provide the plates to the department at the prison's cost.

2021-0224h

AMENDED ANALYSIS

This bill permits the director to issue official cover plates to the clerk of the New Hampshire house of representatives. The bill also clarifies the number of sets of official cover plates that may be issued to any eligible person.

**Amendment to HB 226**

(2021-0046h)

**Proposed by the Committee on Environment and Agriculture - c**

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

2 New Section; Produce; Stop Sale. Amend RSA 426-A by inserting after section 6 the following new section:

426-A:7 Produce; Stop Sale. When the commissioner or the commissioner's authorized agent has reasonable cause to believe produce is being distributed in violation of any of the provisions of this chapter, or of any of the rules adopted under this chapter, the commissioner or agent may issue and serve a written "stop sale, use or removal" order upon the owner or custodian of any such produce. The produce shall not be sold, used or removed until the provisions of this chapter have been complied with and the produce has been released by the commissioner or the violation has been otherwise disposed of as provided in this chapter by a court of competent jurisdiction.

2021-0046h

AMENDED ANALYSIS

This bill extends the date for the repeal of the laws on produce safety.

This bill also enables the commissioner of the department of agriculture, markets, and food to stop the sale of produce violating produce safety rules.

**Amendment to HB 240**

(2021-0237h)

**Proposed by the Committee on Health, Human Services and Elderly Affairs - c**

Amend the bill by replacing section 1 with the following:

1 Use of Cannabis for Therapeutic Purposes; Labeling of Cannabis. Amend RSA 126-X:8, XVI(a) to read as follows:

XVI.(a) All cannabis dispensed by an alternative treatment center shall include a label specifying the ***commercial strain name of the cannabis***, the weight of the cannabis, and any other information the department requires to appear on the label. The label shall also specify that the cannabis is for therapeutic use and that diversion is a class B felony requiring revocation of one's registry identification card. ***An alternative treatment center may list the commercial strain names of the cannabis available to be dispensed on its public Internet website.***

2021-0237h  
AMENDED ANALYSIS

This bill requires an alternative treatment center to list the commercial strain name of the cannabis on the label of the packaging and permits the alternative treatment center to list the commercial strain names of the cannabis available to be dispensed on its public Internet website.

**Amendment to HB 242  
(2021-0262h)**

**Proposed by the Majority of the Committee on Education - r**

Amend the bill by replacing section 5 with the following:

5 Substantive Educational Content of an Adequate Education; Definition of Academic Standards. Amend RSA 193-E:2-a, VI to read as follows:

VI. In this section:

(a) "Minimum standards for public school approval" mean the applicable criteria that public schools and public academies shall meet in order to be an approved school, as adopted by the state board of education through administrative rules.

(b) "Academic standards" means what a student should know and be able to do in a course, **program**, or at each grade level.

(c) "Curriculum" means the lessons and academic content taught in school or in a specific course or program.

(d) "**Rigorous academic study**" means a course, program, or grade level program aligned with curriculum standards and school approval standards.

(e) "**Applied learning**" means an educational approach whereby students have the opportunity to directly engage in learning activities using knowledge and skills, theories, and models that may be outside of the traditional classroom experience or embedded as part of a course, program, or grade level program.

(f) "**Logic**" means a reasoning skill that better enables a student: to analyze problems in core knowledge domains such as mathematics and to develop problem solutions; to better understand the principle of cause and effect; and to develop critical thinking skills to better identify fact from unverified information or data.

(g) "**Rhetoric**" means the skill of speaking and writing as a means of communication or persuasion.

Amend RSA 193-E:2-b, I(c) as inserted by section 6 of the bill by replacing it with the following:

(c) Are economically disadvantaged, or attend schools with significant concentrations of economically disadvantaged students. The cost of fiscal capacity disparity aid is a separate grant from adequacy and shall be provided to municipalities with the lowest equalized property valuations per pupil. An additional disparity achievement proficiency aid grant shall be provided to eligible school districts, schools and charter public schools to improve academic achievement and growth of level 1 and level 2 proficiency students as identified in the annual statewide assessment pursuant to RSA193-C:6.

Amend RSA 193-E:3-b,I(e) as inserted by section 8 of the bill by replacing it with the following:

(e) The commissioner of the department of education shall require any school that is unable to demonstrate that it provides the opportunity for an adequate education through the input-based school accountability system to resubmit the narrative explanations annually until such demonstration has been made. **The commissioner shall provide the legislative oversight committee identified in RSA 193-C:2 with an annual status report by November 1. The report shall include any school that is unable to demonstrate that it provides an opportunity for an adequate education through the input-based school accountability system. Notice of this status shall be posted on the school, school district, or chartered school websites. The school, school district or chartered public school shall provide written notice of such status to parents or guardians of students enrolled in the affected school.**

Amend the bill by replacing section 9 with the following:

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

**Amendment to HB 254  
(2021-0140h)**

**Proposed by the Committee on Children and Family Law - c**

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

2 Delinquent Children; Release or Detention Pending Adjudicatory Hearing. Amend RSA 169-B:14, I(e)(3) to read as follows:

(3) Secure detention shall ~~not~~ **only** be ordered:

(A) For delinquency charges which may ~~not~~ form the basis for commitment under RSA 169-B:19, I(j); **or**

**(B) When a petition does not allege a violation of RSA 262 or RSA 637, possession of a controlled drug without intent to sell under RSA 318-B, or any violation of RSA 634, RSA 635, RSA 641, or RSA 644, which would be a misdemeanor if committed by an adult.**

3 Delinquent Children; Release or Detention Pending Adjudicatory Hearing. RSA 169-B:14, I(e)(3) is repealed and reenacted to read as follows:

(3) Secure detention shall not be ordered for delinquency charges which may not form the basis for commitment under RSA 169-B:19, I(j).

4 Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I(j) to read as follows:

(j) Commit the minor to the custody of the department of health and human services for the remainder of minority. Commitment under this subparagraph may only be made following written findings of fact by the court, supported by clear and convincing evidence, that commitment is necessary to protect the safety of the minor or of the community, and may only be made if the minor has not waived the right to counsel at any stage of the proceedings. If there is a diagnosis or other evidence that a minor committed under this subparagraph may have a serious emotional disturbance or other behavioral health disorder, the minor shall, with the consent of the minor and the minor's family, be referred to a care management entity pursuant to RSA 135-F:4, III. The care management entity shall develop and oversee the implementation of a care plan for the minor, intended to reduce the period of commitment. Commitment may not be based on a finding of contempt of court if the minor has waived counsel in the contempt proceeding or at any stage of the proceedings from which the contempt arises. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified. Commitment under this subparagraph shall not be ordered as a disposition for ~~[a violation of RSA 262 or 637, possession of a controlled drug without intent to sell under RSA 318-B, or violations of RSA 634, 635, 641, or 644, which would be a misdemeanor if committed by an adult]~~ **any offense other than first degree murder, second degree murder, attempted murder, manslaughter, negligent homicide under RSA 630:3, II, first degree assault, second degree assault, except when the allegation is a violation of RSA 631:2, I(d), felonious sexual assault, aggravated felonious sexual assault, kidnapping, criminal restraint, robbery punishable as a class A felony, burglary while armed or involving the infliction of bodily harm under RSA 635:1, II, or arson punishable as a felony.** However, commitment may be ordered under this subparagraph for any offense which would be a felony or class A misdemeanor if committed by an adult if the minor has previously been adjudicated under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult. A court shall only commit a minor based on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses relied upon was not part of a common scheme or factual transaction with any of the other offenses relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense for which the minor is before the court, and that the minor was represented by counsel at each stage of the prior proceedings following arraignment.

