



State of  
New Hampshire

# HOUSE RECORD

Second Year of the 167<sup>th</sup> General Court

## Calendar and Journal of the 2022 Session

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Friday, March 25, 2022

No. 12

**Contains: Amendments to House Rules; Bills Laid on Table; Committee Reports; House Bills Amended By Senate; House Deadlines; Meetings and Notices; Revised Fiscal Notes; Session Day Logistics; and State House Visitation Schedule.**

## HOUSE CALENDAR

### MEMBERS OF THE HOUSE:

Please be attentive to when House bills you have sponsored or other House bills of interest have scheduled public hearings in the Senate so you may introduce and/or provide testimony on them. There have been recent instances where House members failed to appear at the Senate hearings for bills they have prime sponsored.

The House will meet next in Representatives Hall on Thursday, March 31st at 9:00 a.m. to act on all remaining House bills.

On any session day, all legislators must park where they are assigned to park as communicated through the Speaker's office. Those with assigned street spaces should only park in the space assigned to them. Only those with assigned LOB garage spaces will be permitted to access the LOB garage. All others should park in the Storrs Street garage.

There will be a shuttle operating all day on session days to bring legislators to and from the Storrs Street garage to the State House. The shuttle will pick up and drop off passengers at the ground level of the garage.

We will continue to provide antigen self-test kits to you before each session. In order to reduce postage costs, rather than mail each test kit for the next week's session days, they will be distributed to each member's mailbox in the anteroom. We realize that many of you have an ample supply of test kits at home already. Unneeded test kits can be deposited in a marked box that will be placed in the anteroom. Test kits that are not picked up on the session day will be mailed.

Sherman A. Packard, Speaker of the House

### NOTICE

There will be a meeting of chairs and vice chairs on Wednesday, March 30<sup>th</sup> at 10:00 a.m. in Rooms 301 – 303 of the Legislative Office Building.

Sherman A. Packard, Speaker of the House

### NOTICE

There will be a Republican Caucus on **Thursday, March 31 at 8:00 a.m.** in Representatives Hall.

Rep. Jason Osborne, Majority Leader

### 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, March 30, 2022

Wednesday, April 06, 2022

Wednesday, April 13, 2022

#### **AVAILABLE ON:**

Friday, April 01, 2022

Friday, April 08, 2022

Friday, April 15, 2022

Paul C. Smith, Clerk of the House

## 2022 HOUSE DEADLINES

Thursday, March 31, 2022	CROSSOVER – Last day to act on all House Bills
Thursday, April 14, 2022	Last day to report Senate Bills going to a second committee
Thursday, April 21, 2022	Last day to act on Senate Bills going to a second committee
Thursday, April 28, 2022	Last day to report all Senate Bills
Thursday, May 5, 2022	Last day to act on all Senate Bills
Thursday, May 12, 2022	Last day to form committees of conference
Thursday, May 19, 2022	Last day to sign committee of conference reports (4:00 p.m.)
Thursday, May 26, 2022	Last day to act on committee of conference reports

## AMENDMENTS TO HOUSE RULES

### Proposed by the House Rules Committee

#### Amend House Rule 66 by adding the following:

Tuesday September 6, 2022	First day for incumbents running for re-election to file LSRs with complete information
Friday, September 16, 2022	Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information
Friday, October 28, 2022	Last day to file 2022 Interim Study reports
Wednesday, November 9, 2022	First day for all Representatives to file LSRs with complete information
Tuesday, November 22, 2022 (12:00 p.m.)	Last day to file LSRs with complete information Ten day sign-off begins
Wednesday, December 28, 2022 (12:00 p.m.)	Last day to sign-off on all LSRs
Friday, January 20, 2023	Last day to introduce House Bills Last day to amend House Rules by majority vote

#### Amend House Rule 58 (a) by adding a new clause (3) and renumbering remaining clauses as follows:

58. Early/late sessions; leaves of absence.

(a) The order of business in the early session shall be as follows:

1. Prayer by the Chaplain or a substitute designated by the Speaker, pledge of allegiance and leaves of absence if received before the start of the legislative day;
2. Introduction of guests;
- 3. Memorial remarks (for current or former deceased members);**
- ~~3~~. 4. Petitions of members;
- ~~4~~. 5. Consideration of unfinished business;
- ~~5~~. 6. Introduction, first and second reading and referral of bills;
- ~~6~~. 7. Messages from the Senate, the Governor and the Secretary of State;
- ~~7~~. 8. Consideration of Consent Calendar items;
- ~~8~~. 9. Reports from standing and select committees;
- ~~9~~. 10. Resolutions, motions and notices;
- ~~10~~. 11. Adjournment from the early session.

## NOTICE

Please note that all streaming videos of committee meetings can be found at the NH House of Representatives YouTube channel. The link to the YouTube channel:  
[www.youtube.com/c/NHHouseofRepresentativesCommitteeStreaming](http://www.youtube.com/c/NHHouseofRepresentativesCommitteeStreaming)

## GOVERNOR'S VETO MESSAGE REGARDING 319

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on February 23, 2022, I have vetoed House Bill 319, requiring students in the University and Community College System of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test.

We all can agree that an education in civics is fundamental to our students. Last year I signed House Bill 320, which implements a similar civics competency exam for high school students. That requirement goes into effect in 2023 and will help continue the Granite State tradition of a citizenry actively engaged in self-government. As such, House Bill 319 would serve to address the lack of civics education only in out-of-state public post-secondary students.

House Bill 319 would also represent the first time the legislature has imposed a universal graduation requirement for students at our public colleges and universities. I am concerned that this would create a precedent for future legislatures to mandate extreme requirements.

There is no lesson more important than understanding our individual responsibility to uphold democracy. Nevertheless, I believe the legislature's passage of House Bill 320 already addresses the important concerns of an engaged citizenry and an understanding of the fundamentals of democracy without some of the challenges House Bill 319 may unintentionally create.

For the reasons stated above, I have vetoed House Bill 319.

Respectfully submitted,  
Christopher T. Sununu  
Governor

## 2022 HOUSE BILLS AMENDED BY THE SENATE

**HB 50**, apportioning state representative districts. (House Concurrs 3/10/22)

**HB 55**, (New Title) apportioning delegates to state party conventions, and relative to the form for declarations of candidacy for delegates to state party conventions. (House Concurrs 3/10/22)

**HB 84**, (New Title) declaring May 21, 2022 as Ona Judge Staines Day. (SJ 3/17/22)

**HB 95-FN**, relative to milk pasteurization. (House Concurrs 2/16/22)

**HB 102**, (Second New Title) establishing a commission to study worldwide combined reporting method for unitary businesses under the business profits tax, and relative to the treatment of water or sewerage disposal utilities under the business profits tax. (SJ 3/17/22)

**HB 233-FN**, (New Title) establishing a committee to study the right of any infant born alive to medically appropriate and reasonable care and treatment. (House Non-Concurrs 3/10/22)

**HB 292**, relative to the absentee ballot application process. (SJ 1/5/22)

**HB 293**, relative to the procedure for adoption of a minor child. (SJ 1/5/22)

**HB 307**, relative to the state preemption of the regulation of firearms and ammunition. (SJ 1/5/22)

**HB 347-FN**, relative to driving with a suspended license. (SJ 1/5/22)

**HB 381-FN**, relative to laboratory testing. (SJ 1/5/22)

**HB 440**, (New Title) prohibiting the suspension of civil liberties during a state of emergency. (House Concurrs 3/10/22)

**HB 503**, (Second New Title) codifying the council on housing stability and relative to telehealth and medically assisted treatment for substance use disorder. (SJ 1/5/22)

**HB 549**, (New Title) relative to the system benefits charge and the energy efficiency and sustainable energy board. (House Concurrs 2/16/22)

**HB 1586-FN-A**, relative to a likeness of Wentworth Cheswill at the state house. (SJ 3/17/22)

## BILLS LAID ON TABLE

**CACR 18**, relating to reproductive medical decisions. Providing that the state shall not infringe or unduly inconvenience the right of reproductive medical decisions. (Pending question: Inexpedient to Legislate)

**CACR 23**, the New Hampshire constitution. Providing that all references to persons in the New Hampshire constitution be gender-neutral. (Pending question: Inexpedient to Legislate)

**CACR 34**, relating to the use, sale, or cultivation of cannabis. Providing that the state shall make no law prohibiting the use, sale, or cultivation of cannabis for persons over 18 years of age. (Pending question: Inexpedient to Legislate)

**CACR 35**, relating to cannabis. Providing that all adults have the right to possess, use, and cultivate cannabis, subject to regulation by the legislature. (Pending question: Inexpedient to Legislate)

**HB 20-FN-A-L**, establishing the Richard "Dick" Hinch education freedom account program. (Pending question: Refer for Interim Study)

**HB 136**, requiring schools to update documents and software to include the option of identifying a student as non-binary. (Pending question: Inexpedient to Legislate)

**HB 147-FN**, relative to assault against an elderly person. (Pending question: Ought to Pass)

**HB 153**, establishing a committee to study universal Internet access for New Hampshire. (Pending question: Inexpedient to Legislate)

**HB 167-FN**, relative to net energy metering limits for customer generators and the purchase of output of limited electrical energy producers. (Pending question: Inexpedient to Legislate)

- HB 172**, establishing greenhouse as emission reduction goals for the state and establishing a climate action plan. (Pending question: Inexpedient to Legislate)
- HB 204**, proclaiming January 24 as “Granny D” day. (Pending question: Inexpedient to Legislate)
- HB 237-FN-A**, relative to the legalization and regulation of cannabis and making appropriations therefor. (No pending question)
- HB 255**, relative to limited liability for institutions of higher education and businesses. (Pending question: Majority committee amendment)
- HB 359**, creating a private cause of action for discrimination based on hairstyles relative to a person’s ethnicity. (Pending question: Inexpedient to Legislate)
- HB 362**, relative to domicile of students for voting purposes. (Pending question: Inexpedient to Legislate)
- HB 376**, establishing a committee to study applications of microgrids in electricity supply. (Pending question: Inexpedient to Legislate)
- HB 382**, establishing a commission to study the utility rate structure of demand charges. (Pending question: Inexpedient to Legislate)
- HB 394**, establishing a commission to study the short and long term impacts of pending national and regional carbon pricing mechanisms on New Hampshire’s residents, agriculture, wildlife and natural resources-based tourism sector, and commercial enterprises. Inexpedient to Legislate)
- HB 517-FN**, relative to the state minimum hourly rate. (Pending question: Inexpedient to Legislate)
- HB 531-FN-L**, relative to determining the qualifications of voters and establishing provisional voter registration and provisional ballots. (Pending question: Refer for Interim Study)
- HB 535**, relative to the qualified voter affidavit. (Pending question: Refer for Interim Study)
- HB 554**, relative to temporary absence from domicile for voting purposes. (Pending question: Refer for Interim Study)
- HB 607-FN**, establishing local education savings accounts for students. (Pending question: Majority committee amendment)
- HB 608-FN-A-L**, relative to the formula for determining funding for an adequate education. (Pending question: Inexpedient to Legislate)
- HB 611-FN**, abolishing fluoridation in water. (Pending question: Majority committee amendment)
- HB 620-FN-L**, requiring law enforcement agencies to gather and analyze certain demographic information. (Pending question: Inexpedient to Legislate)
- HB 622-FN**, protecting nascent human life as a reasonable and valid state interest. (Pending question: Majority committee amendment)
- HB 1007**, relative to qualifications for office. (Pending question: Inexpedient to Legislate)
- HB 1014**, allowing public meetings to be conducted virtually. (Pending question: Inexpedient to Legislate)
- HB 1031**, prohibiting law enforcement from encrypting public frequencies. (Pending question: Inexpedient to Legislate)
- HB 1033-FN-L**, prohibiting recipients of state or local grants or appropriations from using such funds for lobbying. (Pending question: Committee amendment)
- HB 1041-FN**, extending the public employee labor relations act to employees of the general court and relative to the duties of the joint committee on legislative facilities. (Pending question: Inexpedient to Legislate)
- HB 1065-FN**, relative to the regulation of art therapists. (Pending question: Inexpedient to Legislate)
- HB 1072**, establishing a criminal penalty for denying an elected school district official access to any school district facilities, documents, or events. (Pending question: Majority committee amendment)
- HB 1076**, relative to illegal productivity quotas. (Pending question: Majority committee amendment)
- HB 1077**, repealing the prohibition on conversion therapy for minors. (Pending question: Majority committee amendment)
- HB 1087**, relative to zoning for single family housing lots. (Pending question: Inexpedient to Legislate)
- HB 1090**, relative to teaching on discrimination in the public schools. (Pending question: Inexpedient to Legislate)
- HB 1100-FN**, relative to changing the penalties for driving without a license. (Pending question: Inexpedient to Legislate)
- HB 1107**, establishing a committee to study the rental or lease of housing to a person who has a pet. (Pending question: Inexpedient to Legislate)
- HB 1116**, relative to renewable energy customer-generators accounts and credits. (Pending question: Inexpedient to Legislate)
- HB 1119**, relative to the regulation of single-use bags. (Pending question: Inexpedient to Legislate)
- HB 1159**, recognizing November 7 as Victims of Communism Memorial Day. (Pending question: Inexpedient to Legislate)
- HB 1175**, relative to recording interactions with public officials. (Pending question: Inexpedient to Legislate)
- HB 1177**, relative to permissible residential units in a residential zone. (Pending question: Ought to Pass)

**HB 1180**, relative to state recognition of biological sex. (Pending question: Ought to Pass)

**HB 1197**, relative to the definition of “party” for election purposes. (Pending question: Inexpedient to Legislate)

**HB 1200**, relative to notice of rent increases in residential rental property. (Pending question: Inexpedient to Legislate)

**HB 1208**, relative to driver education. (Pending question: Inexpedient to Legislate)

**HB 1227**, relative to the definition of prime wetland. (Pending question: Inexpedient to Legislate)

**HB 1233**, Prohibiting higher education institutions receiving state funds from requiring face masks and COVID-19 vaccinations for attendance. (Pending question: Refer for Interim Study)

**HB 1250**, requiring the public utilities commission to consider climate change in making rate-setting decisions. (Pending question: Inexpedient to Legislate)

**HB 1251**, prohibiting payment of subminimum wages. (Pending question: Inexpedient to Legislate)

**HB 1264**, establishing ranked-choice voting for state party primary elections and municipal elections. (Pending question: Floor amendment)

**HB 1283**, relative to liability as taxable income of education freedom account payments. (Pending question: Inexpedient to Legislate)

**HB 1284**, establishing a committee to study the effects of deportation of primary earners on family members who are United States citizens. (Pending question: Inexpedient to Legislate)

**HB 1291**, prohibiting discrimination against tenants holding certain vouchers for purposes of renting dwellings. (Pending question: Inexpedient to Legislate)

**HB 1306-FN**, relative to personal possession of marijuana. (Pending question: Refer for Interim Study)

**HB 1332**, excepting public universities and colleges from requirements under medical freedom in immunizations. (Pending question: Inexpedient to Legislate)

**HB 1347**, relative to licensing requirements for health care facilities that operate on a membership-based business model. (Pending question: Majority committee amendment)

**HB 1348-FN**, relative to the legalization of a certain amount of cannabis. (Pending question: Refer for Interim Study)

**HB 1355**, requiring the scholarship organization to refer suspected cases of misuse of funds or fraud in the education freedom account program to the attorney general. (Pending question: Inexpedient to Legislate)

**HB 1369**, relative to COVID-19 health and safety policies at New Hampshire performing arts venues. (Pending question: Majority committee amendment)

**HB 1376**, relative to participation in the education freedom accounts program by students with disabilities. (Pending question: Inexpedient to Legislate)

**HB 1396-FN**, relative to the payment of child support. (Pending question: Inexpedient to Legislate)

**HB 1400**, prohibiting law enforcement from using the scent of marijuana as probable cause for a search. (Pending question: Inexpedient to Legislate)

**HB 1409**, relative to the age at which a minor may receive mental health treatment without parental consent. (Pending question: Majority committee amendment)

**HB 1419-FN**, relative to establishing a New Hampshire civilian climate corps advisory commission. (Pending question: Inexpedient to Legislate)

**HB 1436-FN**, relative to appeals of family court decisions. (Pending question: Inexpedient to Legislate)

**HB 1443**, proclaiming the first Monday of March as COVID-19 Victims and Survivors Memorial Day. (Pending question: Inexpedient to Legislate)

**HB 1465-FN**, relative to the appointment of counsel for juveniles. (Pending question: Committee amendment)

**HB 1468-FN**, relative to the legalization of cannabis. (Pending question: Inexpedient to Legislate)

**HB 1477-FN**, prohibiting abortions after detection of fetal heartbeat. (Pending question: Inexpedient to Legislate)

**HB 1481**, repealing the statute relative to medical freedom in immunizations. (Pending question: Inexpedient to Legislate)

**HB 1484-FN**, requiring a forensic audit of the 2020 election results. (Pending question: Inexpedient to Legislate)

**HB 1506-FN**, establishing a revolving clean energy accelerator fund in the department of energy. (Pending question: Inexpedient to Legislate)

**HB 1509-FN**, relative to termination of the FRM victims’ contribution recovery fund. (Pending question: Inexpedient to Legislate)

**HB 1536-FN**, relative to expanding Medicaid to include certain postpartum health care services. (Pending question: Refer for Interim Study)

**HB 1555-FN**, repealing the permit required for fires at campgrounds. (Pending question: Refer for Interim Study)

**HB 1576-FN**, repealing the law relative to certain discrimination in public workplaces and education. (Pending question: Inexpedient to Legislate)

**HB 1578-FN**, relative to including certain children and pregnant people in Medicaid and the children's health insurance program. (Pending question: Inexpedient to Legislate)

**HB 1596-FN**, relative to net energy metering limits for individual and business customers. (Pending question: Inexpedient to Legislate)

**HB 1600**, relative to the use of body cameras by law enforcement during an interview or interrogation. (Pending question: Refer for Interim Study)

**HB 1601-FN**, relative to funding of the NHsaves program. (Pending question: Inexpedient to Legislate)

**HB 1607-FN**, prohibiting unlawful discrimination in public and nonpublic schools. (Pending question: Inexpedient to Legislate)

**HB 1621-FN**, relative to reducing the rebates distributed by the energy efficiency fund. (Pending question: Inexpedient to Legislate)

**HB 1632-FN**, relative to civil rights education in public elementary and secondary schools. (Pending question: Refer for Interim Study)

**HB 1638**, relative to grievances under the right to freedom from discrimination in public workplaces and education. (Pending question: Inexpedient to Legislate)

**HB 1651-FN**, adding sexual reassignment to the definition of child abuse. (Pending question: Inexpedient to Legislate)

**HB 1654-FN**, relative to termination of pregnancy statistics. (Pending question: Refer for Interim Study)

**HB 1656-FN-A-L**, establishing a road usage registration fee and making an appropriation therefor. (Pending question: Inexpedient to Legislate)

**HB 1669-FN**, requiring the department of education to administer the education freedom account program. (Pending question: Inexpedient to Legislate)

**HB 1670-L**, relative to funds of the education freedom account program after termination of a student's participation and responsibilities of the scholarship organization. (Pending question: Inexpedient to Legislate)

**HB 1674**, relative to reproductive rights. (Pending question: Inexpedient to Legislate)

**SB 44**, establishing the New Hampshire workforce pathway program. (Pending question: Inexpedient to Legislate)

**SB 69**, requiring employers to provide access to a sufficient space for nursing mothers and reasonable break time. (Pending question: Majority committee amendment)

**SB 92-FN**, relative to increasing the penalty for criminal mischief, the release of a defendant pending trial, and requiring law enforcement candidate background checks. (Pending question: Majority committee amendment)

## **THURSDAY, MARCH 31 CONSENT CALENDAR**

### **FINANCE**

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

Rep. Maureen Mooney for Finance. This bill as amended came to Finance after adoption by a division vote of 183-169 on the regular calendar. The bill amends the sub-section of RSA 654:31 that governs the provision of local voter checklists by the supervisors of the checklist. It specifies that checklists may be furnished on paper or in electronic spreadsheet form or using comma separated values (CSV). A person may only make one request per month and only to the town or city in which the requesting party resides. Electronic copies are limited to the requestor's town or city only once a month. The fee structure set forth in RSA 654:31, II is still in place. Thus, there is no budgetary impact on the revised fiscal note. **Vote 21-0.**

**HB 1531-FN-A**, modifies the oversight commission on children's services. **OUGHT TO PASS.**

Rep. Jess Edwards for Finance. This bill was amended after bill introduction. The amendment changed the initial fiscal note to there being no fiscal impact. Consequently, the Finance Committee recommends the House pass the bill on consent. **Vote 21-0.**

**HB 1540-FN**, relative to recording custodial interrogations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gerald Griffin for Finance. As amended, this bill requires the recording of custodial interrogations and outlines certain exceptions. The Finance Committee found the bill as amended had little or no financial impact on the state or its political subdivisions and concurs with both the policy committee vote and full House's vote to pass. **Vote 21-0.**

**HB 1547-FN**, setting maximum contaminant levels for perfluorochemicals in the soil. **OUGHT TO PASS.**

Rep. Karen Umberger for Finance. This bill was passed by the House on February 16 with a voice vote. The amendment replaced the entire bill and removed any financial obligations to state or local government. **Vote 21-0.**

**HB 1608-FN**, (New Title) relative to withdrawal from the state immunization registry. **OUGHT TO PASS.** Rep. Jess Edwards for Finance. The amendment changed the initial fiscal note to there being no fiscal impact. Consequently, the Finance Committee recommends the House pass the bill on consent. **Vote 19-2.**

**HB 1622-FN**, relative to mental health parity. **OUGHT TO PASS.**

Rep. Jess Edwards for Finance. The amendment changed the initial fiscal note to there being no fiscal impact. Consequently, the Finance Committee recommends the House pass the bill on consent. **Vote 21-0.**

**HB 1665-FN-A-LOCAL**, establishing a municipal road and bridge disaster relief fund. **REFER FOR INTERIM STUDY.**

Rep. Mary Heath for Finance. The bill as amended establishes a municipal road and bridge disaster relief fund to provide funding assistance to municipalities that experienced significant damage to roads and bridges due to a natural disaster. The fund would be non-lapsing and appropriated to the Department of Safety, Division of Homeland Security and Emergency Management. The bill as written needs further work but the intent of the bill merits study. Specifically, how such a fund would work within current Chapter 9 Budget and Appropriations: Revolving funds deficit control Section 9:13-d. The testimony provided demonstrated the hardships towns or municipalities experience during a natural disaster and the need for immediate financial support to reopen bridges and roads. The lapse in time between the urgency to reopen and emergency funding creates an insurmountable hardship for a municipality. The committee believes the idea has some merit but it requires additional study. **Vote 20-0.**

## WAYS AND MEANS

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

Rep. Timothy Lang for Ways and Means. This bill was amended in the first committee, Commerce and Consumer Affairs. That amendment fixed some serious issues in the original bill. Now this form of the bill relaxes some onerous laws on licensed cigar bars. This version of the bill loosens the law on these licensees, by adding both "cigarettes, loose tobacco" to the current list of allowed revenues items needed to reach the required 60% of sales of cigar related products. This relaxed law will only help these niche businesses. **Vote 16-0.**

**HB 1288**, (New Title) relative to the terms for certain officers and the names, duties, and funds of certain divisions within the department of administrative services. **OUGHT TO PASS.**

Rep. Susan Almy for Ways and Means. This bill makes changes to the Department of Administrative Services which the first committee approved earlier. It came to Ways and Means only because it increases the annual amount retained in the nonlapsing personnel education and training fund for the division of personnel. This fund is used for training of state and substate staff in public management. Recently, the contribution to the fund from the general fund was eliminated, so there is a need to retain more fee money for continuing training. **Vote 17-0.**

**HB 1339**, relative to the Winnepesaukee River basin control replacement fund. **OUGHT TO PASS.**

Rep. Timothy Lang for Ways and Means. This bill allows for a fairer distribution of repair costs to the ten member communities of malfunctioning equipment within the Winnepesaukee River basin sewer system. The bill is the result of deliberations among the member towns and was passed by them on an 8-2 vote. It allows funding of the repair based on the formula 50% cost to the impacted communities, split based on usage, and the balance 50% split between all communities based on usage. This is a modernization bill, as this law and formula has not been updated since the 1980s. **Vote 16-0.**

## THURSDAY, MARCH 31 REGULAR CALENDAR- PART ONE

### STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

**HR 15**, condemning the Communist Party of China and the People's Republic of China. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Moffett for the **Majority** of State-Federal Relations and Veterans Affairs. Following the NH House's long tradition of making occasional resolutions on important matters, this committee voted to publicly rebuke the Chinese communist party for its egregious behavior and state policies, including illegally occupying sovereign territory, committing genocide against the Uyghurs, harvesting organs of political prisoners, snuffing out democratic practices in Hong Kong, illegally constructing artificial islands in international waters and threatening a violent take-over of Taiwan. **Vote 11-10.** Rep. Linda Massimilla for the **Minority** of State-Federal Relations and Veterans Affairs. The minority feels that this resolution is beyond the scope of the NH legislature in general, and this committee specifically, to engage in foreign policies.

**HR 17**, opposing all federal and state efforts to establish a carbon tax on fuels for electricity and transportation. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Foster for the **Majority** of State-Federal Relations and Veterans Affairs. With the current high-energy costs, record inflation, increasing supply chain issues and costs, along with our state having one of the lowest CO2 emissions in the U.S., we do not support any carbon taxes that will increase costs to the taxpayers of our state. **Vote 11-10.** Rep. Lawrence Welkowitz for the **Minority** of State-Federal Relations and Veterans Affairs. A carbon tax is an effective approach to moving away from our dependence on fossil fuels. Carbon dioxide levels must be reduced for the future of the planet, currently at 417 ppm. For the future of our children and grandchildren, and for putting earth first, we oppose this resolution.

**HR 18**, urging Congress to remove the exception from the 13th Amendment: "except as a punishment for crime whereof the party shall have been duly convicted." **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Lundgren for the **Majority** of State-Federal Relations and Veterans Affairs. The majority of the committee believes that HR18 should go no further, and recommends ITL. **Vote 12-9.** Rep. Tony Labranche for the **Minority** of State-Federal Relations and Veterans Affairs. This is a tri-partisan resolution to close the loophole in the current 13th amendment to the U.S. Constitution, which allows for state sponsored slavery. Since its passage, the United States has become number one in incarceration with big racial disparities. Many states passed the "black codes" in order to incriminate many freed slaves. These slaves were used for slave labor sold back to the plantations they were originally freed from. Let us do what is right and ask the Congress to finally close this loophole.

### TRANSPORTATION

**HB 1093**, relative to the licensure of nonresident aliens temporarily residing in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Thomas Walsh for the **Majority** of Transportation. Current law allows for aliens temporarily residing in New Hampshire to acquire a driver's license under RSA 263:39-a. This bill seeks to include anyone who merely applies for asylum status to get a temporary New Hampshire driver's license. The federal criteria for asylum status is specific and many applications are denied. The bill is silent and no solutions were offered on what happens to that license if the application is denied. The majority believes that existing law is sufficient. **Vote 10-9.** Rep. George Sykes for the **Minority** of Transportation. Asylum petitioners have a waiting period before they may apply for permission to work. Asylum petition adjudications are complex and historically have taken extended periods before the government issues a decision. For this reason, petitioners are allowed to apply for permission to work after a waiting period. In 2020, the waiting period for when an asylum petitioner is eligible to apply for a work permit Employment Authorization Document (EAD) was expanded from 150 days to 365 days. Asylum petitioners and other non-citizens are generally not eligible to apply for a Social Security number (SSN) until after they have received an EAD. EAD adjudications are back logged with significant delays. Processing times for EADs have increased significantly over the past several years. Delays are due to a variety of factors including diversion of resources and the impact of the COVID-19 pandemic. This means that after waiting a year to apply for permission to work, it could take up to an additional year or more before an EAD is issued. Without work authorization, most asylum petitioners will be unable to obtain an SSN. The minority believes asylum petitioners should be allowed to obtain a driver's license during the extended waiting period. The New Hampshire Department of Motor Vehicles (DMV) generally limits issuance of driver's licenses to non-citizens who possess an EAD. They must also possess a SSN. The only current exceptions are



codified in RSA 263-39-a which permits certain non-citizens, their spouses and/or their children to obtain drivers licenses without an SSN or EAD, RSA 263:39-a, II(b). This bill would add asylum petitioners to the class of persons who would be eligible to apply for a driver's license without an SSN or EAD.

**HB 1302-FN**, relative to the weighing of vehicles. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for the **Majority** of Transportation. This bill removes a requirement that drivers of private vehicles submit to an order to proceed to a weigh station to get weighed. If you have five 200 pound adults in a half ton truck, and put a bag of grass seed in the bed, you are overweight. This should not be a cause for search and detention. Unsafe and secured loads are still a reason to be stopped and cited under this bill. This bill also does not affect weighing requirements for commercial vehicles. **Vote 10-9.** Rep. Catherine Rombeau for the **Minority** of Transportation. This bill raises potentially significant public safety concerns regarding weighing of non-commercial vehicles and does not rectify any discernible issue. The committee heard testimony from the State Police and the Department of Safety regarding the risks caused by excessive non-commercial vehicle weight, which may require police intervention: vehicle braking ability and steering effectiveness are subjected to greater failure under stress, and tires can blow out from the resulting heightened heat and pressure. Furthermore, probable cause is already required to justify stopping and weighing a non-commercial vehicle; the vehicle must already be more than 20 percent overweight to be considered in violation; and non-commercial vehicles are rarely cited for exceeding weight capacity, approximately six times in the last five years. For these reasons, the minority recommends inexpedient to legislate.

**HB 1401**, prohibiting the disclosure of the number of miles driven by a specific driver licensed by the state or vehicle registered in the state. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for the **Majority** of Transportation. This bill prohibits both the Department of Safety and vehicle inspection stations from sharing personally identifiable mileage information with certain taxing authorities outside New Hampshire without the vehicle owner's consent. In 2018, over 80% of New Hampshire's voters agreed to add an amendment to our State Constitution, enshrining our right to privacy. The new Article 2-b states, "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent." It's up to the legislature to impart the values of this amendment into statute. This bill protects our citizen's individually identifiable vehicle mileage data from being sent to taxing authorities external to New Hampshire without their consent. The trillion dollar Infrastructure Investment and Jobs Act recently passed by Congress contains a pilot program for a national per-mile usage tax for vehicles. The implication is that this program could soon become mandatory nationally. This bill will help shield New Hampshire's citizens from this new federal tax scheme. The bill is not intended to interfere with existing state programs or businesses that rely on vehicle mileage information. It would not preclude the state from adopting its own vehicle mileage tax. The committee amendment clarifies that this only applies to third party public authorities charged with enforcing motor vehicle tax law. **Vote 10-9.** Rep. Laura Telerski for the **Minority** of Transportation. This bill, as amended, prohibits any inspection station or the Department of Safety from sharing any mileage information with a public authority without the consent of the vehicle owner to enforce any motor vehicle tax law. The intent of the bill is to stop any federal implementation of a mileage tax, but the minority believes this bill also prevents the state from possibly utilizing a mileage based system in the future. With the advent of more efficient motor vehicles, as well as the growing popularity of fully electric vehicles, revenues from the road toll, the state tax on gasoline, which fund the maintenance of our roads, have dropped significantly in the past decade. Discussions continue on possible solutions, including some kind of road usage fee that is determined based on miles driven. This bill also removes a tool we potentially will need in the future. It is the opinion of the minority that passage of this bill closes a door on a mileage based fee when it may prove to be an integral part of a multi-faceted solution to funding our roads in the future.

**HB 1424**, relative to the speed limit for watercraft on Lake Winnepesaukee. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Karel Crawford for the **Majority** of Transportation. This bill would repeal the daytime speed limit on Lake Winnepesaukee and allow any speed limit to occur that is deemed responsible. The majority of the committee felt this would be a safety issue for all who enjoy different types of activities on the lake such as fishing, canoeing, kayaking and sailing. **Vote 15-3.**

Rep. Aidan Ankarberg for the **Minority** of Transportation. The committee was not provided information indicating speed as a major contributing factor in regard to boater safety. The Marine Patrol representative did not take a position on the bill and relayed that his department's wish that the boating community self regulate. Online sign-ins showed 601 in support of the bill compared to 206 against. This committee has repeatedly opposed water body specific regulations and the minority feels that an Ought to Pass motion would be in keeping with that tradition.