5 Applicability.

I. RSA 169-B:14, I(e)(3) and RSA 169-B:19, I(j), as amended by sections 2 and 4 of this act, respectively, shall apply to cases pending on January 1, 2022 in which a dispositional order has not yet been entered.

II. RSA 169-B:14, I(e)(3), as amended by section 3 of this act, shall apply to cases pending on July 1, 2022 in which a dispositional order has not yet been entered.

6 Effective Date.

I. Section 3 of this act shall take effect July 1, 2022.

II. The remainder of this act shall take effect January 1, 2022.

2021-0140h

#### AMENDED ANALYSIS

This bill addresses the criteria for secure detention pending adjudication and the circumstances in which a minor may be committed to the department of health and human services for the remainder of his or her minority.

#### Amendment to HB 258

(2021-0168h)

#### Proposed by the Committee on Labor, Industrial, and Rehabilitative Services - c

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

AN ACT permitting wage and hour records to be approved and retained electronically.

Amend the bill by replacing section 1 with the following:

1 Employers' Records; Records of Hours and Wages. Amend RSA 279:27 to read as follows:

279:27 Records of Hours and Wages. Every employer of employees shall keep a true and accurate record of the hours worked by each, wages paid to each, and classification of employment when necessary, and shall

furnish to the commissioner or the commissioner's authorized representative upon demand a sworn statement of the same. Employers shall retain such records of hours and wages for 3 years and such records shall be open to inspection by the commissioner or the authorized representative at any reasonable time, subject to the provisions of RSA 273:9. Every employer subject to a statutory minimum wage shall post and make available to his or her employees a copy of such statutory minimum wage. Employers shall be furnished copies of posters on request without charge. ***Records required by this section may be made, signed, acknowledged, approved, and retained electronically.***

2021-0168h

AMENDED ANALYSIS

This bill permits wage and hour records to be approved and retained electronically.

**Amendment to HB 298**

(2021-0206h)

**Proposed by the Committee on Executive Departments and Administration - c**

Amend RSA 21-L:8, I(g) as inserted by section 1 of the bill by replacing it with the following:

(g) ***One member representing the unmanned aircraft systems industry, who shall be certificated as a remote pilot pursuant to 14 C.F.R. section 107 et seq., as amended, at the time of appointment.***

**Amendment to HB 301**

(2021-0296h)

**Proposed by the Committee on Labor, Industrial, and Rehabilitative Services - c**

Amend the bill by replacing section 1 with the following:

1 Workers' Compensation; Compensation Appeals Board. Amend RSA 281-A:42-a, III to read as follows:

III. Attorney members of the board shall receive \$400 per diem and all other members of the board shall each receive \$250 per diem for each day devoted to the work of the board and shall be reimbursed for necessary travel expenses. ***Said per diems shall be prorated to an hourly basis using 7.5 hours per day for other related work performed by board members.***

**Amendment to HB 303**

(2021-0189h)

**Proposed by the Committee on Labor, Industrial, and Rehabilitative Services - c**

Amend the bill by replacing section 1 with the following:

1 Payment of Wages; Required Pay. Amend RSA 275:43-a to read as follows:

275:43-a Required Pay. On any day an employee reports to work at an employer's request, he or she shall be paid not less than 2 hours' pay at his or her regular rate of pay; provided, however, that this section shall not apply to employees of counties or municipalities ~~or ski and snowboard instructional employees at ski resorts, provided that these employees receive other compensation that is at least equal to their rate of pay, and provided further that~~. ***This section shall also not apply to ski and snowboard instructional employees at ski resorts, provided that these employees receive other compensation that is at least equal to their rate of pay.*** No employer who makes a good faith effort to notify an employee not to report to work shall be liable to pay wages under this section. However, if the employee reports to work after the employer's attempt to notify him or her has been unsuccessful or if the employer is prevented from making notification for any reason, the employee shall perform whatever duties are assigned by the employer at the time the employee reports to work.

2021-0189h

AMENDED ANALYSIS

This bill exempts ski and snowboard instructional employees at ski resorts from receiving required pay from an employer, provided that such employees receive other compensation that is at least equal to their rate of pay.

**Amendment to HB 306**

(2021-0318h)

**Proposed by the Committee on Ways and Means - c**

Amend the bill by replacing section 1 with the following:

1 Revenue Estimates.

I. The house ways and means committee shall consider what the unrestricted revenue estimates should be at intervals dictated by unforeseen economic and legislative changes and as determined by the chair of the committee.

II. The estimates shall be based on current law and economic conditions and shall include all unrestricted funds for:

- (a) The combined general fund and the education trust fund.
- (b) Highway funds.
- (c) Fish and game funds.

2021-0318h

AMENDED ANALYSIS

This bill directs the house ways and means committee to consider revenue estimates for the state as frequently as the chair determines is required by changing conditions.

**Amendment to HB 320**

**(2021-0271h)**

**Proposed by the Majority of the Committee on Education - r**

Amend the bill by replacing section 1 with the following:

1 Civics Instruction. Amend RSA 189:11, II to read as follows:

II. As a component of instruction under paragraph I, a locally developed competency assessment of United States government and civics that includes, but is not limited to, the nature, purpose, structure, function, and history of the United States government, the rights and responsibilities of citizens, and noteworthy government and civic leaders, shall be administered to students as part of the *required* high school course in history and government of the United States and New Hampshire. ~~[Students who attain a passing grade on the competency assessment shall be eligible for a certificate issued by the school district. The United States Citizenship and Immigration Services (USCIS) test may be used to satisfy the requirement of this paragraph.]~~ ***To be eligible for a graduation certificate, a student shall attain a locally sanctioned passing grade on the competency assessment, and a grade of 70 percent or better on the 128 question civics (history and government) naturalization examination developed by the 2020 United States Citizen and Immigration Services. Schools may modify the naturalization examination for a child with a disability in accordance with the child's individualized education program.*** By June 30 of each year, each school district shall submit the results of either the locally developed competency assessment of United States government and civics or the United States Citizenship and Immigration Services (USCIS) test to the department of education.

**Amendment to HB 330**

**(2021-0314h)**

**Proposed by the Committee on Ways and Means - c**

Amend RSA 287-I:5 as inserted by section 1 of the bill by replacing it with the following:

287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to operate physical sports book retail locations within the state for the purposes of accepting tier I, ***tier II***, and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The sports book retail locations may be co-located with other commercial businesses or general commercial retail locations. No more than 10 sports book retail locations may be in operation at any given time.

2021-0314h

AMENDED ANALYSIS

This bill allows tier II sports wagers.

**Amendment to HB 331-FN**

**(2021-0188h)**

**Proposed by the Committee on Judiciary - r**

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

1 New Section; Forfeiture of Personal Property. Amend RSA 617 by inserting after section 12 the following new section:

617:13 Limiting Adoptions by the Federal Government of Property Seized Under State Law.

I. A state or local law enforcement agency shall not offer for transfer or adoption property, seized under state law, to a federal agency for the purpose of forfeiture under the federal Controlled Substances Act, Public Law 91-513, unless the seized property includes more than \$100,000 in United States currency.

II. Paragraph I shall only apply to a seizure by a state or local law enforcement agency pursuant to its own authority under state law and without involvement of the federal government in the seizure. Nothing in paragraph I shall be construed to limit state and local law enforcement agencies from participating in a joint task force with the federal government.