**HB 1463**, relative to drivers' licenses issued in accordance with the Real ID Act of 2005. **INEXPEDIENT TO LEGISLATE.**

Rep. Ted Gorski for Transportation. Providing driver's licenses and ID cards to illegal aliens or to asylum applicants, rather than asylum recipients, is bad public policy and undermines the purposes and objectives of federal immigration law. Federal law clearly states under what circumstances a person may legally reside in the United States. An illegal alien, by definition does not possess lawful immigration status or lawful presence and is subject to immediate removal. Granting a driver's license or ID card to illegal aliens treats them as if they are lawfully present in the U.S. and facilitates further illegal conduct. Asylum applicants may have entered the country legally or illegally, but then make an application to the federal government claiming a "well-founded fear of persecution" in their home country. Driver's licenses and ID cards are useful to create an appearance of lawful presence and serves as the virtual passport to the nation, opening many doors that would otherwise be unavailable. In addition to giving an individual the ability to travel freely throughout the country, it is also used for countless other purposes like registering to vote and applying for government benefits, as well as for establishing bank and credit card accounts. Giving illegal aliens and asylum applicants driver's licenses or ID cards provides them with the major form of identification used by U.S. citizens. The bottom line is that granting illegal aliens driver's licenses aids and abets their efforts to live and work illegally in the United States. Finally, granting a driver's license and ID cards to illegal aliens or asylum applicants accommodates and rewards those who violate our immigration laws and encourages others to follow the same path. States that grant driver's licenses and ID cards to illegal aliens give prospective immigrants little incentive to pursue legal paths to immigration when they can side step the process and gain the same benefits. **Vote 10-9.**

**HB 1666-FN**, relative to the application process for driver's licenses and the privacy of motor vehicle records. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ted Gorski for the **Majority** of Transportation. This bill, if passed, would provide driver's licenses to undocumented citizens. The majority felt that there are many issues with this bill. First, it would prohibit the sharing of information with the federal immigration enforcement. Second, a license is a legal identification document. It can be used to vote. The majority felt that there is no guarantee that undocumented citizens will not use these licenses to vote. Third, if undocumented citizens are provided licenses, it will make New Hampshire a sanctuary state. Lastly, possessing a driver's license is a privilege, not a right for legal citizens of New Hampshire. **Vote 10-9.** Rep. George Sykes for the **Minority** of Transportation. The minority believes that this bill would allow people without social security numbers, including undocumented New Hampshire residents, to apply for and obtain drivers licenses. The bill has the support of many law enforcement leaders as well as members of immigrant communities and advocacy and faith groups and it is time for our state to join the growing number of jurisdictions that have concluded that licensing undocumented drivers would be beneficial to their state and to all of their residents.

## WAYS AND MEANS

**HB 1478-FN-A**, relative to the business profits tax applicable to certain large, low-wage employers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Alan Bershtein for the **Majority** of Ways and Means. This bill would increase the Business Profits Tax rate from 7.6% to 8.0% for every business organization of at least 100 employees that employs any person at an hourly rate of less than \$15 per hour. This well intentioned, yet deeply flawed bill focuses solely on the hourly wage rate to the exclusion of any and all other forms of compensation. It is poor public policy to determine a tax rate based on the hourly pay of a single employee. This bill would unduly harm low margin, labor intensive New Hampshire businesses such as grocery stores, retailers, and restaurants, among others. Most importantly, this bill is clearly unconstitutional, specifically when considering the clause included in Part 2, Article 5 of the NH Constitution regarding equal and proportional tax rates. **Vote 18-1.** Rep. Jennie Gomarolo for the **Minority** of Ways and Means. The minority believes this is an important topic to explore and remedy, as a legislature, if we are able. We have a favorable business tax in NH and the state should not have to subsidize what are the responsibilities of businesses. This bill may not have been the correct mechanism, but there needs to be some relief for our citizens who work for big enterprises and still can't afford health care or food for their families.

**HB 1524-FN**, establishing a national service alumni attraction and retention fund. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Walter Spilsbury for the **Majority** of Ways and Means. This bill would create a National Service Alumni Attraction and Retention Fund in the state treasury from which Volunteer NH would make grants "for the purpose of providing financial assistance, workforce development, and education" to benefit individuals who have completed one or more terms of service with either the Peace Corps or AmeriCorps. Specifically, it provides for matching grants, either to assist service alumni enrolled in post-secondary education in New Hampshire

with scholarships or to provide alumni who become employed in New Hampshire with funds to pay down existing student loans. The apparent purpose is to attract and retain non-resident service-year alumni to stay and settle in New Hampshire. This bill is well intentioned and garnered ample sympathy and attention from the committee as a general proposition but was light on specific detailed implementation parameters and difficult to follow. A series of four draft amendments, though greatly improving the initial bill, still have fallen short in overcoming a host of questions and concerns regarding criteria and mechanics. For example, certain passages state that grants will be made to the individuals, where in other passages it provides for grants to either the school or employer. It provides for the schools in turn to make a grant to the individual, but doesn't clarify whether it must be credited to the tuition bill or can be paid out directly in cash. By contrast, grants to employers must be paid by them only to the student loan servicing agency. The bill doesn't establish what action by the school or employer triggers the match or how it would be demonstrated. While specifying that the grants may be in amounts ranging from \$300 to \$3,000 per satisfactorily completed "term of service," subject to a lifetime limit of \$6,000, the bill does not indicate how those grants might flow per term of study or over what duration of study. Nor does it indicate whether there are any reciprocal commitments or performance outcomes required of the recipient. This leaves one to wonder how the State of New Hampshire would measure or assess whether it has fulfilled its intended purposes, let alone what it gains from the program. The program has been described as a three-year pilot requiring \$250,000 per year, to be funded with available American Rescue Plan Act (ARPA) funds, but it includes no sunset provision and calls for transfer of \$750,000 to the fund in FY 23, while suggesting in a separate sentence that the Governor should determine whether ARPA funds are available. If not, it seems to require a draw on unappropriated general funds in the coming year. It should be noted that up to 20% of the funds can be used for administrative expenses and another 10% for marketing expenses, as much as \$225,000, leaving a net of 70% for grant support. One might also wonder whether such funds would better be reserved to meet the many needs of those who are already New Hampshire residents and what distinguishes these service alumni, fine as they may be, from the many other youth of New Hampshire who might appreciate similar support. The committee is left with too many questions to recommend going forward with this bill. **Vote 12-11.**

Rep. James Murphy for the **Minority** of Ways and Means. This bill is a win-win for the State of NH, colleges and universities of NH, as well as employers and employees in NH. It will bring quality individuals to our colleges and universities and to our labor force by offering matching grants to the employee and student. It will recruit some of the best and brightest who have demonstrated commitment and service to communities across the globe after they have successfully completed national service through either the Peace Corps or AmeriCorps. The recipient will first have to obtain a grant or scholarship from their school or have completed a year of employment with their employer. It is fully funded by the federal American Rescue Plan Act (ARPA) funds and will not use any monies from either the state general or education trust funds. Volunteer NH will disburse grants and scholarships and has extensive experience in managing millions of dollars in federal funding each year. This is a three-year trial. If successful in retaining the students and employees, Volunteer NH can explore options for future funding, whether public or private. Despite increasing availability of jobs in the state, the workforce has decreased substantially from pre-pandemic levels. Our population is growing older with increasing retirements contributing to this shrinking work force. This bill would help recruit and retain talented individuals to experience the NH way of life and we hope to stay here permanently.

## REGULAR CALENDAR- PART TWO

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 1349-FN**, decriminalizing the possession and use of psilocybin mushrooms. **INEXPEDIENT TO LEGISLATE.**

Rep. Casey Conley for Criminal Justice and Public Safety. This bill would decriminalize the use of psilocybin mushrooms, which are currently considered a schedule I drug punishable by fines and prison time depending on the quantity. Although psilocybin shows promise as a treatment for post-traumatic stress disorder and other psychiatric disorders, it is not currently approved for these purposes by the Food and Drug Administration. More research is needed for the majority to support decriminalization, which will make psilocybin mushrooms much easier to acquire and consume, particularly among children. **Vote 18-2.**

### EDUCATION

**HB 1646**, relative to representation on a cooperative school district board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Melissa Litchfield for Education. As amended, this bill requires cooperative school district boards to have at least one elected member from each pre-existing district, and all members of the cooperative school board shall be elected within their own district. This is a change in the current law that requires cooperative school members be elected at large. **Vote 19-0.**

## ELECTION LAW

**HB 1064-FN**, requiring the use of hand-marked, durable paper ballots in elections. **INEXPEDIENT TO LEGISLATE.**

Rep. Wayne MacDonald for Election Law. While the concerns over ballot tabulations are respected and understood, this bill is not the proper solution. Further, there is no evidence of hacking as the result of these machines being used, even in Windham. In fact, Windham voted in their town elections on March 8, 2022 to continue using the voting machines. It should, indeed, be the local community which makes this decision and not the state. Voting machines are more precise and not subject to the human frailties of fatigue or distraction. The Secretary of State's interpretation of the NH Constitution requires that votes to be counted by the end of an election day. Hand counting all of the ballots would mean election day officials, their staff and election day volunteers, would be required to work many more hours after having generally started their day as early as 4:00 AM or 5:00 AM. **Vote 20-0.**

**HB 1473-FN**, authorizing a forensic audit of the November 3, 2020 election results in Merrimack county for president, governor, and United States senate races. **REFER FOR INTERIM STUDY.**

Rep. Wayne MacDonald for Election Law. This bill provides for a feasible audit of selected races in one of the larger New Hampshire counties. There are many questions after the 2020 election and bipartisan support exists for election audits. This legislation needs to select, and better define, an area for the purposes of the towns and the races to be examined, however. The scope of this audit, as proposed, is unwieldy. The Committee on Election Law unanimously recommends this bill for Interim Study, so that these concerns can be addressed. **Vote 20-0.**

## LEGISLATIVE ADMINISTRATION

**CACR 24**, the attorney general. Providing that the attorney general be elected by a majority vote of the members of the general court in a joint session. **INEXPEDIENT TO LEGISLATE.**

Rep. Janet Wall for Legislative Administration. In the past 41 years, there have been 20 proposals to change how Attorneys General are appointed and all have failed. New Hampshire has a fair and reasonable process by which an individual is nominated by the Governor before testimony is heard by the Executive Council, all of whom are elected officials and answerable to the general public. There has long been a concern that should the Attorney General be elected by the body politic or the General Court or another method, the office might become too politicized. That may well be true in some of the states that do elect their Attorney General. With our current method, the Attorney General should be able to focus on the job. Among examples given, if elected otherwise, there could be the potential that if a high profile case came near the time of election, an Attorney General could possibly focus more in the decision being made, than the actual case. The current system works. It is not broken. There is no need to fix it. **Vote 15-0.**

**CACR 25**, legislative term limits. Providing that no person shall serve more than 15 terms in either the house of representatives or the senate. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Legislative Administration. This Constitutional Amendment Concurrent Resolution establishes a 15-term limit for the NH House of Representatives and NH Senate. Only one person, a sponsor, testified in favor of this CACR. The committee unanimously voted that this legislation would remove institutional knowledge of our long-standing representatives and would deprive the people of this state their choice of representation. **Vote 15-0.**

**CACR 26**, relating to the house of representatives. Providing that 100 of the representatives are elected using party list proportional representation. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for Legislative Administration. The unanimous committee opinion is to recommend Inexpedient to Legislate primarily because the legislation provides no process or framework for how 100 state representatives (or one-fourth of the House of Representatives) would be selected to establish a party-list proportional-representation election system. All we know from the legislation is that these 100 representatives are to be chosen by party leaders. The testimony suggests this would be a unique and creative idea for anywhere in America. The committee feels the scheme would be very confusing to both voters and the state representatives themselves. While it is true that this system is a norm for political parties choosing their candidates in other countries, where it may be implemented in a variety of closed- or open-list approaches, this system is simply too complicated to flesh out without a framework and without a compelling reason to change. **Vote 15-0.**

**CACR 27**, elected and appointed officials. Providing that all state court judges shall be subject to recall and removal by petition and vote of registered voters pursuant to provisions established by the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Legislative Administration. This Constitutional Amendment Concurrent Resolution requests that all state court judges be subject to recall and removal by petition and vote of registered voters.

The committee heard testimony primarily involving judges in family court cases. Sponsors indicated that there was no practical way to remove a judge in New Hampshire other than through the long and arduous impeachment process. Although other states have recall of judges, most are in states where judges are elected, as opposed to being appointed, as New Hampshire does. New Hampshire has a Judicial Conduct Committee made up of various members including public members, non-attorney members, members of Senate and House which is completely separate from the New Hampshire court system and the other branches of government. This committee may impose disciplinary actions such as reprimand or censor and may also refer to the attorney general for criminal investigation. The members of the committee unanimously voted that recall of judges by petition and vote of registered voters would be too political and could politicize judicial decisions. **Vote 15-0.**

## MUNICIPAL AND COUNTY GOVERNMENT

**HB 1155**, relative to persons elected to a local board serving on another board. **REFER FOR INTERIM STUDY.**

Rep. Richard Tripp for Municipal and County Government. This bill provides that a person elected to a local board shall be a nonvoting ex officio member of other local boards the person is appointed to, serving on, or is a liaison to. During the executive session it was determined that the proposed solution made assumptions which were not universal as election or appointment to local boards varies by municipality. Rather than reject a bill with merit it was determined to further investigate it. **Vote 17-1.**

## REGULAR CALENDAR- PART THREE

### FINANCE

**HB 1235-FN**, relative to compensation paid to a crime victim. **OUGHT TO PASS WITH AMENDMENT.** Rep. Maureen Mooney for Finance. This bill as amended came to Finance after unanimous approval from the Judiciary Committee, and adoption on the Consent Calendar. The bill increases the cap of the Victims' Assistance Program administered by the Department of Justice from \$40,000 to \$50,000 per claimant per incident for reasonable expenses set forth in RSA 21-M:8-h(V). These include medical, funeral, counseling and rehabilitative expenses, as well as lost wages and costs of participating in court proceedings. The ending fund balance for FY 2021 is close to a million dollars, so the committee believes that the increase can be absorbed by these available funds. The Finance Committee amendment removed the sections of the bill related to the FRM (Financial Resources Mortgage) Victims' Contribution Recovery Fund. **Vote 21-0.**

**HB 1417-FN-LOCAL**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Gerald Griffin for the **Majority** of Finance. This bill would have the state pay 7.5% of the retirement system contributions of its political subdivisions for Group I and II employees. The bill came out of its policy committee Executive Departments and Administrations with an Inexpedient to Legislate recommendation. The full House initially voted Inexpedient to Legislate. It was reconsidered, late in the day after many members had left, and passed by the slimmest of margins. The majority of the Finance Committee opposes the bill on multiple grounds. The bill would change the state's policy and the policy committee had rejected that change. The cost of the bill is a function of the number of employees of the state's political subdivisions and the state has no control of that number. The bill's current estimated cost is roughly \$28 million in both FY 2024 and FY 2025. That is budget money the state may not have at that time, but most importantly with an effective date of July 31, 2023, passage of the bill would encumber a future legislature's budget which is never good policy. **Vote 11-10.**

Rep. Peter Leishman for the **Minority** of Finance. The minority believes the state has a demonstrated, long-standing obligation to provide financial support to communities that participate in the NH Retirement System (NHRS). As far back as 1967 the state provided a 40% contribution to municipalities that participate in the NHRS. Overtime the state's contribution rate has been reduced to 35% in 1977, to 30% in 2009 and completely eliminated in 2011. The minority believes, especially due to the state's large surplus and 'rainy day fund' balance, that providing 7.5% (\$27.79 million FY 2024 and \$28.47 million in FY 2025) is a reasonable request by the sponsors.

**HB 1462-FN**, relative to motorcycle learner's permits. **OUGHT TO PASS.**

Rep. Leonard Turcotte for Finance. This bill would allow for a one-time renewal of a motorcycle learner's permit. Under current law, an individual may only receive a learner's permit once. Testimony given by the administrator for motorcycle training at the Department of Motor Vehicles indicated there are circumstances that might be a valid reason for allowing an extension to a permit through renewal. One such reason given by the administrator was inclement weather during the 45-day period. The extension would require an additional fee from the applicant and there would be a one-time, minimal cost to the department for computer programming. The committee unanimously endorses this bill. **Vote 21-0.**

**HB 1526-FN**, relative to income eligibility for in and out medical assistance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for Finance. This bill repeals an HB 2 item that suspended an increase to the level authorized for the Medicaid in and out program. As a result, it costs more money. The policy committee requested a full year of appropriation from 1 July 2022 to 30 June 2023. The amendment changed it to six months running from 1 January 2023 to 30 June 2023. **Vote 21-0.**

**HB 1535-FN**, relative to cost of living adjustments for retirees in the state retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Hatch for Finance. This bill establishes a cost of living (COLA) adjustment for state retirees in the system as follows: members who have been retired at least 60 months prior to July 1, 2022, would have a COLA of 1.5% for the first \$30,000 of benefits and those with a benefit greater than \$30,000 would receive the same percentage on the first \$30,000. The committee received a lot of testimony speaking to the need of the COLA, hardships with inflation, as well as recruiting and retaining personnel to name a few, but considering the cost of \$79.2 million in a non-budget year the committee could not go forward with the full COLA at this time. The committee voted to give retirees with a benefit less than \$30,000 a one-time \$500.00 payment to help with current economic hardships. The cost of this is a manageable \$11.75 million. **Vote 18-3.**

**HB 1552-FN**, establishing a board for the certification of assessors. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peter Leishman for the **Majority** of Finance. The majority of the committee was not convinced that the creation of an Assessing Certification Board (ACB) within the Office of Professional Licensure and Certification (OPLC) is necessary. Presently, the Department of Revenue Administration (DRA) and the Assessing Standards Board (ASB) has been administering assessor certification, complaints and the discipline of assessors. The majority is concerned with the proposed language in the bill that allows the executive director of the OPLC to set "all appropriate fees" charged to assessors licensed in the State of NH. Presently the DRA has no license fees for certified assessors. The PLC could also assess fines for alleged infractions by assessors. The majority believes a change in the way assessors are governed and the assessment of fees is not warranted at this time. **Vote 12-9.**

Rep. Maureen Mooney for the **Minority** of Finance. This bill as amended came to Finance after unanimous approval from the Executive Departments and Administration Committee, and adoption of the same on the Consent Calendar. The bill moves assessor certification and regulation from the Department of Revenue Administration (DRA) to its own board within the Office of Professional Licensure and Certification (OPLC). The concept stemmed from the DRA's interpretation of the non-disclosure statute that assessing certification and discipline decertification are confidential, preventing transparency consistent with other boards. Currently, there are no fees for assessor certification licenses before the DRA. Under the OPLC, the board for certification of assessors will be self-funding with fees similar to other boards. There is no impact on expenditures at the DRA. This bill has no monetary consideration. The minority of the committee found the transition understandable, transparent, and fiscally responsible for public monies.

**HB 1587-FN-A**, relative to determination of average final compensation under the retirement system and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gerald Griffin for Finance. This bill as amended provides all Group II members who were employed on or after July 1, 2011 and not vested prior to January 1, 2012 the same retirement calculation and inclusion of overtime for retirement calculations as employees who were vested by January 1, 2012. The committee believed because they were hired prior to the changes made in the retirement system by SB 3 they should receive the same retirement calculation as vested employees. When these employees entered the state workforce it was their expectation that the retirement system would not change. (The estimated cost of this change is \$28-\$30 million dollars.) Employees hired after January 1, 2012 knew what the retirement system offered them and were not included in the change. **Vote 20-1.**

**HB 1604-FN**, including state medical facilities in the statute providing medical freedom in immunizations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for Finance. This bill requires state hospitals and medical facilities that institute a vaccination requirement to grant an exemption on medical or religious grounds or as a matter of conscience. The amendment eliminates the "matter of conscience" because there is no analogous exemption in the guidelines promulgated by the federal Centers for Medicare and Medicaid Services (CMS). The exemption was removed to avoid the potential of federal withholding of approximately \$160 million a year. Similarly, to stay within the bright red lines of CMS, the medical exemption cites the need for the same medical documentation that CMS requires. The religious exemption recognizes the inherent right to freedom of religion which is also enshrined in the 1<sup>st</sup> Amendment. An individual can inform the employer that they have a sincerely held religious belief that precludes their taking the otherwise required vaccination. The majority believes that the federal government lacks the authority to delegate to secular or other employers the power to sit in judgment of

the individual's religious beliefs. Clearly, typical human resources departments are not set up to perform an inadequately described evaluation. They are allowed to deny a request if they have a compelling rationale or evidence that the employee is acting fraudulently. **Vote 13-8.**

**HB 1609-FN**, relative to the scope of the fetal protection act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for Finance. The amendment changes sections I and II of the bill as introduced and replaces those two sections. Similar to other bills, the requirement for an ultrasound is clarified in section I as it is in the penalty section of the existing law, to restate "This paragraph shall be construed to require the performance of an ultrasound only if the provider either knows that the fetus has a gestational age of at least 24 weeks or is conscious of a substantial risk that the fetus has a gestational age of at least 24 weeks." Section II allows for an exception to the 24 week abortion ban so that in the case of a fetal abnormalities incompatible with life, abortion would be an option. Medical input has suggested that the mother's safety would dictate an early delivery instead of an abortion at that point, however the majority recognizes the role of informed consent and the ability of a mother and physician to decide the best course of action in case of a fetal abnormalities incompatible with life. These provisions will go into effect immediately upon becoming law. **Vote 20-1.**

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

Rep. Bob Lynn for Finance. This bill amends RSA 21-N:4 by adding a new paragraph XI that requires the Commissioner of Education to review and update on at least an every other year basis, a consolidated state plan to establish and encourage unified co-curricular activities in school districts. Unified co-curricular activities are activities such as sports, music, theatre, etc. that include combined participation by both students with disabilities or with special needs and students without such conditions. The bill appropriates the sum of \$50,000 to the Department of Education (DOE) for the fiscal year ending June 30, 2023 for the purpose of funding grants to school districts for first year operational expenses for equipment and/or uniforms for such programs, and provides that any funds remaining shall not lapse but may be distributed as grants to school districts that already have established unified co-curricular activities. Per amendment 2022-1166h, no grant may exceed \$4,000 per program. The bill also requires the commissioner to include in DOE's efficiency expenditure requests under RSA 9:4 sufficient funds for continued operation of its duties under the legislation. **Vote 21-0.**

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

Rep. Mary Heath for Finance. This bill provides the sum of \$115,000 for fiscal year ending June 30, 2023 for the position of Education Freedom Account Administrator as established in RSA 21-N:6-b. Furthermore, as amended this bill directs the Department of Education (DOE) to seek participation in the Demonstration Projects to Evaluate Direct Certification with Medicaid administered by the United States Department of Agriculture (USDA). In addition, the Department of Health and Human Services shall assist the DOE as needed in pursuing and implementing direct certification methodology. Medicaid Direct Certification means that children already receiving Medicaid and whose family's income is below 130% of the federal poverty level (free meals) and 185% (reduced meals) would be directly certified through electronic matching for free and reduced meals at school, without their families needing to submit an application. Currently, 27 states are participating in the demonstration project. Research shows that children who eat breakfast and lunch improve academic performance, have reduced behavioral issues and have stronger school attendance. Schools will benefit from reduced administrative costs, reduce meal certification errors and reduce unpaid student meal debt. **Vote 17-3.**

**HB 1642-FN**, relative to lead testing in children. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Finance. This bill represents a violation of Article 28a of the NH Constitution to the extent the public school system is expected to serve as an enforcement arm to NH's parental obligations to have children tested for lead poisoning before day care and before attendance in schools. The schools are not compensated in this bill for the work. The majority rejected the use of the school system and day care centers to enforce lead testing of children. The mission of the school and day care are to work with parents to ensure their child gets the best education or care that can be delivered. This goal is facilitated in the presence of a trusting relationship and partnership between parents and educators. HB 1642 raises the dark specter of having kids turned away or removed from day care and potentially removed from school for lack of parental compliance with institutional coercion. Having the parents subjected to enforcement, or potentially punitive action, undermines what needs to be maintained and built. DHHS was encouraged to instead develop a public education program. With compliance levels low (about 1/3 without) in the aftermath of COVID restrictions, the majority of the committee believes that parents will seek out the lead poisoning tests once they are informed of how relevant the test is to secure a good future for their child. If easy testing is available, compliance levels should increase. The majority wants much higher compliance levels with lead poisoning testing but believes that compliance will dramatically increase as more parents are better informed of the risks associated with lead poisoning in their precious, vulnerable child. **Vote 11-10.**

**HB 1647-FN**, relative to the calculation of child support. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Jess Edwards for the **Majority** of Finance. This bill attempted to do two major things. First, provides legislative guidance to family courts when shared parenting is ordered. Under a 2018 case, the courts established a practice of assigning all the child support payments to the more well-off parent and directed 100% of the child support to be paid by that parent to the other, regardless of the extent to which joint custody was to take place. The courts have repeatedly said that the legislature needs to provide guidance for assigning child support in co-parenting situations. HB 1647 does that and from the language, a worksheet has been prepared by the Department of Justice to make the calculation routine. The amendment addresses the second part of the bill which raised the percentage protected by the self-support reserve from 115% to 150%. The department could not provide any financial analysis of the impact of this change, but it is clear it would increase state expenses as a result of more income being protected from child support payments. In deference to the majority who said in committee that the lack of financial data kept them from determining if the policy was acceptable, the amendment freezes the self-support reserve at 115% awaiting the results of a quadrennial study of the program. It's hoped that the department will leverage that study so that they can answer basic questions of projected costs. **Vote 12-9.**

Rep. Mary Jane Wallner for the **Minority** of Finance. Finance Division III was not able to get enough financial information about this bill to make an informed financial decision. The Department of Health and Human Services is working on a report that will help us better understand the financial impact of the policy in this bill. The report will provide us with more information. For that reason the minority recommends Refer for Interim Study.

**HB 1661-FN-LOCAL**, relative to regional career technical education agreements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kate Murray for Finance. This bill requires sending district schools and career and technical educational (CTE) centers to enter into an agreement to include scheduling, access, transportation and credits for CTE students. Currently sending and receiving schools are often out of sync with each other's schedules resulting in loss of school days to students in career and technical programs. In some cases, the losses have been as much as 100 days out of a 180 day school year. The bill also provides for the recognition of earned academic credits for content area competencies, which are embedded within the CTE coursework by the respective school district. The committee feels that we need to do all we can to encourage students in these programs to complete their education. The bill also contains a non-germane amendment which makes an appropriation for a new legislative parking garage, razing the Department of Justice (DOJ) building to provide space for the new garage, moving the DOJ and razing the Storrs Street garage. The garage has become a hazard to the area with minor injuries being reported with growing frequency. This issue has been discussed for well over a decade, and the current condition of the Storrs Street garage, while still considered to be safe, is rapidly approaching its end of life. The majority feels that the parking situation has risen to the level of an emergency and action must be taken now and a new parking structure erected. Thirty-five million dollars has been allocated for the garage project. **Vote 21-0.**

**HB 1662-FN**, related to privacy obligations of the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for Finance. The amendment reflects the latest manpower survey conducted by the Department of Health and Human Services indicating that the wage grade of the two new job descriptions should be rated a Labor Grade 30, Step 5. This change reduced the amount needed for appropriations. Also, clarity was added to ensure understanding that a Risk Mitigation Assessment and Mitigation Plan is required for each IT systems processing personal data and on one plan for all IT systems. **Vote 21-0.**

**HB 1682-FN-A**, establishing the law enforcement conduct review committee in the New Hampshire police standards and training council and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bob Lynn for Finance. This bill establishes a law enforcement conduct review committee in the New Hampshire Police Standards and Training Council and, by amendment 2022-1099h, appropriates \$175,000 to hire an attorney and two investigators for the committee. The bill establishes a comprehensive definition of what constitutes police misconduct and establishes procedures for filing complaints, review and investigation of the complaints, holding hearings before the council to adjudicate complaints, and sanctions that may be imposed for misconduct by officers. **Vote 21-0.**

**WAYS AND MEANS****HB 1584-FN**, establishing a capital improvement grant program for the benefit of state fairs and agricultural fairs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Ways and Means. This bill and its amendment create a dedicated fund and a process to provide grants to NH agricultural fairs for infrastructure projects. The committee recognizes the positive



economic and educational impact that the thirteen fairs bring to NH communities. We received testimony that the fairs have received financial support in the past from the state, but the program lost funding in the late 1970's. Many of the fairs have been struggling to keep up with maintenance on their aging buildings and infrastructure. The grant created in this bill would provide funds to repair buildings on the fairgrounds and will assist in bringing the buildings up to current code requirements. The state would appropriate \$250,000 annually to this fund. The fund will be managed by the Commissioner of Agriculture and this bill has provisions for capping the fund as well as placing reporting and audit functions upon the fund. **Vote 22-0.**

**HB 1598-FN**, legalizing the possession and use of cannabis. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Timothy Lang for the **Majority** of Ways and Means. The primary objective of this bill is the policy of legalization of cannabis for both possession and personal use and was passed by the House earlier this session. This bill accomplishes that primary objective, so NH will no longer arrest and prosecute NH citizens for possession of personal use quantities of cannabis. The Ways and Means Committee amended this bill to improve the net revenue raised by the state-operated sale and control of cannabis. It is conservatively estimated that the revenues to the state will be approximately \$30 million once we reach full maturation of the program (about three years) with ten stores. This bill appropriates \$4.75 million for start-up costs to get the program off the ground, which is prioritized for pay back to the general fund/NH citizens in the first five years of the program. After operational and start-up costs are paid, the balance of the monies will be disbursed as follows: 50% to offset statewide education property tax (SWEPT) for all NH citizens; 30% will be earmarked as additional payments to the NH retirement system debt load, to pay this debt off faster, thus saving NH taxpayers money; 10% or \$25 million (whichever is less) is earmarked for alcohol and drug cessation programs via the Department of Health and Human Services; 5% to first responder, police, fire, and medical training programs; and 5% to the Department of Health and Human Services for children's behavioral health programs. **Vote 12-10.**

Rep. Richard Ames for the **Minority** of Ways and Means. The minority agrees that the ongoing prohibition of a commercial system for recreational cannabis within NH has not and does not work and that this prohibition continues to foster an illegal and harmful black market. But the minority believes that there are too many unanswered revenue and spending uncertainties in this bill to warrant its approval at this time. The bill seeks to create a Liquor Commission-owned and operated monopoly for all cannabis sold at retail within NH. The Liquor Commission Chairman testified that the commission was neutral on the bill but could after a six-to-nine-month start-up period and whatever additional time required to develop marketable cannabis products, establish about ten retail stores at strategic locations around the state, and then additional stores if warranted. To avoid "branding" confusion, these cannabis stores would be separate from the commission's liquor stores. Because of federal law prohibiting interstate cannabis transactions, all cannabis sold would need to be grown and processed inside NH's borders. All NH cultivators, manufacturers, and transporters would be registered and licensed to sell their cannabis products to consumers only through the commission's retail stores. The amended bill prohibits Liquor Commission retail sale of so-called cannabis edibles except to therapeutic cannabis customers. Defined in the amended bill to include all "cannabis-infused food or drink products," this categorical exclusion from the commission's retail stores of this very popular component of the retail cannabis market is certain to substantially reduce intra-state and cross-border sales. This undermines the commission's ability to compete with established private market stores in each of NH's neighboring states, which have radically different production and commercialization models. Although informal revenue estimates provided by the bill's sponsors suggested that implementation of this model in NH could generate \$200 million to \$250 million annual net revenue for the state, Liquor Commission testimony and much more information received from states and people in the industry, convinced the committee that net annual revenue after full implementation would more likely be no more than \$20 to \$35 million. Unfortunately, no official fiscal analysis has been produced for the bill. Proposed revenue allocations contained in the amended bill, expressed as percentages after expenses, result in insignificant amounts divided among many beneficiaries, and fail to provide more than a pittance for drug misuse education, prevention and treatment. Alternative Treatment Center providers testified against the bill, expressing concern that competition from the Liquor Commission could undermine its vertically integrated therapeutic cannabis system and put them out of business. This bill needs further work.