III. The state or local law enforcement agency shall not accept payment of any kind or distribution of forfeiture proceeds from the federal government if the state or local law enforcement agency violates paragraph I. All proceeds received shall be transferred and deposited to the state's general fund.

2 Effective Date. This act shall take effect January 1, 2022.

**Amendment to HB 342  
(2021-0136h)**

**Proposed by the Committee on Fish and Game and Marine Resources - c**

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

AN ACT relative to the taking of game by certain lever-action firearms and relative to the number of rounds permitted in a firearm used to take deer.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:  
2 Lawful Methods of Taking. Amend RSA 207:3, II to read as follows:

II. A full automatic rifle shall not be used at any time nor shall a semi-automatic rifle be used to which is attached a magazine or clip holding more than [5] **6** cartridges, nor shall a full jacketed metal case bullet be used, either in its original form or any alteration thereof.

3 Game Animals; Pistols Permitted. Amend RSA 208:3-d to read as follows:

208:3-d Pistols Permitted. Pistols permitted under RSA 208:3, 3-a, 3-b, and 3-c shall include a .357 Magnum, 10mm Automatic, .41 Remington, .44 Magnum, .45 Long Colt, .480 Ruger, and .50 Magnum, provided that a pistol used for taking deer under this section shall be loaded with no more than [5] **6** rounds of ammunition at any time.

2021-0136h

AMENDED ANALYSIS

This bill allows the taking of game with certain lever-action firearms. The bill also specifies that a firearm used to take deer shall not be loaded with more than 6 rounds of ammunition.

**Amendment to HB 345  
(2021-0239h)**

**Proposed by the Majority of the Committee on Executive Departments and Administration - r**

Amend RSA 143-A:21, VII-VIII as inserted by section 1 of the bill by replacing them with the following:

VII. "Mushroom" means the fleshy, spore-bearing, fruiting body of a fungus.

VIII. "Tier 1 mushroom" means a wild mushroom which is easily identified, that has no toxic look-alikes, and which is unlikely to cause illness in humans.

IX. "Tier 2 mushroom" means a wild mushroom which is difficult to identify, may have toxic look-alikes, or may cause illness in some humans.

**Amendment to HB 348  
(2021-0047h)**

**Proposed by the Majority of the Committee on Labor, Industrial, and Rehabilitative Services - r**

Amend the bill by replacing section 1 with the following:

1 New Section; Public Employees Labor Relations Board; Notice of Tentative Agreement Required. Amend RSA 273-A by inserting after section 3 the following new section:

273-A:3-a Notice of Tentative Agreement Required. A public employer shall post notice of a tentative agreement on any new or amended collective bargaining agreement in a conspicuous place on the public employer's Internet website. The public employer shall also make available for inspection an electronic copy of the tentative agreement on any new or amended collective bargaining agreement on the public employer's Internet website. Both the notice and the electronic copy of the tentative agreement shall remain on the public employer's Internet website for not less than 30 days after reaching the tentative agreement. No new or amended collective bargaining agreement shall be ratified by the public employer until after the Internet posting has expired.

**Amendment to HB 385  
(2021-0307h)**

**Proposed by the Majority of the Committee on Labor, Industrial, and Rehabilitative Services - r**

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

1 Workers' Compensation; Firefighter and Heart, Lung, or Cancer Disease; Presumption. Amend RSA 281-A:17, I(c) to read as follows:

(c) The benefits of RSA 281-A:17, I shall not continue in effect beyond one month after a call, volunteer or permanent firefighter reaches his or her ~~sixty-fifth~~ **seventieth** birthday.

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

2021-0307h

AMENDED ANALYSIS

This bill extends to age 70 the benefits from the presumption that heart or lung disease is occupationally related for firefighters.

**Amendment to HB 425-FN  
(2021-0027h)**

**Proposed by the Committee on Executive Departments and Administration - r**

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

AN ACT establishing technical committees and a cybersecurity advisory committee in the department of information technology.

Amend the bill by deleting sections 1-2 and renumbering the original sections 3-5 to read as 1-3, respectively.

2021-0027h

**AMENDED ANALYSIS**

This bill establishes certain technical committees and a cybersecurity advisory committee in the department of information technology.

**Amendment to HB 427  
(2021-1494h)**

**Proposed by the Committee on Children and Family Law - c**

Amend RSA 161:14, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) "Agency" means any executive branch department, institution, bureau, or office of the state, engaged in providing services to or for children. Agency shall include any public or private entity under contract or agreement with the department of health and human services or the department of education to provide services to or for a child or children.

**Amendment to HB 432  
(2021-0015h)**

**Proposed by the Committee on Education - c**

Amend RSA 189:13-a,V as inserted by section 1 of the bill by replacing it with the following:

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

**Amendment to HB 442  
(2021-0383h)**

**Proposed by the Committee on Education - c**

Amend RSA 189:28, I as inserted by section 2 of the bill by replacing it with the following:

I. The governing body of every public, **chartered public school, and nonpublic** education agency, shall, on or before ~~August 1~~ **the deadline established by the department as deemed appropriate** in each year, submit to the department of education those statistical reports necessary to compute the average daily membership of pupils attending each school district, and the average daily membership of pupils resident in each school district. Information relating to the fall enrollment, drop-outs, staffing census, and ~~average teacher salary,~~ **prior year annual safety reports** as of October 1 of each school year, **and other reports necessary to meet state and federal requirements as determined by the department**, shall be submitted to the department of education on or before ~~October 15~~ **the deadline established by the department**.

**I-a. The governing body of every public and chartered public school shall submit the average teacher salary as of October 1 of each school year to the department of education on or before the deadline established by the department.**

**I-b. Nonpublic schools shall submit the following: general statistics of nonpublic schools, nonpublic school restraint and seclusion collection data, general fall report of non-public schools, school emergency operation plan, and other reports necessary to meet state and federal requirements as determined by the department of education. If the governing body of a non-public school fails to submit the statistical reports by the established deadlines for 2 consecutive years, the commissioner may request the state board of education to revoke the enabling charter or approval.**

**Amendment to HB 459  
(2021-0250h)**

**Proposed by the Minority of the Committee on Municipal and County Government - r**

Amend RSA 32:5-e, II as inserted by section 2 of the bill by replacing it with the following:

II. Upon a good faith belief that a county, city, town, or other local government entity has violated RSA 32:5-d, any citizen of this state residing in the relevant county, town, or city, or within the jurisdiction of such other government entity, believing they have been aggrieved by such actions shall give written notice, by certified mail, return receipt requested, or by a nationally recognized courier service, to the county, city, town, or other government entity that is believed to have violated RSA 32:5-d of the reasonable belief of such a violation, and the county, city, town, or other government entity shall have a not more than 90 days after the giving of such notice to rescind any such transfer of funds from any source into a general ledger item within its accounting system that has been allocated zero dollars in its approved budget. However, if after the expiration of such 90 day period, the county, city, town, or other government entity that made such a transfer has failed or refused to rescind any such transfer, the aggrieved citizen may bring an action in superior court and the elected or appointed local government official or administrative agency head under whose authority the violation occurred shall be personally liable as provided for in this section. A citizen of this state residing in the relevant county, town, or city, or within the jurisdiction of such other government entity giving such notice shall be deemed to have standing to bring an action under this section.

Amend RSA 32:5-e, VI as inserted by section 2 of the bill by replacing it with the following:

VI. Any person, entity, or organization whose membership is aggrieved by any purported transfer implemented in violation of RSA 32:5-d, provided such person, entity, or organization resides or has its principal place of business in the relevant county, town, or city, or within the jurisdiction of such other government entity, after the giving of notice and expiration of the time period under paragraph II, may bring an action against any county, agency, municipality, school district, school administrative unit, or other entity in any court of this state having jurisdiction over any defendant in an action for declaratory and injunctive relief and for the assessment of civil fines, caused by such violation. The court shall schedule a hearing on the matter which shall be within 10 business days from the date of filing. After a hearing on the merits, if the court finds in favor of the petitioner, the court shall:

**Amendment to HB 498-FN  
(2021-0255h)**

**Proposed by the Committee on Criminal Justice and Public Safety - r**

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

AN ACT relative to the payment of bail commissioners.

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

1 Bail and Recognizances; Determination of Indigence and Payment of Bail Commissioner Fee. Amend RSA 597:2-b, I to read as follows:

I. The arresting officer, at the point of arrest, shall inform the offender of the availability of the services of the bail commissioner. If the offender elects to utilize the bail commissioner's services and is not indigent, the offender shall pay the bail commissioner's fee directly to the bail commissioner. If the offender elects to utilize the services of the bail commissioner, but claims indigence, the court, ***based on the uniform criteria developed to determine indigence for the purpose of paying a bail commissioner's fee under paragraph II***, shall ~~to the extent of available funding, utilize all possible means to~~ pay the bail commissioner's fee~~;~~ and shall include written evidence of fee payment in the offender's case file.

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

2021-0255h

AMENDED ANALYSIS

This bill requires the court to determine the offender's indigence using established criteria for the purpose of the offender's ability to pay the bail commissioner's fee.

**Amendment to HB 532-FN  
(2021-0211h)**

**Proposed by the Majority of the Committee on Environment and Agriculture - r**

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

1 New Sections; Animal Records Database. Amend RSA 437 by inserting after section 8 the following new sections:

437:8-a Animal Records Database Established.

I. The department of agriculture, markets, and food shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the handling of animal records.

II. The department shall maintain a reporting system capable of receiving electronically transmitted records from veterinarians. The commissioner shall adopt rules under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information he or she deems necessary to manage such database including procedures for providing authorized access. The commissioner shall also ensure that the database is secure from unauthorized access or use.

III. The commissioner may issue a waiver to a veterinarian who is unable to submit information by electronic means. Such waiver may permit the veterinarian to submit information by paper form or other means, provided all information required by RSA 437:8 is submitted in this alternative format and within the established time limit.

IV. The commissioner may grant a reasonable extension to a veterinarian who is unable, for good cause, to submit all the information required by RSA 437:8 within the established time limits. Any veterinarian who in good faith reports to the program as required by RSA 437:8 shall be immune from any civil or criminal liability as the result of such good faith reporting.

V. There is established a nonlapsing fund to be known as the animal records database fund in the department of agriculture, markets, and food which shall be kept distinct and separate from all other funds. All moneys in the animal records database fund shall be nonlapsing and continually appropriated to the commissioner, and except as otherwise provided in law, shall be used for the purpose of administering and maintaining the animal records database established in this section. The database fund shall draw moneys only from grants and appropriations.

VI. Notwithstanding paragraph V, the fund shall be initiated by transfers from the agricultural product and scale testing fund established under RSA 435:20, IV, as provided in RSA 435:20,V, and the integrated pest management fund established under RSA 430:50, as provided in RSA 430:50, IV.

#### 437:8-b Confidentiality.

I. Information contained in the animal records database under RSA 437:8-a, information obtained from it, and information contained in the records of requests for information from the database, shall be confidential, and shall not be a public record or otherwise subject to disclosure under RSA 91-A, and shall not be subject to discovery, subpoena, or other means of legal compulsion for release. Such information shall not be shared with an agency or institution, except as provided in this subdivision.

II. Information submitted to the animal records database is exempt from public disclosure. Disclosure to local, state, and federal officials is not public disclosure. This exemption shall not affect the disclosure of information used in official local, state, or federal animal health investigations or pet vendor license investigations under this chapter. Database records, information, or lists may be made available pursuant to a court order on a case-by-case basis. Any information, record, or list received pursuant to this paragraph shall not be transferred or otherwise made available to any other person or listed entity not authorized under this paragraph.

III. The department shall establish and maintain procedures to ensure the privacy and confidentiality of animal and animal owner information.

IV. The department may use and release information and reports from the program for program analysis and evaluation, statistical analysis, public research, public policy, and educational purposes, provided that the data are aggregated or otherwise de-identified.

V. No animal records database records, information, or lists shall be sold, rented, transferred, or otherwise made available in whole or in part, in any form or format, directly or indirectly, to another person.

VI. Certificates of transfer shall be removed from the animal records database after 4 years.

VII. Any person who knowingly accesses, alters, destroys, publishes, or discloses animal records database information except as authorized in this section or attempts to obtain such information by fraud, deceit, misrepresentation, or subterfuge shall be guilty of a class B felony.

VIII. Nothing in this section shall limit the right of a person damaged by a violation to pursue any other appropriate cause of action.

2 Certificates of Transfer for Dogs and Cats. RSA 437:8 is repealed and reenacted to read as follows:

437:8 Certificates of Transfer for Dogs, Cats, and Ferrets.

I. For purposes of this chapter, an official certificate of transfer means an electronic record electronically submitted to the animal records database by a licensed veterinarian, containing the name and address of the entity transferring ownership of the dog, cat, or ferret, the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret, and the certification by the veterinarian that the dog, cat, or ferret is free from evidence of communicable diseases or internal or external parasites. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included in the certificate.

II. The electronically submitted certificate of transfer shall be considered the official certificate of transfer. A copy of the certificate of transfer of the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and made available for inspection by the department, local officials, or a member of the public upon request up to one year after the animal has left

the facility. The public shall be informed of their right to inspect a copy of the certificate of transfer for each dog, cat, or ferret offered for transfer by a sign prominently displayed in the area where dogs, cats, or ferrets are displayed. Upon transfer of a dog, cat, or ferret, a copy of that animal's certificate of transfer shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee.

III. For purposes of this chapter, an official certificate of transfer waiver means an electronic record electronically submitted to the animal records database provided in lieu of an official certificate of transfer for a dog, cat, or ferret that has failed the examination for an official certificate of transfer because of a non-contagious illness, feline leukemia, or feline immunodeficiency virus. The waiver shall contain the name and address of the entity transferring ownership of the dog, cat, or ferret; the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret; the reason for failure of the examination for the official certificate of transfer; and the signature of the transferee indicating that the transferee has knowledge of the dog's, cat's, or ferret's non-contagious medical condition. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included in the certificate of transfer waiver. The waiver shall be submitted electronically to the animal records database by a New Hampshire licensed veterinarian.

IV. No person, firm, corporation, or other entity shall ship or bring into the state of New Hampshire, to offer for transfer in the state of New Hampshire, any cat, dog, or ferret less than 8 weeks of age. No person, firm, corporation, or other entity shall offer for transfer any cat, dog, or ferret less than 8 weeks of age.

V. Once a dog, cat, or ferret intended for transfer has entered the state, it shall be held at least 48 hours at a facility licensed under RSA 437 or at a facility operated by a licensed veterinarian separated from other animals on the premises before being offered for transfer.