## COMMITTEE MEETINGS

### FRIDAY, MARCH 25

**HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13), Room 210-211, LOB**  
10:00 a.m. Regular meeting.

**MOUNT WASHINGTON COMMISSION (RSA 227-B:3), AMC Highland Center at Crawford Notch**  
**White Mountain National Forest US-302, Bretton Woods, NH 0357**

9:30 a.m. Regular meeting.

**NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22), Room 100, SH**

12:00 p.m. Regular meeting.

**NEW HAMPSHIRE TRANSPORTATION COUNCIL (RSA 238-A:2), IPOC 110 Smokey Bear Blvd. Room 213 Concord, NH**

9:00 a.m. Regular meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/86360415500?pwd=ZVR6cDFVUFNBb2JETHpIWkhtZC8vZz09>

Meeting ID: 863 6041 5500 Passcode: 550137

**SOLID WASTE WORKING GROUP (RSA 149:M:61), NH DES Offices Room 208C 29 Hazen Drive Concord, NH**9:30 a.m. Regular meeting <https://register.gotowebinar.com/register/944991081080221199>**MONDAY, MARCH 28****CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2), Room 201-203, LOB**

10:15 a.m. Regular meeting.

**COMMISSION TO STUDY OFFSHORE WIND AND PORT DEVELOPMENT (RSA 374-F:10), Room A NHDES Regional Office Pease International Tradeport 222 International Drive, Suite 175 Portsmouth, NH**

4:00 p.m. Regular meeting.

**COMMISSION TO STUDY TELEHEALTH SERVICES (RSA 329:1-f), Room 103, SH**

1:00 p.m. Regular meeting.

**COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILD-LIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30), NH DES Room 208C 29 Hazen Drive Concord, NH**

11:00 a.m. Regular meeting.

**EDUCATION FREEDOM SAVINGS ACCOUNT OVERSIGHT COMMITTEE (RSA 194-F:12), Room 101, LOB**

1:00 p.m. Regular meeting.

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1), Room 201-203, LOB**

9:30 a.m.

**NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2), Brown Building Auditorium, Health and Human Services, 129 Pleasant St. Concord NH 03301**10:00 a.m. Regular meeting. Please see the Board website for additional information regarding this meeting: <https://www.dhhs.nh.gov/ombp/medicaid/nhpdab/index.htm>**OIL FUND DISBURSEMENT BOARD (RSA 146-D:4), Dept. of Environmental Services Rooms 111-113 29 Hazen Drive Concord, NH 03301**

9:00 a.m. Regular meeting.

**FRIDAY, APRIL 1****ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Dept. of Revenue Administration Training Room 109 Pleasant Street Concord, NH 03301**

11:30 a.m. Regular meeting.

**COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a), Auditorium, Brown Building, 129 Pleasant St, Concord, NH 03301**

12:00 p.m. Regular meeting.

**COMMISSION TO STUDY THE INCIDENCE OF POST-TRAUMATIC STRESS DISORDER IN FIRST RESPONDERS AND WHETHER SUCH DISORDER SHOULD BE COVERED UNDER WORKERS' COMPENSATION (RSA 281-A:17-d), NH Fire Academy 98 Smokey Bear Blvd Classroom 2 Concord, NH 03301**

10:00 a.m. Regular meeting.

**COMMITTEE TO STUDY THE REGULATORY STRUCTURE OF CHARITABLE GAMING (SB 100, Chapter 221:1, Laws of 2021), Room 100, SH**

10:00 a.m. Regular meeting.

**JOINT COMMITTEE ON LEGISLATIVE FACILITIES (RSA 17-E:1), Room 100, SH**

1:10 p.m. Regular meeting.

**HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E), Room 100, SH House**

2:00 p.m. (Or immediately following the Joint Facilities meeting.) Regular meeting.

**JOINT COMMITTEE ON TAX EXPENDITURE REVIEW (RSA 71-C:3), Room 100, SH**

9:00 a.m. Regular meeting.

**MONDAY, APRIL 4****LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2), Room 104, LOB**

1:00 p.m. Regular meeting.

**FRIDAY, APRIL 8****COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a),**

10:00 a.m. Regular meeting.

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

Please register for HB 737 Commission Meeting on April 8, 2022 10:00 AM EST at:

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

After registering, you will receive a confirmation email containing information about joining the webinar. You also may join the meeting by phone: Call in Number: 1 (415) 930-5321

Access Code: 613-661-216 Webinar ID: 754-256-707

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

You may also call Amy Rousseau at 603-848-1372.

**COMMITTEE TO STUDY REQUIRING NEW HAMPSHIRE CHILDREN TO BE PLACED IN REAR FACING RESTRAINTS IN MOTOR VEHICLES (HB 251, Chapter 135:1, Laws of 2021), Room 104, LOB**

9:30 a.m. Regular meeting.

**LONG-TERM SEACOAST COMMISSION ON DRINKING WATER (RSA 485-F:6), Stratham Municipal Center Hutton Room 10 Bunker Hill Avenue Stratham, NH 03885**

2:00 p.m. Regular meeting.

**MONDAY, APRIL 11****COMMITTEE TO STUDY RAIL TRAIL MANAGEMENT PRACTICES (HB 311, Chapter 94:2, Laws of 2021), NH Dept. of Environmental Services 29 Hazen Drive Concord, NH 03301**

9:00 a.m. Regular meeting.

**NEW HAMPSHIRE OPIOID ABATEMENT ADVISORY COMMISSION (RSA 126-A:85), DHHS Brown Auditorium 129 Pleasant St. Concord NH 03301**

1:00 p.m. Regular meeting.

<https://nh-dhhs.zoom.us/j/3031726939?pwd=ckNDcmNyM1VJdGtsWWlDd2hCWlJlVUT09>

Meeting ID: 303 172 6939 Passcode: 810055

**FRIDAY, APRIL 15****FISCAL COMMITTEE (RSA 14:30-a), Room 210-211, LOB**

10:00 a.m. Regular meeting.

**OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10), Room 100, SH**

8:00 a.m. Regular meeting.

**MONDAY, APRIL 18****COMMISSION TO EVALUATE THE EFFECTIVENESS AND FUTURE OF THE NEW HAMPSHIRE GRANITE ADVANTAGE HEALTH CARE PROGRAM (RSA 126-AA:4), Room 210-211, LOB**

10:00 a.m. Regular meeting.

**FRIDAY, APRIL 22**

**GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1), Fox Chapel 105 Pleasant Street Main Bldg. Concord, NH**

9:30 a.m. Regular meeting.

**SOLID WASTE WORKING GROUP (RSA 149:M:61), NH DES Offices Room 208C 29 Hazen Drive Concord, NH**

9:30 a.m. Regular meeting <https://register.gotowebinar.com/register/944991081080221199>

**MONDAY, MAY 9**

**COMMISSION TO STUDY GRANDFAMILIES IN NEW HAMPSHIRE (RSA 170-G:17-b), Room 100, SH**

1:00 p.m. Regular meeting.

**FRIDAY, MAY 20**

**NEW HAMPSHIRE RARE DISEASE ADVISORY COUNCIL (RSA 126-A:79), DHHS Health Training Room 3rd Floor 29 Hazen Drive Concord, NH 03301**

3:00 p.m. Regular meeting. Join Zoom Meeting <https://nh-dhhs.zoom.us/j/3947758509?pwd=ekp1cjBacVRrTXA2dGIMSW1YL1NYZz09>

Meeting ID: 394 775 8509 Passcode: MCH

**OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10), Room 100, SH**

8:00 a.m. Regular meeting.

**OFFICIAL NOTICES**

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The **Rockingham** County Executive Committee will meet on **Friday, May 6, 2022, at 9:30 a.m.**, in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood, NH. The purpose of the meeting is to conduct the third quarter budget review and vote to recommend Salaries and Benefits for Elected Officials for the next term of office commencing January, 2023, to the full County Convention.

Rep. David A. Welch, Clerk

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**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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In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Association cordially invites you to attend the 30<sup>th</sup> Annual New Hampshire Fallen Law Enforcement Officers Memorial Ceremony, to honor the Law Enforcement Officers throughout the state of New Hampshire who have made the ultimate sacrifice and died in the line of duty while protecting the citizens of the state. The ceremony will be held on **Friday, May 20, 2022**, beginning promptly at **10:00 a.m.**, at the Memorial site in front of the Legislative Office Building. The ceremony will proceed rain or shine. Please do not hesitate to contact Colonel Kevin Jordan at the New Hampshire Fish and Game Department at 603-271-3128 should you have any questions.

Speaker Packard

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The Legislative Sportsmen's Caucus members and representatives who are interested in learning more about the caucus are invited to lunch on **Thursday March 31** at **12:00 p.m.**, or at the session lunch break, at the Upham Walker House. Joe Mullen manager of the northeastern states with the Congressional Sportsmen's Foundation will be our guest along with representatives from NH Fish and Game.

Reps. Jeff Goley and John Klose

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The Board of the Land and Community Heritage Investment Program will hold its regular meeting at **2:00 Monday, April 4** at the offices of the NH Fish and Game Department, Hazel Drive Concord.

Rep. Judith Spang

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## REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB103, HB347, HB591, HB611, HB620, HB624, HB1064, HB1130, HB1228, HB1235, HB1237, HB1288, HB1423, HB1456, HB 1469, HB1496, HB1521, HB1526, HB1531, HB1535, HB1540, HB1547, HB1586, HB1587, HB1598, HB1604, HB1608, HB1621, HB1622, HB1628, HB1629, HB1632, HB1635, HB1642, HB1647, HB1661, HB1665, HB1677, HB1681, HB1682, SB59, SB92, SB160, SB202, SB278, SB301, SB324, SB326, SB355, SB366, SB383, SB385, SB429, SB435.

Paul C. Smith, Clerk of the House

## STATE HOUSE VISITATION SCHEDULE

As a convenience to the members of the NH General Court, the Visitor Center offers the following schedule of schools and other groups visiting the State House. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule books for the school year and subject to changes.

**Please contact the Visitor Center concerning school tour booking information.** Legislators planning to meet with students should notify the Visitor Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director

Margaret Waterhouse, Public Information Administrator

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>#/GRADE</i>
March 25	9:15	Deerfield Community School	55/4
March 29	10:00	Lincoln Street School – Exeter	50/4
March 30	10:00	Lincoln Street School – Exeter	50/4
March 30	9:30	American Legion group	10/adults
March 31	10:00	Lincoln Street School – Exeter	50/4
March 31	10:45/12:15	Beaver Meadow School – Concord	75/5
April 1	9:00 *2 tours	Broken Ground School – Concord	99/5
April 4	9:15/10:30	New Boston Elementary School	68/4
April 5	9:30	South Merrimack Christian Academy	40/4
April 5	9:45/11:00	Hooksett Memorial School	77/4
April 6	9:45	Hooksett Memorial School	55/4
April 6	11:45	Presentation of Mary School – Hudson	50/4
April 7	9:45	Concord High School	30/HS
April 7	10:00/11:30	Crescent Lake School – Wolfeboro	75/4
April 8		YMCA Youth & Government	
April 8	10:00/11:00	Charlotte Ave. School – Nashua	60/4
April 8	12:00	NH Humanities Collaborative – NHTI	15/adults
April 11	9:30	Newport Montessori School	22
April 11	9:45/10:45	Ledge Street School – Nashua	82/4
April 11	10:00	Prenda – Londonderry	11/3-5
April 12	9:00	Trinity Christian School – Concord	26/4
April 12	10:30	Micro Society Academy – Nashua	50/4
April 13	9:00	Green Valley Elementary – Pembroke	24/4
April 13	10:00	Maplewood School – Somersworth	49/4
April 13	1:00	Grappone Leadership group	16/adults
April 14	9:30/11:00	Little Harbor School – Portsmouth	72/4
April 14	1:30	Girls Scouts – Nashua	16
April 14	10:00	Maplewood School – Somersworth	49/4
April 15	9:00	Epsom Central School	42/4
April 15	9:30/10:45	Barnstead Elementary School	80/4
April 18	9:45/11:00	Thornton's Ferry School – Merrimack	90/4
April 19	9:30	Maple St. Magnet School – Rochester	42/4&5
April 19	10:30	Christa McAuliffe School – Concord	50/4
April 20	10:00/11:15	Hampstead Central School	100/4

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>#/GRADE</i>
April 21	9:30/11:00	Garrison School – Dover	100/4
April 21	9:00/11:30	John Fuller Elementary – No. Conway	70/4
April 22	9:00	Chichester Central School	25/4
April 22	10:30	Portsmouth Christian Academy	44/4
April 22	10:00/11:00	Woodman Park School – Dover	100/4
April 26	2:00	The Birches at Concord	10/Srs
April 27	11:00	UNH Cooperative Extension – 4H	40
April 29	10:00	Grantham Village School	48/4

**AMENDMENTS**  
(LISTED IN NUMERICAL ORDER)

**Amendment to HB 1235-FN**  
(2022-1170h)

**Proposed by the Committee on Finance – r**

Amend the bill by replacing all after section 1 with the following:  
2 Effective Date. This act shall take effect 60 days after its passage.

2022-1170h

AMENDED ANALYSIS

This bill increases the maximum recovery per claimant under the victims' assistance fund.

**Amendment to HB1401**  
(2022-0905h)

**Proposed by the Committee on Transportation – r**

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Motor Vehicle Records and Certification; Mileage Records. Amend RSA 260:14 by inserting after paragraph XVII the following new paragraph:

XVIII. Notwithstanding any provision of law to the contrary, no information relative to the mileage of a motor vehicle shall be shared by the department or an inspection station with any public authority authorized to enforce motor vehicle tax laws, without the consent of the vehicle's owner, lessee, or renter. For purposes of this paragraph, "public authority," shall not include any entity representing the state of New Hampshire.

2022-0905h

AMENDED ANALYSIS

This bill prohibits both the department of safety, and inspection stations, from sharing vehicle mileage information with certain authorities without consent.

**Floor Amendment to HB1524**  
(2022-1067h)

**Proposed by the Committee on Ways and Means – r**

Amend the bill by replacing all after section 3 with the following:

4 New Subdivision; National Service Alumni Attraction and Retention Fund. Amend RSA 19-H by inserting after section 9 the following new subdivision:

National Service Alumni Attraction and Retention Fund

19-H:10 National Service Alumni Attraction and Retention Fund.

I. There is hereby established in the state treasury a national service alumni attraction and retention fund to provide grants to New Hampshire-based employers and institutions of higher education for the purpose of providing financial assistance, workforce development, and education to AmeriCorps alumni and returned Peace Corps volunteers who have successfully completed one or more terms of civilian national service and are considering pursuing postsecondary education or employment in the state of New Hampshire. Volunteer NH may approve the expenditure of up to 20 percent of the fund's total allocation for staffing, office space and office supplies, and outreach to New Hampshire-based employers and institutions of higher education; and up to 10 percent of the fund's total allocation for marketing to prospective, current, and former civilian national service members. The remainder of the fund shall be used to provide grants to AmeriCorps alumni and returned Peace Corps volunteers pursuant to this section. Distribution of funds shall be administered by the commissioner of the department of administrative services. The fund shall be nonlapsing and continually appropriated to the commissioner for the purposes of this subdivision.

II. The commissioner may accept and shall credit to the fund any additional gifts, grants, donations or bequests, or any federal, state, or local funds from any source if such funds are intended to be used for the purpose of the fund.

III. Volunteer NH shall award a matching grant of \$500 to \$3,000 per satisfactory completion of a term of service with either AmeriCorps or the Peace Corps from the fund established in paragraph I to a student enrolled at any institution in the community college system of New Hampshire or university system of New Hampshire. Satisfactory completion of a term of service shall be determined by reference to the rules and certifications of AmeriCorps and the Peace Corps, as applicable. Institutions in the community college system of New Hampshire or university system of New Hampshire shall be enrolled in either the AmeriCorps Schools of Service or the Peace Corps' Coverdell Fellows program. An eligible student shall have been awarded a grant or scholarship from the college or university prior to receiving any matching grant from the fund. Volunteer NH shall disburse the matching grant to the college's or university's financial aid office which shall disburse the funds as a scholarship to an eligible student. No student shall receive grant moneys totaling more than \$6,000 from the fund.