VI. Animal shelter facilities, as defined in RSA 437:1, I, are exempt from the requirements of this section relative to transferring dogs, cats, and ferrets except that:

(a) All animal shelter facilities shall have on premises a microchip scanner and shall maintain a file of recognized pet retrieval agencies, including but not limited to national tattoo or microchip registries.

(b) Where an owner is not known, all animal shelter facilities shall inspect for tattoos, ear tags, or other permanent forms of positive identification and shall scan for a microchip upon admission of an unclaimed or abandoned animal as defined in RSA 437:18, IV and prior to transferring ownership of an unclaimed or abandoned animal.

VII. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual without first being protected against infectious diseases using vaccines approved by the state veterinarian. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual unless accompanied by a copy of the official certificate of transfer or official certificate of transfer waiver issued by a licensed veterinarian within the prior 14 days. No transfer shall occur unless the transferred animal is accompanied by a copy of the official certificate of transfer or official certificate of transfer waiver. The official certificate of transfer or official certificate of transfer waiver shall reside in the animal records database. Copies shall be provided to the veterinarian, transferor, and the transferee, who shall retain copies for their records. The transferor shall retain a copy for his or her records. If an official certificate of transfer or official certificate of transfer waiver is produced, it shall be prima facie evidence of transfer.

3 New Subparagraph; Animal Records Database Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (364) the following new subparagraph:

(365) Moneys deposited in the animal records database fund established in RSA 437:8-a, V.

4 New Paragraph; Agricultural Product and Scale Testing Fund; Transfer Authority. Amend RSA 435:20 by inserting after paragraph IV the following new paragraph:

V. The commissioner shall transfer funds from the agricultural product and scale testing fund established under RSA 435:20, IV to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the agricultural product and scale testing fund to the animal records database fund for this purpose.

5 New Paragraph; Integrated Pest Management Fund; Transfer Authority. Amend RSA 430:50 by inserting after paragraph III the following new paragraph:

IV. The commissioner shall transfer funds from the integrated pest management fund established in this section to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the integrated pest management fund to the animal records database fund for this purpose.

6 Repeals. The following are repealed:

I. RSA 430:50, IV, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds from the integrated pest management fund.

II. RSA 435:20, V, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds from the agricultural product and scale testing fund.

7 Applicability; Effective Dates.

I. Section 2 of this act shall take effect 90 days after the commissioner of the department of agriculture, markets, and food certifies to the secretary of state and the director of the office of legislative services that the animal records database established in RSA 437:8-a is operational.

II. Section 6 of this act shall take effect 2 years from the date on which the commissioner of the department of agriculture, markets, and food certifies to the secretary of state and the director of the office of legislative services, that the animal records database established in RSA 437:8-a is operational.

8 Appropriation. The sum of \$250,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of agriculture, markets, and food for the maintenance of the animal records database. These appropriations are in addition to any other funds appropriated to the department of agriculture, markets, and food. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

9 Position Established. The classified position of IT Manager III is established in the department of information technology to develop and administer the animal records database established in RSA 437:8-a.

10 Effective Date.

I. Section 2 of this act shall take effect as provided in paragraph I of section 7 of this act.

II. Section 6 of this act shall take effect as provided in paragraph II of section 7 of this act.

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

2021-0211h

AMENDED ANALYSIS

This bill:

I. Creates a database for animal records.

II. Renames animal health certificates as certificates of transfer.

III. Authorizes the commissioner of the department of agriculture, markets, and food to transfer money to and from certain funds in order to establish the animal record database and to repay monies transferred from other funds. This bill does not require the commissioner to fully reimburse the other funds.

IV. Establishes a position in the department of information technology for the building and management of the animal records database.

**Amendment to HB 591-FN**

**(2021-0269h)**

**Proposed by the Committee on Executive Departments and Administration - r**

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

AN ACT relative to certain liquor license fees.

Amend RSA 178:29, II(e) as inserted by section 3 of the bill by replacing it with the following:

(e) Retail tobacco license:

(1) 1 register, \$216

(2) 2-3 registers, \$408

(3) 4 or more registers, \$648

Amend RSA 178:19-a as inserted by section 5 of the bill by inserting after paragraph I the following new paragraph:

***I-a. The commission may issue a retail tobacco license to any business holding a license to sell alcoholic beverages under RSA 178 for an additional fee of \$6 per licensed location.***

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

6 New Paragraph; On-Premises Cigar, Beverage, and Liquor License; Fee. Amend RSA 178:20-a by inserting after paragraph IV the following new paragraph:

V. The fee for an on-premises cigar, beverage, and liquor license shall be as determined in RSA 178:29, I.

7 New Paragraph; Combination License; Fee. Amend RSA 178:18 by inserting after paragraph III the following new paragraph:

IV. The fee for a combination license shall be as determined in RSA 178:29, II(b).

8 New Paragraph; Retail Wine License; Fee. Amend RSA 178:19 by inserting after paragraph IV the following new paragraph:

V. The fee for a retail wine license shall be as determined in RSA 178:29, II(a).

9 New Paragraph; Beer Specialty License; Fee. Amend RSA 178:19-d by inserting after paragraph VI the following new paragraph:

VII. The fee for a beer specialty license shall be found in RSA 178:29, II(d).

10 Applicability. The provisions of sections 1-9 of this act shall be applicable on the first day of the month following its effective date.

11 Effective Date.

I. Sections 1-9 of this act shall take effect 60 days after its passage.

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

2021-0269h

AMENDED ANALYSIS

This bill makes changes to liquor license fees for agency licenses and retail tobacco licenses and clarifies certain other liquor license fee provisions.

**Amendment to HB 594-FN**

**(2021-0400h)**

**Proposed by the Committee on Education - c**

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

1 Grant for School Construction. Amend RSA 198:15-a, IV to read as follows:

IV. Beginning July 1, 2013, and every fiscal year thereafter, school building aid grants for construction or renovation projects approved by the department of education shall ~~[not exceed]~~ **be no less than** \$50,000,000 per fiscal year less any debt service payments owed in the fiscal year, unless otherwise provided by an act of the general court. School building aid grants shall be funded from appropriations in the state operating budget and no state bonds shall be authorized or issued for the purpose of funding such school building aid grants.

2 New Paragraph; Ten Year Plan for Grant Projects. Amend RSA 198:15-a by inserting after paragraph IV the following new paragraph:

V. The department of education shall develop and maintain a 10-year school facilities plan of potential school building grant projects. Potential projects shall include, but not be limited to, criteria pursuant to RSA 198:15-c, II(b). The 10-year plan is intended to create a method to identify and enhance school facilities in a safe, healthy, and efficient manner while providing adequate learning environments for New Hampshire's students. The 10-year plan shall be updated every biennium to provide the department a summary of projects and school facility capital expenditures that are anticipated for the next 10 years. The state board of education shall adopt rules pursuant to RSA 541-A relative to this paragraph. The plan shall identify new construction, renovation, and emergency projects, and describe the overall condition of projects contained in the plan.

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

2021-0400h

AMENDED ANALYSIS

This bill increases the amount of school building aid grants that may be approved by the department of education per fiscal year. This bill also requires the department of education to develop and maintain a 10-year plan for school building grant projects.

**Amendment to HB 613-FN-L**

**(2021-0356h)**

**Proposed by the Majority of the Committee on Education - r**

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

AN ACT relative to state aid to school districts with special education pupils and relative to pooled risk management for unanticipated special education cost recovery.