IV. Volunteer NH shall award a matching grant of \$500 to \$3,000 per satisfactory completion of a term of service with either AmeriCorps or the Peace Corps from the fund established in paragraph I to a New Hampshire-based employer that is enrolled in the Employers of National Service program. Satisfactory completion of a term of service shall be ascertained by reference to the rules and certifications of AmeriCorps or the Peace Corps, as applicable. Each grant shall be for the benefit of an employee who is an AmeriCorps alum or a returned Peace Corps volunteer and has successfully completed one year of employment with such employer. The purpose of the matching grant shall be to provide debt service on such employee's student loans. Volunteer NH shall disburse the matching grant to the employer which shall disburse the funds to the employee's student loan servicing agency or company. No employee shall receive grant moneys totaling more than \$6,000 from the fund.

5 National Service Alumni Attraction and Retention Fund; Transfer. The sum of \$750,000 for the fiscal year ending June 30, 2023 is transferred to the national service alumni attraction and retention fund established in RSA 19-H:10 for the purposes of the fund. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and such federal funds shall be expended for this purpose.

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

**Amendment to HB 1526-FN  
(2022-1181h)**

**Proposed by the Committee on Finance – r**

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

2 Appropriation; In and Out Medical Assistance. The sum of \$2,685,192 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services to implement 2020; 39:1. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

**Amendment to HB 1535  
(2022-1151h)**

**Proposed by the Committee on Finance – r**

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

AN ACT relative to a one-time allowance for certain state retirees.

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

1 Retirement System; Additional Allowance; Appropriation.

I. An additional one-time allowance of \$500 shall be paid during state fiscal year 2023 to retired members of the retirement system, or any beneficiary of such member receiving an allowance, who are eligible as follows:

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

(b) The annual retirement allowance of the member or beneficiary on June 30, 2022 is not greater than \$30,000.

II. The additional allowance shall not become a permanent addition to the member's base retirement allowance.

III. The sum of \$11,750,000 is hereby appropriated for the fiscal year ending June 30, 2023 to the board of trustees of the retirement system to fund the additional allowances granted under this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

IV. The payment of the one-time allowance shall be made by the retirement system as soon as administratively practicable after the effective date of this section, but not later than November 1, 2022.

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

2022-1151h  
 AMENDED ANALYSIS

This bill grants a one-time additional allowance to certain retirees in the state retirement system. The bill makes a general fund appropriation for the retirement allowances.

**Amendment to HB 1540-FN  
 (2022-1095h)**

**Proposed by the Committee on Finance – c**

Amend RSA 594-A:3, I as inserted by section 1 of the bill by replacing it with the following:

I. Except as otherwise provided in RSA 594-A:4, a custodial interrogation, including the giving of any required warning, advice regarding the rights of the individual being questioned, and the waiver of any rights by the individual, shall be recorded electronically in its entirety. A custodial interrogation at a jail, police or sheriff's station, holding cell, or correctional or detention facility shall be also recorded. A custodial interrogation at any other place of detention shall be recorded by audio means at minimum.

Amend RSA 594-A:5 as inserted by section 1 of the bill by replacing it with the following:

594-A:5 Presumption of Inadmissibility. Except as provided in RSA 594-A:4 and RSA 594-A:6, all statements made by a person during a custodial interrogation that are not electronically recorded, and all statements made thereafter by the person during the custodial interrogations, including but not limited to statements that are electronically recorded, shall be inadmissible as evidence against the person in any criminal or juvenile delinquency proceeding brought against the person.

Amend RSA 594-A:6, III as inserted by section 1 of the bill by replacing it with the following:

III. That law enforcement personnel provide a reasonable justification, including a summary of the surrounding facts and circumstances, explaining the lack of recording, which may include financial expense. For the purpose of this section, mere inconvenience shall not be considered a reasonable justification.

**Amendment to HB 1584-FN  
 (2022-1156h)**

**Proposed by the Committee on Ways and Means – r**

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

1 Capital Improvement Program for State Fairs. The subdivision heading preceding RSA 425:19 and RSA 425:19 through RSA 425:19-f are repealed and reenacted to read as follows:

**Capital Improvement Program for State Fairs**

425:19 Declaration of Purpose. The general court finds that it is in the public interest to advance, encourage, and protect agricultural fairs including the exhibition of livestock and agricultural produce of all kinds, as well as related arts and businesses. Fair exhibitions are an integral and historical part of New Hampshire that provide an opportunity to educate and promote agriculture to the general public. The state further recognizes the need to support the activities of local youth organizations like 4-H and Future Farmers of America that encourage agricultural awareness and rural economic development.

425:19-a Definitions. In this subdivision:

I. "Commissioner" means the commissioner of the department of agriculture, markets, and food.

II. "Department" means the New Hampshire department of agriculture, markets, and food.

III. "Fair" means a member in good standing of the New Hampshire Association of Fairs and Expositions which is intended to promote agriculture and support rural economic development by including a balanced variety of exhibits of livestock and agricultural products as well as related arts and businesses, including products of farm home and educational contests, displays, and demonstrations designed to train youth and to promote agricultural awareness and rural economic development and living.

IV. "Fund" means the capital improvement program grant fund for fairs established in RSA 425:19-b.

425:19-b Capital Improvement Program Grant Fund. There is hereby established the capital improvement program grant fund to be used by the department to assist fairs in the manner provided by this chapter. Only the commissioner or the commissioner's designee may approve applications and authorize disbursements from the fund. The fund shall be nonlapsing and continually appropriated to the department for the purpose of administering this chapter. Each fiscal year, the state treasurer shall transfer into the capital improvement program grant fund from the state general fund the sum of \$250,000. No transfer of general funds shall be made to the capital improvement program grant fund in any fiscal year in which the fund balance is at least \$1,000,000. Fund disbursements shall comply with RSA 425:19-g and no appropriation shall be required for disbursements.

425:19-c Capital Improvement Program; Grant Eligibility Conditions and Criteria. The following conditions and criteria shall be met by a fair to be eligible for a capital improvement program grant awarded by the commissioner. However, the commissioner may make exceptions to the above conditions and criteria. The fair applicant shall:

I. Be a non-profit association located in New Hampshire that is a full member in good standing with the New Hampshire Association of Fairs and Expositions.



II. Annually hold events that offer contests or exhibits of 4-H members and clubs, Future Farmers of America members and clubs, granges, farm crops, domestic livestock competitions, or home crafts.

III. Be managed by a board of directors who are responsible for the business affairs and operational activities and policies.

IV. Have a board of directors who are subject to and compliant with local, state, and federal laws and regulations.

V. Have a treasurer who has charge of the financial affairs of the corporation and ensures that grant funds received from a state grant are used in accordance with the applicant's proposal as approved by the department commissioner.

VI. Operate a minimum of 3 consecutive, 8-hour days per year.

VII. Submit a capital improvement project that has a minimum useful life of 20 years and shall be completed within 2 years of execution of a contract to perform work authorized by the grant.

VIII. Contribute matching funds or in-kind services in an amount equal to 15 percent or more of the value of the grant.

IX. Not have already completed the project for which the applicant seeks reimbursement.

425:19-d Capital Improvement Grant Disbursements.

I. The board of directors of a fair may apply to the department for grant award from the capital improvement program grant fund on forms provided by the department.

II. The commissioner may allocate 95 percent of the capital improvement program grant fund including fund interest to eligible applicant fairs, and distribute such funds according to merit as measured by a merit rating to be set by the commissioner. This merit rating shall take into account such factors as area and population served, youth participation, attendance, gate receipts, number and type of exhibits, community support, evidence of successful achievement of desired outcomes and purposes of the fair, extent of improvements made to grounds and facilities from year to year, rural and farming nature of the region served by the fair, and overall condition and appearance of grounds

III. Any disbursements made under this section shall be made only as a disbursement in whole or in part for capital improvement expenses incurred by the fair.

425:19-e Health or Safety Capital Improvements and Contract Requirements.

I. Subject to the availability of funds, the department may provide grant funds on a competitive basis, to support capital projects that make health and safety improvements to agricultural fairgrounds or fair facilities in order to benefit participants and the fair-going public. The rules of such competition shall be established by the department in accordance with RSA 541-A.

II. The department shall develop and manage appropriate contracts with the selected applicants, monitor project expenditures and grantee performance, report project and contract information, and exercise due diligence, and other managerial responsibilities.

III. The department shall include provisions in the contracts which require that capital improvements be held by the grantee for a specific period of time appropriate to the amount of the grant and that facilities shall be used for the express purpose of the grant.

IV. The department may use the remaining 5 percent of funds from the annual general court appropriation to the state fair capital improvements for expenses incurred in the administration of the capital improvement grant program.

V. All deadlines and times required for the capital improvement grant program administration and disbursement of funds to fairs shall occur at such times as the commissioner may prescribe.

VI. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of New Hampshire general obligation bonds issued most closely to the date of authorization of the grant.

425:19-f Rulemaking. The commissioner shall adopt rules under RSA 541-A relative to the administration of the capital improvement grant program under this subdivision.

425:19-g Report of Grants. The commissioner shall compile an annual report detailing the number of disbursements from the fund, the amount of each disbursement, what entity received the disbursement, and the purpose of the disbursement, and shall submit such report to the speaker of the house of representatives, the president of the senate, the chairpersons of the house and senate ways and means committees, the house and senate finance committees, and the house and senate committees with jurisdiction over environmental and agricultural issues, by November 1 of each year.

425:19-h Repairs. In case of partial or total destruction of the building by fire or otherwise, the commissioner may make needed repairs or replacement, with the approval of the governor and council, and may use the proceeds of any insurance.

425:19-i Records for Purpose of Audit. The commissioner of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the accounting methods to be used by each fair which could qualify for a distribution, if a distribution is made under this subdivision. Each such fair shall use the calendar year as its fiscal year for keeping the books, records and reports of its fiscal officers. The commissioner of revenue

administration is authorized to require the production of all such books, records, vouchers and other papers and documents as will enable him to make a full, accurate and complete audit. All such records shall be preserved for 3 years following the date of said audit.

425:19-j Audit of Accounts of Agricultural Fairs.

I. The commissioner of revenue administration shall annually, at the cost and expense of each agricultural fair receiving a distribution, audit all accounts of fairs receiving money under the provisions of this subdivision, and the report of each such audit, when completed, shall be submitted to the president, treasurer and clerk of each fair so audited. If, in any case, the commissioner cannot guarantee that such an audit will be completed within one year after the end of a fiscal year for which a fair received a distribution, he shall so advise the president or treasurer of the fair, whereupon the respective fair officials may hire a certified public accountant or a public accountant licensed under RSA 309-A, to conduct such an audit within one year after the close of the fair's fiscal year in accordance with generally accepted auditing standards and applicable state statutes.

II. Every audit made by the commissioner of revenue administration or an independent public accountant licensed under RSA 309-A shall include a summary of findings and recommendations regarding compliance with applicable statutory provisions of law, and the adequacy of accounting and business procedures pursued by the fair examined. Contracts executed between the agricultural fairs and the independent public accountants shall stipulate that all accounts and funds of the fair are to be audited and a report of the audit is to be prepared in accordance with this section. At the conclusion of the audit, the independent public accountant shall submit a copy of an audit report prepared pursuant to this section directly to the commissioner of agriculture, markets, and food and to the commissioner of revenue administration for review and approval as to format only.

425:19-k Failure to Keep Records. The failure to keep the books, records and papers required by this subdivision and follow such approved methods shall be considered sufficient cause for the commissioner of agriculture, markets, and food to withhold the distribution of funds provided for in this subdivision to the fair or fairs otherwise entitled to them until such books, records and papers are made available for audit and such audit made. Any funds remaining in the hands of the commissioner of agriculture, markets, and food which are not distributed because of continued failure to comply with the provisions of RSA 425:19-i shall be distributed after a period of one year, to the fairs which complied with the provisions of said section for the year in question.

2 New Subparagraph; Capital Improvement Grant Fund for Fairs. Amend RSA 6:12, I(b) by inserting after subparagraph (382) the following new subparagraph:

(383) Moneys deposited in the capital improvement program grant fund established in RSA 425:19-b.

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

**Amendment to HB 1587-FN-A  
(2022-1169h)**

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

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

1 Retirement System; Definition of Average Final Compensation. Amend RSA 100-A:1, XVIII to read as follows:

XVIII. "Average final compensation" shall mean:

(a) For members who have attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.

(b) For **group I** members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

**(c)(1) For group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012.**

*(2) For group II members who commenced service on or after July 1, 2011 and who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.*

2 Funding Source; Average Final Compensation; Group II Change; Appropriation. The total actuarial cost of the amendment to the group II determination of average final compensation as amended by section 1 of this act, shall be determined by the actuary and certified by the board of trustees of the retirement system, and shall be terminally funded from surplus funds from the state from the current biennium. The amount required for terminally funding the total actuarial cost is hereby appropriated to the board of trustees of the retirement system. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2022-1169h

#### AMENDED ANALYSIS

This bill modifies the calculation of compensation paid in excess of the full base rate of compensation under the definition of average final compensation in the retirement system for group II persons hired before July 1, 2011 who did not vest before January 1, 2012. The bill makes an appropriation to the retirement system for funding the cost of the change.

#### Amendment to HB 1598-FN (2022-1172h)

#### Proposed by the Majority of the Committee on Ways and Means – r

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

1 Purpose and Findings. The general court hereby finds that:

I. The people of the state of New Hampshire find and declare that the use of cannabis by a person 21 years of age or older should be legal and subject to reasonable regulations.

II. In the interest of the health and public safety of our citizenry, the people of the state of New Hampshire further find and declare that cannabis should be regulated in a manner similar to alcohol so that:

(a) Individuals will be required to show proof of age before purchasing cannabis, and that the state shall protect the privacy of an individual's personally identifiable information in cannabis transactions.

(b) Selling, distributing, or transferring cannabis to minors and other individuals under the age of 21 shall remain illegal.

(c) Driving under the influence of cannabis or using cannabis while driving shall be illegal.

(d) All retail cannabis stores shall be operated by the state of New Hampshire.

(e) Cannabis sold in this state shall be tested, labeled, and subject to additional regulations to ensure that consumers are informed and protected.

(f) The state of New Hampshire shall not collect any transfer tax from any cannabis cultivator or retail sales tax from any consumer.

2 New Subparagraph; Application of Receipts; Cannabis Control Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (382) the following new subparagraph:

(383) Moneys deposited in the cannabis control fund established in RSA 318-F:15.

3 Alcoholic Beverages; Statement From Purchaser as to Age. Amend RSA 179:8, I(d) to read as follows:

(d) A valid passport [~~from~~] **issued by the United States or by** a country with whom the United States maintains diplomatic relations.

4 Model Drug Dealer Liability Act; Definition of Illegal Drug. Amend RSA 318-C:4, I to read as follows:

I. "Illegal drug" means any drug which is a schedule I-IV drug under RSA 318-B, **the possession, use, manufacture, sale, or transportation of which is not otherwise authorized by law.**

5 New Chapter; Regulation of Cannabis. Amend RSA by inserting after chapter 318-E the following new chapter:

#### CHAPTER 318-F

#### REGULATION OF CANNABIS

318-F:1 Definitions. In this chapter:

I. "Alternative treatment center" means an entity as defined in RSA 126-X:1, I.

II. "Cannabis" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including cannabis concentrate. "Cannabis" shall

not include hemp, fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

III. "Cannabis accessories" or "cannabis paraphernalia" means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body.

IV. "Cannabis cultivation facility" or "cultivation facility" means an entity registered to cultivate, prepare, and package cannabis, and sell cannabis to retail cannabis stores, to cannabis product manufacturing facilities, and to other cannabis cultivation facilities, but not to consumers. A cannabis cultivation facility shall not produce cannabis concentrates, tinctures, extracts, or other cannabis products.

V. "Cannabis establishment" means a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, a retail cannabis store, a cannabis transporter, or any other type of cannabis business authorized and registered by the commission.

VI. "Cannabis product manufacturing facility" or "product manufacturing facility" means an entity registered to purchase cannabis, to manufacture, prepare, and package cannabis products, and sell cannabis and cannabis products to other cannabis product manufacturing facilities and to retail cannabis stores, but not to consumers.

VII. "Cannabis products" means concentrated cannabis products and cannabis products that are comprised of cannabis and other ingredients and are intended for personal use such as, but not limited to, creams, ointments, or tinctures. For the purpose of this paragraph, "cannabis products" shall not include cannabis-infused food or drink products including but not limited to, cannabis-infused edibles such as candies, gummies, brownies, or cookies, or cannabis-infused alcoholic or non-alcoholic drinks or beverages of any kind.