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

3 Findings. The general court finds that:

I. Under federal and state law, local school districts are required to provide all children with a free appropriate public education (FAPE).

II. The average per student special education cost in 2020 was \$74,000.

III. Special education costs are increasing each school year.

IV. Only 15 percent of the funds necessary to pay for mandated special education services are provided by the federal government.

V. Only 20 percent of the funds necessary to pay for mandated special education services are provided by the state of New Hampshire.

VI. The remaining 65 percent of the funds necessary to pay for mandated special education services are borne by local school district taxpayers.

VII. Local school district budgets must be finalized prior to the start of the next school year and before the number of special education students and associated services are known.

VIII. Consequently, last minute student transfers into the district as well as unforeseen special education services for those students can far exceed the budgets for these services.

IX Districts with smaller tax bases struggle to meet these unexpected special education costs.

X. To compensate for lack of funds, districts may compromise the quality and quantity of the services provided to our children. Consequently, our children do not get the services they need to enable them to grow to their fullest potential.

XI. To compensate for lack of funds, districts often move money from programming in one area to provide mandated funding in the areas of special education.

XII. To ensure that all our children receive and enjoy their basic right to a public education, it is a valid public purpose that the general court may promote mechanisms that provide special education funding stability to local school districts.

XIII. Recognizing the risk, some districts in the state purposely create non-lapsing special education capital reserve accounts as “rainy-day” funds.

4 Purpose. The purpose of this act is to:

I. Provide the legal mechanisms necessary to create and maintain a special education cost recovery pool.

II. Permit local school districts to voluntarily join a risk pool of the type outlined in RSA 5-B which may self-insure or include an insurance agreement to be offered within the pool to members.

III. Minimize the state regulatory oversight of the pool.

IV. Provide legal protections to the local school districts that enter into pool agreements.

V. Provide local school districts with information necessary to:

(a) Understand the extent of special education aid coverage available to them.

(b) Understand the methods used to determine policy premiums.

(c) Compare past special education costs borne by the district with the cost of pool coverage.

(d) Make informed decisions prior to each year’s school district budget formation.

(e) Promote the general welfare by providing districts with options to cover unanticipated special education costs.

(f) Recognize the need to protect student privacy by maintaining control over student data by the department of education.

5 New Subparagraph; Pooled Risk Management. Amend RSA 5-B:3 by inserting after subparagraph (g) the following new subparagraph:

(h) Unanticipated special education cost recovery.

6 New Chapter; Pooled Risk Management for Unanticipated Special Education Cost Recovery. Amend RSA by inserting after chapter 186-C the following new chapter:

#### CHAPTER 186-D

#### SPECIAL EDUCATION RISK MANAGEMENT ASSOCIATION

186-D:1 Definitions. In this chapter:

I. “Cost predictor spreadsheet tool” means an actuary-designed tool that can be used to predict future school district special education obligations based on past claims analysis.

II. “Risk pool” means a non-lapsing reserve account held by the state treasurer from which all cost recovery funding is derived. The account held by the treasurer may be funded by member school district assessments, insurance proceeds, interest, or other sources.

III. “RSA 5-B special education cost recovery association” means a voluntary group of at least 5 school districts that form an association under the RSA 5-B risk pool provision specifically to deal with special education cost recovery.

IV. “RSA 5-B special education cost recovery association governing board” means a group of at least 5 superintendents elected from the association members.

V. “Unanticipated special education cost recovery” means the program providing school districts with expanded pathways to recover those costs that are directly associated with special education provided to students assigned to the school district and payable under RSA 186-C:18 that occur after school budgets are fixed.

186-D:2 Risk Management Association. No fewer than 5 school districts, by resolution of their governing bodies, may form an RSA 5-B special education cost recovery association under the laws of this state to develop and administer a risk management program for the purpose of recovering unanticipated costs of special education. The members of the association may agree to pool self-insurance reserves, risks, claims, losses, and the expenses of administrative services associated with them. Each district shall be represented by its superintendent, or designee. The members of the association shall elect a governing board from among the members. The RSA 5-B special education cost recovery association governing board shall consist of no fewer than 5 member superintendents, or designees, with diversity in terms of district size and geographic region represented. Each board member shall serve one 3-year term and may only serve one term in each 9 year period. The chairperson of the governing board shall be chosen by the board. Minutes of each meeting shall be kept and made available to the public. There shall be one 2-week period annually, to be decided by the governing board, when new districts shall be allowed to join the association.

186-D:3 Duties of the Department of Education. The department shall:

I. Provide all school districts with materials to facilitate the formation of an association under RSA 186-D:2.

II. Update the department website to include the name of each special education cost recovery association with contact information, current membership, a description of the risk pool association, and the advantages and disadvantages of the program.

III. Gather current student data regarding claims and costs which shall be redacted to exclude, to the greatest extent possible, personal student information for all requests for proposals.

IV. Arrange one or more educational opportunities for interested school districts. Topics shall include but not be limited to: risk pools, risk calculators, premium predictors, required information for actuarial calculations, the effects of claims on future premiums, and the advantages and disadvantages of using insurance products to achieve the goals of the association.

V. Annually assist the risk pool governing board by calculating the unreimbursed special education amounts to be paid to the risk pool member districts from the risk pool funds held by the state treasurer.

186-D:4 Requests for Proposals.

I. The department of education shall be the sole drafter of requests for proposals in order to protect all student privacy provisions. Proposals shall be submitted no later than June 30 and shall require a contract duration of not less than 3 years. The proposals shall be for the purpose of soliciting bids with actuarial firms specifying:

(a) Annual cost, based on actuarial calculations, of self-funding a reimbursement pool including individual cost structure for each school district's unreimbursed costs directly associated with special education provided to students assigned to the school district and payable under RSA 186-C:18.

(b) The bids may also indicate recommendations for options that exist for using insurance products, including re-insurance, to achieve the same result as the self-insurance risk pool along with the advantages and disadvantages of each. The commissioner of the department of education may grant bidders access to data, including claims history, to the extent necessary to achieve accuracy of the annual cost. All data shall be protected under signed confidentiality agreements and shall be devoid of sensitive personal student information to the extent possible. The department of education shall impose a one month deadline after issuance of the request for proposals to receive bids. Any bids received by the department after the deadline shall be returned to the sender unopened and shall not be considered for acceptance. The department shall specify the minimum threshold for bid acceptance. Acceptance criteria shall include, but not be limited to, weighted factors such as insurance coverage, financial stability of the proposing insurance carrier, bond rating of the company, and insurance maintenance costs in any not included in the premiums. The bids that meet the minimum threshold shall then be ranked by the department based on the bid premium costs for each level of insurance coverage specified in the request for proposals.

II. The governing board of the association shall select the most qualified proposal. The board shall decide whether to self-fund or provide insurance products, or both, to the members and shall notify the department of education which shall then notify the selected bidder.

III. If the decision is to purchase an insurance product each member district shall be notified and shall be responsible for its share of the premium. Should the insurance agreement require a vote at town meeting, a majority vote of those present and voting shall be required to approve the agreement. The association shall be responsible for informing each member school district of the process and timing of the billing, the handling of late premiums, the lapsing of premiums, and the adjudication process in case of disputes.

IV. If the decision is to self-fund, the association board shall provide each member with an outline indicating, at minimum, the cost for the district and the risk pool reimbursement period, which shall be not more than 3 months after the state has reimbursed each school district in the association for the final portion of special education state aid under RSA 186-C:18. Any eligible special education expenses incurred by a member school district that were not reimbursed by the state and were not reimbursed by a purchased insurance product through the association shall be reimbursed by the risk pool to the full extent permitted by the risk pool governing agreement.