VIII. "Cannabis testing facility" or "testing facility" means an entity registered to test cannabis for potency and contaminants.

IX. "Cannabis transporter" means an entity registered to transport cannabis between cannabis establishments.

X. "Consumer" means a person 21 years of age or older who purchases cannabis or cannabis products for personal use by a person 21 years of age or older, but not for resale.

XI. "Commission" means the liquor commission, division of cannabis enforcement and licensing.

XII. "Department" means the department of health and human services.

XIII. "Disqualifying offense" means a violation of a state or federal controlled substances law that was classified as a felony in the jurisdiction in which the person was convicted, but not including:

(a) An offense for which the sentence, including any term of probation, incarceration, or supervised release was completed 5 or more years earlier; or

(b) An offense prior to the effective date of this chapter that consisted of cultivation or possession of an amount of cannabis not exceeding the possession limit.

XIV. "Immature cannabis plant" means a cannabis plant that has not flowered and that does not have buds that may be observed by unaided visual examination.

XV. "Municipality" means a city, town, or an unincorporated place.

XVI. "Possession limit" means:

(a) Four ounces of cannabis in plant form.

(b) Ten grams of concentrated cannabis, including hashish.

(c) Cannabis products containing THC purchased from a retail cannabis store which shall be limited to therapeutic use only, for which the purchaser presents documentation permitting use of cannabis for therapeutic purposes pursuant to RSA 126-X, and which shall not contain more than 2 grams of THC.

This paragraph shall not apply to the possession limits set forth in RSA 126-X:2.

XVII. "Public place" means any place to which the general public has access.

XVIII. "Retail cannabis store" or "retail store" means a state-operated facility that purchases cannabis from a cannabis cultivation facility, or purchases cannabis and cannabis products from a cannabis product manufacturing facility, and sells, transfers, and delivers cannabis and cannabis products to consumers.

XIX. "Resident" means a natural person who:

(a) Is domiciled in New Hampshire; and

(b) Has maintained a place of abode in New Hampshire for at least the past 2 years, unless the individual was homeless and residing in New Hampshire for at least 51 percent of the last 2 years.

#### 318-F:2 Personal Use of Cannabis.

I. Except as otherwise provided in this chapter, the following acts, if undertaken by a person 21 years of age or older, shall not be illegal under New Hampshire law or the law of any political subdivision of the state or be a basis for seizure or forfeiture of assets under New Hampshire law:

(a) Possessing, consuming, using, displaying, obtaining, purchasing, processing, producing, or transporting an amount of cannabis that does not exceed the possession limit, except that no adult other than one who is acting in his or her capacity as a staffer of a cannabis product manufacturer may perform extractions using solvents other than water, glycerin, propylene glycol, vegetable oil, food-grade ethanol, or carbon dioxide.

(b) Transferring an amount of cannabis that does not exceed the possession limit to a person who is 21 years of age or older without remuneration. For purposes of this section, a transfer is for remuneration if cannabis is given away contemporaneously with another transaction between the same parties, if a gift of cannabis is offered or advertised in conjunction with an offer for sale of goods or services, or if the gift of cannabis is contingent upon a separate transaction for goods or services.

(c) Transferring cannabis, including cannabis products, to a cannabis testing facility.

(d) Controlling property where the acts described under this section occur.

(e) Assisting another person who is 21 years of age or older in any of the acts described under this section.

II. No law enforcement officer employed by an agency that receives state or local government funds shall expend any state or local resources, including the officer's time, to effect any arrest or seizure of cannabis, or conduct any investigation, on the sole basis of activity the officer believes to constitute a violation of federal law if the officer has reason to believe that such activity is in compliance with this chapter, nor shall any such officer expend any state or local resources, including the officer's time, to provide any information or logistical support related to such activity to any federal law enforcement authority or prosecuting entity.

318-F:3 Personal Cultivation Prohibited. No person shall cultivate cannabis plants unless authorized by law to do so.

318-F:4 Smoking or Vaporizing of Cannabis in Public Prohibited; Penalty. No person shall smoke or vaporize cannabis in an area accessible to the public. Any person who violates this section shall be guilty of a violation, may be fined not more than \$500, and shall forfeit all cannabis and cannabis products.

318-F:5 Smoking or Vaporizing of Cannabis in a Moving Vehicle Prohibited; Penalty.

I. No person shall consume, smoke, or vaporize cannabis or knowingly permit a passenger in their motor vehicle to consume, smoke, or vaporize cannabis while operating or attempting to operate a motor vehicle on a way, or while operating or attempting to operate an off highway recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation on a way.

II. Any person who violates this section who is the operator of a motor vehicle on a way, or while operating or attempting to operate an off-highway recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation, shall be guilty of a violation, may be fined not more than \$500, and shall have his or her driver's license suspended for up to 3 months for the first offense, and shall be guilty of a misdemeanor, and may be fined not more than \$1,000 and have his or her driver's license suspended for up to 6 months, or both, for a second or subsequent offense.

III. The license suspension as described in this section shall only apply a person who violates this section and who is the operator of the motor vehicle, recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation.

IV. When determining whether a person violated an offense under the section, the issue of whether the operator of the motor vehicle is impaired shall not be an element of the offense. A person who consumes, smokes, or vaporizes or permits another to consume, smoke, or vaporize cannabis in a motor vehicle, recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation he or she is operating shall be liable under this section without regard to fault.

V. In this section, "way" shall have the same meaning as in RSA 265-A:44.

318-F:6 Cannabis Accessories Authorized.

I. Except as provided by this section, it shall not be illegal under New Hampshire law or be a basis for seizure or forfeiture of assets under New Hampshire law for a person 21 years of age or older to manufacture, possess, or purchase cannabis accessories, or to distribute or sell cannabis accessories to a person who is 21 years of age or older.

II. Except as provided by this section, a person who is 21 years of age or older, or a business entity, may manufacture, possess, obtain, and purchase cannabis paraphernalia, and may distribute, deliver, or sell cannabis paraphernalia to a person who is 21 years of age or older.

III. No person or entity shall manufacture, distribute, or sell cannabis accessories that violate reasonable regulations enacted by the commission. Any person or entity that violates this paragraph shall be guilty of a violation for a first offense and subject to a fine of up to \$1,000 and forfeiture of the cannabis accessories. A person shall be guilty of a class A misdemeanor for a second or subsequent offense and shall forfeit the cannabis accessories.

318-F:7 Regulation of Cannabis. Not later than 8 months after the effective date of this chapter, the commission shall adopt rules, pursuant to RSA 541-A relative to:

I. The registration, licensure, and regulation of all other cannabis establishments.

II. The manufacture and sale of cannabis accessories.

III. The requirements for the transportation of cannabis between cannabis establishments, including documentation that shall accompany any cannabis being transported by cannabis cultivation facilities.

IV. Procedures for the delivery of cannabis to consumers, including documentation that shall accompany any cannabis being transported to consumers.

V. Procedures for hearings on civil fines and suspensions and revocations of licenses.

VI. Reasonable security requirements for each type of cannabis establishment, which may be varied based on the size of the cannabis establishment.

VII. Health and safety rules, including regarding the packaging and preparing of cannabis products, presence of contaminants, and restricting the use of pesticides that may be dangerous to cannabis consumers.

VIII. Restrictions on the advertising, signage, marketing, and display of cannabis, including prohibiting the design of advertising, signage, and marketing that would target or appeal to minors.

IX. Labeling requirements for cannabis products, including:

(a) Mandating the disclosure of the THC content of each product.

(b) Requirements for packaging to ensure it is not designed to appeal to minors.

(c) Establishing the amount of THC that may be included in each serving of a cannabis product.

X. Requirements for the testing of all cannabis products for potency and contaminants.

#### 318-F:8 Registration Procedures for Cannabis Establishments.

I. Each application for a registration to operate a cannabis establishment shall be submitted to the commission.

II. Each application shall include both the fee established by the commission and a \$250 fee for the municipality to review the application.

III. The liquor commission shall:

(a) Accept and process applications beginning no later than May 1, 2023 for cannabis cultivation facilities, and beginning no later than August 1, 2023 for cannabis product manufacturing facilities, cannabis transporters, and cannabis testing facilities.

(b) Immediately forward a copy of each application and the municipal fee to the municipality in which the applicant desires to operate the cannabis establishment.

(c) Issue a registration to the applicant within 90 days after receipt of an application unless:

(1) The commission finds the applicant is not in compliance with the requirements of this chapter or rules adopted under this chapter;

(2) The commission is notified by the relevant municipality that the applicant is not in compliance with an ordinance adopted pursuant to this chapter and in effect at the time of application; or

(3) More qualified applicants have applied than the number of registrations available in the municipality, and the applicant was not selected.

IV. Each registration applies to a single parcel of real property. Any additional address requires a separate application and registration.

V. A renewal application may be submitted up to 90 days prior to the expiration of the cannabis establishment's registration. The renewal application shall be granted within 30 days of its submission unless the applicant has not paid the fee, the cannabis establishment's registration is suspended or revoked, or the cannabis establishment has a pattern of violations of this law, the rules issued pursuant to it, or municipal regulations.

VI. Notwithstanding RSA 126-X, an alternative treatment center registered to operate pursuant to RSA 126-X may file an application to obtain a separate registration to operate as a for profit cannabis cultivation facility, cannabis product manufacturing facility, or cannabis transporter, pursuant to this chapter. Such applicant shall comply with the same application procedures set forth in this section and shall be subject to the provisions of this chapter. If approved, the applicant may operate as an alternative treatment center pursuant to RSA 126-X, and as a cannabis cultivation facility, cannabis product manufacturing facility, or cannabis transporter, pursuant to this chapter, as a separate entity.

#### 318-F:9 Enactment of Municipal Ordinances.

I. A municipality may enact an ordinance prohibiting or limiting the number and type of cannabis establishments that may be permitted within the municipality and regulating the time, place, and manner of operation of a cannabis establishment, which is permitted within the municipality.

II. A municipality may enact an ordinance specifying the entity within the municipality that shall be responsible for reviewing applications submitted for a registration to operate a cannabis establishment within the municipality. The entity designated by the municipality shall be responsible for indicating whether the application is in compliance with municipal ordinances.

#### 318-F:10 Residency Required.

I. Except as provided in this section, any person applying for a cannabis establishment registration shall have been a resident, or shall have at least one director, officer, partner, member, or manager who has been a New Hampshire resident, for at least 3 years immediately preceding the date of application.

II. This section shall not apply to an applicant for a testing facility registration.

318-F:11 Background Checks Required.

I. A cannabis establishment shall conduct a state and federal background check prior to making a final offer of employment to a prospective manager or operator.

II. No cannabis establishment shall employ any person who has been convicted of a disqualifying offense as an officer, director, general partner, member, or manager. No person convicted of a disqualifying offense shall work as an officer, director, general partner, member, or manager of a cannabis establishment or serve on the board of a cannabis establishment.

318-F:12 Restrictions on Location. No cannabis establishment shall operate, nor shall a prospective cannabis establishment apply for a registration, if the establishment would be located within 1,000 feet of the property line of a pre-existing public or private elementary or secondary school.

318-F:13 Proof of Purchaser's Identity.

I. For the purposes of this chapter, any person or entity making the sale of cannabis or cannabis accessories to any purchaser whose age is in question may accept any official documentation listed in RSA 179:8 as proof that the purchaser is 21 years of age or older.

II. The establishment of all of the following facts by a retail cannabis store or an agent or employee of a retail cannabis store making a sale of cannabis or cannabis accessories to a person under the age of 21 shall constitute an affirmative defense to any prosecution for such sale:

(a) That the person presented what an ordinary and prudent person would believe to be valid documentation of a type listed in RSA 179:8.

(b) That the sale was made in good faith relying upon such documentation and appearance in the reasonable belief that the person was 21 years of age or older.

318-F:14 Professional License Holder Immunity.

I. A holder of a professional or occupational license shall not be subject to professional discipline for providing advice or services related to cannabis establishments or applications to operate cannabis establishments on the basis that cannabis is illegal under federal law.

II. An applicant for a professional or occupational license shall not be denied a license based on previous employment related to cannabis establishments operating in accordance with state law.

318-F:15 Cannabis Control Fund Established; Disbursement of Funds.

I.(a) There is established in the state treasury a nonlapsing fund to be known as the cannabis control fund. The fund shall be kept distinct and separate from all other funds in the state treasury, and the moneys credited to the fund shall be held distinct and separate from all other funds over which the state treasurer has control. Moneys in the fund shall be deposited with any financial institution as defined in RSA 383-A:2-201(a)(27-a), with a branch in the state.

(b) Notwithstanding any provision of law to the contrary, a financial institution with a branch within this state may provide financial services, including receiving deposits, extending credit, conducting fund transfers, or other financial services, to the state and the commission with respect to moneys credited to the cannabis control fund, any other cannabis related funds over which the state or a municipality has control regardless of the manner or fund in which such funds are held, and with respect to the funds of any private entity authorized to conduct a cannabis-related business activity pursuant to this chapter.

II. The commission shall credit all fees and civil penalties imposed under this chapter and all other related moneys received from public or private sources to the fund.

III. Beginning July 1, 2023, and each biennium thereafter, the commission shall include the cost of administration of this chapter in the commission's efficiency expenditure request pursuant to RSA 9:4. Appropriations for such costs shall be a charge against the fund.

IV. Not later than June 30, 2027, the commission shall reimburse the general fund from the cannabis control fund for any initial or start-up funds appropriated to the commission for the administration and operation of this chapter. Any remaining fund moneys shall be disbursed each fiscal year as follows:

(a) Fifty percent of remaining funds shall be disbursed annually to the department of revenue administration to be disbursed to cities and towns to offset the education tax imposed on all persons and property taxable pursuant to RSA 76:3 and RSA 76:8.

(b) Thirty percent of remaining funds shall be disbursed to the department of administrative services to be credited to the New Hampshire retirement system to offset the retirement system's unfunded accrued liability. Upon certification by the commissioner of the department of administrative services that the retirement system has no remaining unfunded accrued liability, this disbursement of funds shall be credited to the education trust fund established in RSA 198:39.

(c) Ten percent of remaining funds, or \$25,000,000, whichever is less, shall be credited to the department of health and human services, bureau of drug and alcohol services, for use in evidence-based, voluntary programs for substance use-related education, prevention, treatment, and recovery that includes mental health treatment that is contributing to substance misuse, and for scientifically and medically accurate public edu-

cation campaigns educating youth and adults about the health and safety risks of alcohol, tobacco, cannabis, and other substances, including education campaigns separately targeting youth and adults that provide medically and scientifically accurate information about the health and safety risks posed by cannabis use, including driving under the influence of cannabis.

(d) Five percent of remaining funds shall be disbursed to public safety agencies, including police, fire, and rescue agencies, for the hiring and training of additional drug recognition experts, for advanced roadside impaired driving enforcement training, and to assist in responding to drug overdose incidents.

(e) Five percent of remaining funds shall be disbursed to the department of health and human services, division for behavioral health, bureau of children's behavioral health, to be used for children's behavioral health services.

6 The Liquor Commission; Liquor Investigator Training. Amend RSA 176:9 to read as follows:  
176:9 Liquor Investigator; Training.

I. The commission may, subject to rules adopted by the director of personnel, employ and dismiss liquor investigators. Liquor investigators shall, under the direction of the commission, investigate any or all matters arising under this title. ***The commission may select and retain market consultants through a competitive bidding process approved by the governor and the executive council. Any such contract with a third-party agent shall be for consulting services relating to marketing and regulation of cannabis for purposes of cultivation, manufacturing, testing, and retail sale.***

II. Any new liquor investigator employed by the commission under this section after August 13, 1985, shall, within 6 months of employment, satisfactorily complete a preparatory police training program as provided by RSA 106-L:6, unless he or she has already completed such a program.

III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter any place where liquor, beverages, tobacco products, e-cigarettes, ***or cannabis*** are sold [or], manufactured, ***or cultivated*** at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.