V. The selected bidder shall create or update a cost predictor spreadsheet tool so all the school districts may develop budgets and test various situations to arrive a reasonable special education expense prediction. Specific situations built into the spreadsheet shall include, but not be limited to, full or limited state funding and changes in student population or cost trends. The spreadsheet shall be able to determine rates and district contributions for membership in the risk pool with additional data updates possible to maintain accuracy. The department of education may limit the usage or sharing of the spreadsheet if they solely determine that student privacy may be compromised. The spreadsheet tool and each subsequent revision shall be the sole property of the department of education.

VI. All costs associated with the establishment of the risk pool including filing fees, requests for proposals, education and training for prospective members of the association, and the actuarial services and cost predictor spreadsheet tool shall be the responsibility of the department of education for the first 5 years after the effective date of this chapter.

VII. All costs associated with the administration of the risk pool after the filing fees are paid and all costs after the initial 5 year period shall be the responsibility of the association governing board. The governing board may pay those costs from the risk pool fund and shall adjust member district yearly charges to reflect the administration costs by separate line item.

VIII. Risk pool funds shall be held in a non-lapsing account by the state treasurer. The governing body may withdraw the funds only by written request with signed board approval. The fund withdrawals shall be kept to a minimum number each year. Funds shall only be removed for payment of unreimbursed costs of all member districts and for administrative costs.

IX. The risk pool may be terminated by a resolution of the association governing board and notification to the secretary of state, the department of education, and the state treasurer. All funds shall be distributed to the districts after a professional audit to determine the rightful share. Disputes may be directed to the attorney general.

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

2021-0356h

AMENDED ANALYSIS

This bill increases the amount of state aid available to school districts for the costs of special education students.

This bill also establishes a program for pooled risk management for unanticipated special education cost recovery.

**Amendment to HB 614-FN**

**(2021-0156h)**

**Proposed by the Majority of the Committee on Science, Technology, and Energy - r**

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Electrical Rates and Charges; Exemption For State and Political Subdivisions. Amend RSA 378:49 by inserting after paragraph III the following new paragraph:

IV.(a) The public utilities commission shall, after notice and hearing, by order or rule, approve a standard format and methodology that providers of electricity, as defined in RSA 362-F:2, XIV, shall use in exempting the state and its political subdivisions from paying the portion of electricity rates that covers the cost of compliance with the renewable portfolio standard (RPS) under RSA 362-F.

(b) Providers of electricity shall not be subject to compliance under RSA 362-F:3 for electricity sales that have been exempted pursuant to subparagraph (a).

(c) All competitive electricity suppliers shall:

(1) Negotiate with any serviced political subdivision or state agency a contract that provides a rate that excludes costs of compliance with the renewable portfolio standard under RSA 362-F; and

(2) Report yearly to the commission on all such contracts.

(d) A political subdivision of the state may, by a majority vote of its governing body, elect to continue payment of the amounts identified as costs of compliance with the renewable portfolio standard under RSA 362-F.

2021-0156h

AMENDED ANALYSIS

This bill requires that the state and political subdivisions be exempted from paying the portion of electricity rates that covers the cost of compliance with the renewable portfolio standard. Electricity suppliers are required to contract for rates that exclude costs of compliance with the renewable portfolio standard.

**Amendment to HB 615-FN**

**(2021-0124h)**

**Proposed by the Committee on Criminal Justice and Public Safety - r**

Amend RSA 318-B:26, VII as inserted by section 3 of the bill by replacing it with the following:

VII. Any person who violates RSA 318-B:2, XI may be sentenced to a maximum term of imprisonment of not more than ~~[20]~~ **15** years, a fine of not more than ~~[\$300,000]~~ **\$150,000**, or both. If any person commits such a violation after one or more prior offenses, as defined in RSA 318-B:27, such person may be sentenced to a term of imprisonment of not more than ~~[40]~~ **30** years, a fine of not more than \$500,000, or both.

**Amendment to HR 7**

**(2021-0061h)**

**Proposed by the Committee on State-Federal Relations and Veterans Affairs - c**

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

A RESOLUTION condemning Netflix release and promotion of the film "Cuties".

Amend the resolution by replacing all after the resolving clause with the following:

That the New Hampshire house of representatives hereby condemns the film “Cuties” and Netflix decision to release and promote the film; and

That the house clerk send copies of this resolution to the United States Department of Justice to investigate whether the movie violates laws against exploitation of minors under 18 U.S.C. section 2251 and section 2252 and consider prosecution of Netflix and those who chose to put this content in front of millions of viewers.

2021-0061h

AMENDED ANALYSIS

This resolution condemns the film “Cuties” and Netflix decision to release and promote the film and urges the United States Department of Justice to investigate whether the show violates federal law regarding sexual exploitation of children.

**Amendment to HR 8**

**(2021-0097h)**

**Proposed by the Committee on State-Federal Relations and Veterans Affairs - c**

Amend the resolving clause of the resolution to read as follows:

Resolved by the House of Representatives:

That the New Hampshire house of representatives respectfully urges the Congress of the United States, the Department of Defense, and the Department of Veterans Affairs to continue to investigate whether opioids, benzodiazepines, exposure to agent orange, insecticides, pyridostigmine bromide, and nerve agents including, but not limited to, sarin and cyclosarin, as well as vaccines administered to military personnel such as Mefloquine, and constant, long term stress from service in the theater of operations are contributing to the high number of suicides by veteran members of the armed forces and whether veteran members of the armed forces who seek treatment for conditions that cause pain should receive alternative treatments such as chiropractic, physical therapy, occupational therapy, acupuncture, massage therapy, and/or osteopathic manipulation before receiving prescriptions for opioids; and

That the house clerk forward official copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Secretary of Defense, the Secretary of Veterans Affairs, and to all the members of the New Hampshire congressional delegation with the request that this resolution be officially entered in the Congressional Record as a high priority for the Congress of the United States of America.

2021-0097h

AMENDED ANALYSIS

This resolution requests that the United States Congress, the Department of Defense, and the Veterans Administration continue to investigate whether opioids, benzodiazepines, and exposure to agent orange contribute to a higher rate of suicides by veteran members of the armed forces and whether veterans who seek treatment for conditions that cause pain should receive alternative treatments before receiving prescriptions for opioids.

**PUBLIC HEALTH MEASURES & EMERGENCY MEDICAL RESPONSE CAPACITY**

General Court of NH – House session at the NH Sportsplex

February 24<sup>th</sup> & 25<sup>th</sup> 2021

68 Technology Dr, Bedford, NH 03110

(603) 641-1313

**MEMBERSHIP and ARRIVALS:**

- As the Members arrive at the NH Sportsplex, the vehicles will be directed to Republican and Democrat designated parking areas that will be closest to their designated entrances to the complex.
- Separate entrances on opposite side of the building will be used by Republicans and Democrats. Both entrances are ADA accessible with ramps.
- Attendees are to not congregate in the parking lot, cars, or entrances to building. Physical distancing of at least 6 feet should be maintained including outside the facility.
- Attendees should where their face mask upon exiting their vehicles in the event that they are unexpectedly unable to maintain 6 feet distancing, including while outside of the NH Sportsplex facility.
- All attendees are to screen themselves prior arrival at the NH Sportsplex for fever, symptoms of COVID-19, and additional risk factors. See questions below for screening:
  - Do you have any symptoms of COVID-19 or fever of 100.4 degrees Fahrenheit or higher? The symptoms of COVID-19 can include:
    - Fever, or feeling feverish;
    - Respiratory symptoms such as runny nose, nasal congestion, sore throat, cough, or shortness of breath;

- General body symptoms such as muscle aches, chills, and severe fatigue;
- Gastrointestinal symptoms such as nausea, vomiting, or diarrhea, and
- Changes in a person's sense of taste or smell
- Have you had close contact with someone who is suspected or confirmed to have COVID-19 in the prior 14 days?
- Have you traveled in the prior 14 days outside of New Hampshire, Vermont, Maine, Massachusetts, Connecticut, or Rhode Island?
- Any Non-Member with a positive answer to any of the above questions are not to attend the House session. Any Member with a positive answer to the above questions are recommended not to attend the session.
- Members of the General Court staff and signage will direct the parking of the vehicles and Members to the correct entrance.
- As the Members proceed through the designated entrances of the Sportsplex, they will each receive an individual bag, the contents of which will include:
  - Bottle of hand sanitizer
  - (2) additional facemasks
  - (1) biohazard or paper waste disposal bag
  - Bottle(s) of water
  - Additional bottles of water will be available & Members may bring their own.
  - Voting device will be giving to each member by their caucus staff
  - Mileage documents/paperwork/etc.
- Staff will provide box lunches at the same time the members receive their bags to eliminate need for members to leave their seats except for restroom breaks. Members may bring their own food.
- Staff will be present to remove discarded lunch items from the Members at their individual seats to reduce movements of the Members around the chamber.
- EXPECTED ATTENDANCE: 400 members and staff

#### PROTOCOLS WITHIN COMPLEX:

- Overall, this session is designed to have minimal touchpoint surfaces and designed for the Members to primarily remain at their seats.
- Members may stand, stretch and walk in the area immediately around their seat.
- Seats will be spaced at least 10-12 feet apart providing ample spacing to maintain physical distancing.
- All General Court staff, media, and any non-Members in attendance are required to wear face masks.
- Members are recommended to wear face masks.
  - The Center for Disease Control and Prevention updated recommendations about masks on February 10<sup>th</sup>, 2021. The CDC recommends that people wear masks in public settings, at events and gatherings, and anywhere they will be around other people, and to choose masks that have two or more layers of washable, breathable fabric, completely cover your nose and mouth, fit snugly against the sides of your face and don't have gaps, and have a nose wire to prevent air from leaking out of the top of the mask.
  - Additional information regarding masks is available at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html>
  - The CDC recognizes that some persons are exempt from mask recommendations when a person with certain disabilities or underlying health conditions who cannot wear a mask or cannot safely wear a mask, for reasons to the disability or condition. In the event that a person cannot safely wear a mask, the CDC advises consideration of adaptations and alternatives of which persons can discuss with their healthcare provider.
  - Face shields will be available to members who cannot wear a mask due to medical reasons.
  - Additional information is available at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html#mask-adaptations-alternatives>
- There are bathroom facilities inside the main entrance of the facility for mask wearing attendees and separate bathrooms in Building One, immediate adjacent to a section of the Sportsplex designated for non-mask wearing Members. Both sets of bathrooms are ADA-compliant. A periodic sanitizing schedule will be followed for all facilities.
- There shall be no loitering or congregating in the entryways to the facilities and bathroom areas. Physical distancing shall be maintained at all times. The Sargent at Arms staff will monitor the entryways, gallery areas, and outside the entrances to the bathroom facilities to ensure physical distancing and limiting an excess number of attendees within these areas of the chamber at any given time that would exceed the areas' capacity to allow for physical distancing.
- Hand sanitizer pump bottles and sanitizing wipes will be on a table at all the bathroom areas.

- Sargent at Arms staff will be working throughout the facility to encourage continued use of PPE and minimizing the amount of time Members are out of their designated seating area.
- Members will have dedicated personnel for each section of the chamber who will have microphones on 3' poles brought to the Members at their individual seats to minimize the movement of Members throughout the seating area.
- There will be a section for Members who choose to not wear mask and a separate section for Members who are unable for reasons of disability or health conditions to wear a mask. There will be maximum allowable spacing between sections of mask-wearing Members, non-mask wearing Members by choice, and non-mask wearing members for reasons of underlying disability and health conditions. Members in the non-masked section will be required to wear a mask at anytime they are not at their own seat.
- Masks may be removed for the purpose of eating or drinking. Members may eat lunch in their cars to avoid being unmasked at lunch time. Members are discouraged from congregating at lunch time.
- The HVAC system of the NH Sportsplex will be set to provide maximum ventilation and maximize fresh outdoor airflow. Large inflow of fresh air with intakes from the roof of the facility will be set to maximally flow with fresh air into the facility with ventilation ducts on the sides and length of the facility. The entryways and large garage door immediately adjacent to the non-mask wearing sections of Members will be opened, allowing for continual airflow to exit the facility maximally away from the HVAC intake on the roof and opposite end of the facility and away from the section for mask-wearing Members.
- The non-mask wearing sections for Members will have stationary mics on a stand that those members will have to approach to speak to minimize staff being in these sections. Cleaning wipes will be at the stands. Members shall wipe the mic after speaking before and after each use. A trash receptacle will be next to the mic stands.
- There will not be any authorized smoking areas, or outside gathering areas for Members during the event.

#### EVENT STAFF:

- ALL session staff, i.e. GCNH staff and contractors, will submit to temperature screening & questions the morning of the event before being allowed to work inside of the NH Sportsplex.
- ALL law enforcement, security, fire, and EMS personnel working the event will have temperature screening and questions the morning of the event.
- ALL GCNH staff & contractors shall wear facemasks throughout the entire event.

#### MEDICAL RESPONSE:

- Bedford Fire Department personnel will have their normal shift compliment.
- Area medical facilities: Catholic Medical Center/ Elliot Hospital/Southern NH medical.
- Medical care room will be set-up with appropriate medical equipment as well as stretchers and wheel-chairs for movement of Members, as needed.
- AMR will have (2) paramedics assigned to the event.

#### ADDITIONAL CONSIDERATIONS:

- Security will be provided by House Sargent at Arms and GCNH – Protective Services for the interior of the facility.
- Additional Agencies involved: NH State Police, Town of Bedford Police, NH Information & Analysis Center, NH HSEM, Bedford Fire Dept., NH State Fire Marshalls Office, AMR ambulance service.
- LED Message Board roadside signs as well as staff members will assist in navigating the NH House members to the event site & parking lot areas.
- Should there be any additional Americans with Disabilities Act (ADA) requests for accommodations at specific to attendance at the event venue, these should be submitted to the General Court's ADA representative in advance of the session. Requests can be emailed to Jennifer.Becker@leg.state.nh.us.

#### PUBLIC AND PRESS ACCESS

- The session will be livestreamed and members of the public and press are encouraged to utilize the stream to observe the meeting. The link to the streaming video will be posted on the General Court website on the day of the events.
- In the event a member of the public or press wish to be present at the meeting, they shall enter through a designated entrance to the left of the main entrance and proceed directly to a mezzanine on the second floor of the entrance area that overlooks the field area.
- The capacity of the mezzanine will be limited to no more than 30 people and will be monitored by staff and security. Attendees in this area must maintain social distancing at all times.
- No member of the public or press shall have access to members on the field level.