7 New Paragraph; The Liquor Commission; Commission to Sell. Amend RSA 176:11 by inserting after paragraph II the following new paragraph:

III.(a) It shall be the duty of the commission to buy and have in its possession cannabis and cannabis products as defined in RSA 318-F:1 for sale in the manner provided in RSA 318-F, and to sell cannabis for therapeutic purposes as authorized under RSA 126-X. Such cannabis shall be free from adulteration and misbranding within the meaning of the provisions of RSA 146. All cannabis sold for therapeutic use shall conform to the standards and tests for such cannabis under New Hampshire law at the time of sale. All purchases of cannabis shall be made by the commission directly and not through the department of administrative services. The commission shall be subject to all the provisions of RSA 9.

(b) In the event that the commission determines New Hampshire cannabis revenues are being diverted by actions taken by persons holding any type of cannabis license, the commission may take such marketing or merchandising action, or both, as it deems necessary, including sanctions against the competing entities.

8 New Paragraph; The Liquor Commission; Rulemaking. Amend RSA 176:14 by inserting after paragraph IX the following new paragraph:

IX-a. Cannabis licenses, including:

(a) Separate licenses for cultivation, manufacturing, and testing of cannabis, and dual licenses as the commission may approve.

(b) Requirements and restrictions for each type of license.

(c) Procedures and forms to apply for or renew a license.

(d) Safekeeping of licenses.

(e) Authorized expansion of a licensed facility and procedures for authorization.

(f) Procedures to approve exceptions of license requirements, restrictions, and limitations.

(g) Training and continuing education required or recommended for licensees.

IX-b. Cannabis licensee operations, including:

(a) Procedures for on-premises and off-premises licensees to purchase cannabis.

(b) Credit and billing procedures, including fees for late payment.

(c) Bailment requirements, including fees.

(d) Restrictions on packaging, promotions, signage, and operating hours.

(e) Relations between types of licensees.

(f) Collection of additional fees required under RSA 178:6, VI, RSA 178:8, IV, and RSA 178:26.

9 Controlled Drug Act; Definitions. Amend the introductory paragraph in RSA 318-B:1, X-a(k) to read as follows:

(k) Objects used or intended for use or customarily intended for use in ingesting, inhaling, or otherwise introducing [~~marijuana,~~] cocaine[, hashish, or hashish oil] into the human body, such as:

10 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, I to read as follows:



I. Any person who manufactures, sells, prescribes, administers, or transports or possesses with intent to sell, dispense, or compound any controlled drug, controlled drug analog or any preparation containing a controlled drug, except as authorized in this chapter **or as otherwise authorized by law**; or manufactures, sells, or transports or possesses with intent to sell, dispense, compound, package or repackage (1) any substance which he **or she** represents to be a controlled drug, or controlled drug analog, or (2) any preparation containing a substance which he **or she** represents to be a controlled drug, or controlled drug analog, shall be sentenced as follows, except as otherwise provided in this section:

11 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, II to read as follows:

II. Any person who knowingly or purposely obtains, purchases, transports, or possesses actually or constructively, or has under his control, any controlled drug or controlled drug analog, or any preparation containing a controlled drug or controlled drug analog, except as authorized in this chapter **or as otherwise authorized by law**, shall be sentenced as follows, except as otherwise provided in this section:

12 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(c)-(e) to read as follows:

(c) In the case of more than 3/4 ounce of marijuana or more than 5 grams of hashish, including any adulterants or dilutants[;] **is possessed by a person who is under 21 years of age, or, in the case of an amount exceeding the possession limit defined in RSA 318-F:1 possessed by a person who is 21 years of age or older, except if possessed by a person authorized pursuant to RSA 126-X**, the person shall be guilty of a misdemeanor. [In the case of marijuana-infused products possessed by persons under the age of 21 or marijuana-infused products as defined in RSA 318-B:2-e, other than a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), that are possessed by a person 21 years of age or older, the person shall be guilty of a misdemeanor.]

(d) In the case of 3/4 ounce or less of marijuana or 5 grams or less of hashish, including any adulterants or dilutants, **that is possessed by a person who is under 21 years of age**, the person shall be guilty of a violation pursuant to RSA 318-B:2-c. [In the case of a person 21 years of age or older who possesses a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), the person shall be guilty of a violation pursuant to RSA 318-B:2-c.]

(e) In the case of a residual amount of a controlled [substance;] **drug, other than marijuana** [as defined in RSA 318-B:1, XXIX-a], a person shall be guilty of a misdemeanor if the person is not part of a service syringe program under RSA 318-B:43.

13 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) [~~Except as provided in RSA 318-B:2-c,~~] Controls any premises or vehicle where he or she knows a controlled drug or its analog, **other than marijuana**, is illegally kept or deposited;

14 Personal Possession of Marijuana. Amend RSA 318-B:2-c to read as follows:

318-B:2-c [Personal] Possession of Marijuana **by a Person Under 21 Years of Age**.

[I.] In this section:

[(a)] **I.** "Marijuana" includes the leaves, stems, flowers, and seeds of all species of the plant genus *cannabis*, but shall not include the resin extracted from any part of such plant and every compound, manufacture, salt, derivative, mixture, or preparation from such resin including hashish, and further, shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

[(b)] "Personal-use amount of a regulated marijuana-infused product" means one or more products that is comprised of marijuana, marijuana extracts, or resins and other ingredients and is intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures, which was obtained from a state where marijuana sales to adults are legal and regulated under state law, and which is in its original, child-resistant, labeled packaging when it is being stored, and which contains a total of no more than 300 milligrams of tetrahydrocannabinol.]

II. Except as provided in RSA 126-X, any person **under 21 years of age** who knowingly possesses 3/4 of an ounce or less of marijuana, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

III. Except as provided in RSA 126-X, any person **under 21 years of age** who knowingly possesses 5 grams or less of hashish, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

IV. [~~Except as provided in RSA 126-X, any person 21 years of age or older possessing a personal-use amount of a regulated marijuana-infused product shall be guilty of a violation, and subject to the penalties provided in paragraph V. Persons 18 years of age or older and under 21 years of age who knowingly possess marijuana-infused products shall be guilty of a misdemeanor.~~

V. [(a)] Except as provided in this paragraph, any person 18 years of age or older who is convicted of violating paragraph II or III[; or any person 21 years of age or older who is convicted of violating paragraph IV] shall be subject to a fine of \$100 for a first or second offense under this paragraph, or a fine of up to \$300 for any subsequent offense within any 3-year period; however, any person convicted based upon a complaint

which alleged that the person had 3 or more prior convictions for violations of paragraph II[;] ~~or III[or IV]~~, or under reasonably equivalent offenses in an out-of-state jurisdiction since the effective date of this paragraph, within a 3-year period preceding the fourth offense shall be guilty of a class B misdemeanor. The offender shall forfeit the marijuana[; ~~regulated marijuana-infused products;~~] or hashish to the state. A court shall waive the fine for a single conviction within a 3-year period upon proof that person has completed a substance abuse assessment by a licensed drug and alcohol counselor within 60 days of the conviction. A person who intends to seek an assessment in lieu of the fine shall notify the court, which shall schedule the matter for review after 180 days. Should proof of completion of an assessment be filed by or before that time, the court shall vacate the fine without a hearing unless requested by a party.

(b) Any person under 18 years of age who is convicted of violating paragraph II or III shall forfeit the marijuana or hashish and shall be subject to a delinquency petition under RSA 169-B:6.

~~[VI.] V.~~(a) Except as provided in this section, no person shall be subject to arrest for a violation of paragraph II[;] ~~or III[or IV]~~ and shall be released provided the law enforcement officer does not have lawful grounds for arrest for a different offense.

(b) Nothing in this chapter shall be construed to prohibit a law enforcement agency from investigating or charging a person for a violation of RSA 265-A.

(c) Nothing in this chapter shall be construed as forbidding any police officer from taking into custody any minor who is found violating paragraph II[;] ~~or III[or IV]~~.

(d) Any person ***under 21 years of age who is*** in possession of an identification card, license, or other form of identification issued by the state or any state, country, city, or town, or any college or university, who fails to produce the same upon request of a police officer or who refuses to truthfully provide his or her name, address, and date of birth to a police officer who has informed the person that he or she has been found to be in possession of what appears to the officer to be 3/4 of an ounce or less of marijuana[; ~~a personal-use amount of a regulated marijuana-infused product;~~] or 5 grams or less of hashish, may be arrested for a violation of paragraph II[;] ~~or III[or IV]~~.

~~[VII.] VI.~~ All fines imposed pursuant to this section shall be deposited into the alcohol abuse prevention and treatment fund established in RSA 176-A:1 and utilized for evidence-informed substance abuse prevention programs.

~~[VIII.] VII.~~(a) No record that includes personally identifiable information resulting from a violation of this section shall be made accessible to the public, federal agencies, or agencies from other states or countries.

(b) Every state, county, or local law enforcement agency that collects and reports data for the Federal Bureau of Investigation Uniform Crime Reporting Program shall collect data on the number of violations of paragraph II[;] ~~or III[or IV]~~. The data collected pursuant to this paragraph shall be available to the public. A law enforcement agency may update the data annually and may make this data available on the agency's public Internet website.

15 Alcohol or Drug Impairment; Possession of Drugs. Amend RSA 265-A:43 to read as follows:

265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly having in his or her possession or in any part of the vehicle a controlled drug or controlled drug analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her license shall be revoked or his or her right to drive denied for a period of 60 days and at the discretion of the court for a period not to exceed 2 years. This section shall not apply to the possession of marijuana or hashish as provided in RSA 318-B:2-c[; ~~or a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b)~~].

16 Appropriation; Liquor Commission. The sum of \$4,600,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the liquor commission for the cost of administration of RSA 318-F. The governor is authorized to draw a warrant for said sum from any money in the treasury not otherwise appropriated.

17 Appropriation; Department of Health and Human Services. The sum of \$150,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services to create public media and social media campaigns which would be launched prior to the availability of cannabis for purchase from a cannabis retail store to address growing false perceptions of harmlessness and the impact of cannabis use for youth, safe storage of cannabis and use around children, increased motor vehicle accident risks, increased risk of psychosis, and potential risks of use during pregnancy.

18 Repeal. RSA 318-B:1, X-a(g), relative to separation gins and sifters used or intended for use with cannabis, is repealed .

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

2022-1172h

#### AMENDED ANALYSIS

This bill:

I. Legalizes the possession and use of cannabis for persons 21 years of age and older.

II. Authorizes the liquor commission to regulate and administer the cultivation, manufacture, testing, and retail sale of cannabis statewide, and makes an appropriation therefor.

III. Authorizes alternative treatment centers registered to dispense therapeutic cannabis to register, as a separate entity, to manufacture, cultivate, or transport cannabis to the state for retail sale.

IV. Authorizes a municipality to enact an ordinance prohibiting or limiting the number and type of cannabis establishments that may be permitted within the municipality and regulating the time, place, and manner of operation of a cannabis establishment permitted within the municipality.

V. Establishes the cannabis control fund and requires funds to be distributed to the department of health and human services, bureau of drug and alcohol services, for education tax relief, public safety agency training purposes, and children's behavioral health services.

VI. Makes an appropriation to the department of health and human services to create public media and social media campaigns to address some of the risks of cannabis use.

**Floor Amendment to HB 1598  
(2022-1198h)**

**Proposed by Reps. Umberger and Major – r**

Amend RSA 318-F:15, IV(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Fifty percent of remaining funds shall be transferred to the education trust fund established in RSA 198:39. The comptroller shall notify the commissioner of the department of revenue administration of the amount of the transfer. For the purpose of setting the education tax rate under RSA 76:3, the amount of revenue required to be collected pursuant to RSA 76:3 shall be reduced by the amount transferred to the education trust fund as required in this subparagraph, and the commissioner shall set the rate at a level sufficient to generate the reduced amount. This rate shall be effective for the following fiscal year.

Amend the bill by inserting after section 17 the following and renumbering the original sections 18-19 to read as 19-20, respectively:

18 Taxation; Education Tax. Amend RSA 76:3 to read as follows:

76:3 Education Tax. Beginning July 1, 2005, and every fiscal year thereafter, the commissioner of the department of revenue administration shall set the education tax rate at a level sufficient to generate revenue of \$363,000,000, *less any amount credited to the education trust fund pursuant to RSA 318-F:15, IV(a)*, when imposed on all persons and property taxable pursuant to RSA 76:8, except property subject to tax under RSA 82 and RSA 83-F. The education property tax rate shall be effective for the following fiscal year. The rate shall be set to the nearest 1/2 cent necessary to generate the revenue required in this section.

**Amendment to HB 1160-FN  
(2022-1160h)**

**Proposed by the Committee on Finance– r**

Amend the bill by replacing section 1 with the following:

1 Medical Freedom from Immunization; Exemption for State Medical Facilities. RSA 141-C:1-a, II(e) is repealed and reenacted to read as follows:

(e) Apply to a county nursing home, the New Hampshire state hospital, or any other medical facility or provider operated by the state of New Hampshire or any political subdivision identified in paragraph I, which is subject to a valid and enforceable Medicare or Medicaid condition of participation that imposes a vaccination requirement. Such facilities or providers shall, upon the request of an individual for whom vaccination is required under federal regulations promulgated by the Centers for Medicare and Medicaid Services, grant such exemption on medical or religious grounds, subject to the conditions established in subparagraphs (1) and (2).

(1) The written request for a religious exemption shall simply state: "I, (insert requestor's name), hereby attest that I sincerely hold religious beliefs and/or engage in religious practices or observances that dictate the refusal to accept the required vaccination(s). (Insert requestor's signature and date.)" The employer shall evaluate the request to ensure that the individual submitting the request is covered under the organization's vaccine policy, that the request is submitted on the appropriate form, and that the requestor has properly signed and dated the form. The employer shall record the date upon which the request was received in accordance with company policy. The employer shall maintain the request in organization records for a period of not less than one year. The employer may deny the request for a religious exemption in cases in which there is a compelling rationale or evidence to believe the employee is acting fraudulently.

(2) The written request for a medical exemption shall include documentation as required under federal regulations promulgated by the Centers for Medicare and Medicare Services. The employer shall evaluate the request to ensure that the individual submitting the request is covered under the organization's vaccine policy, that the request is submitted on the appropriate form, and that the requestor has properly signed and dated the form. The employer shall record the date upon which the request was received in accordance with company policy. The employer shall maintain the request in organization records for a period of not less than one year.

2022-1160h  
 AMENDED ANALYSIS

This bill requires state hospitals and medical facilities to grant religious and medical exemptions from vaccination requirements, provided that any request for a medical exemption shall include the supporting documentation required by federal regulation.

**Amendment to HB 1609-FN  
 (2022-1209h)**

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

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

AN ACT relative to certain provisions of the fetal life protection act requiring an ultrasound examination.

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

1 Fetal Life Protection Act; Prohibitions; Ultrasound Examination Requirement. Amend RSA 329:44, I and II to read as follows:

I. Except in the case of a medical emergency as specifically defined in paragraph III, no abortion shall be performed, induced, or attempted by any health care provider unless a health care provider has first made a determination of the probable gestational age of the fetus. In making such a determination, the health care provider shall make such inquiries of the pregnant woman and perform or cause to be performed all such medical examinations, imaging studies, and tests as a reasonably prudent health care provider in the community, knowledgeable about the medical facts and conditions of both the woman and the fetus involved, would consider necessary to perform and consider in making an accurate diagnosis with respect to gestational age, provided, however, that the health care provider shall conduct an obstetric ultrasound examination of the patient for the purpose of making the determination. ***This paragraph shall be construed to require the performance of an ultrasound only if the provider either knows that the fetus has a gestational age of at least 24 weeks or is conscious of a substantial risk that the fetus has a gestational age of at least 24 weeks.***

II. Except in ***the case of fetal abnormalities incompatible with life, or*** a medical emergency as specifically defined in paragraph III, no health care provider shall knowingly perform, induce, or attempt to perform an abortion upon a pregnant woman when the probable gestational age of her fetus has been determined to be at least 24 weeks or in the absence of a determination by a health care provider pursuant to paragraph I as to the fetus' probable gestational age.

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

2022-1209h  
 AMENDED ANALYSIS

This bill provides an exception from the prohibition on abortion after 24 weeks in cases of fetal abnormalities incompatible with life and construes the ultrasound requirement for purposes of determining the gestational age of the fetus.

**Amendment to HB 1624-FN-A  
 (2022-1166h)**

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

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

1 New Paragraph; Department of Education; Duties of Commissioner. Amend RSA 21-N:4 by inserting after paragraph X the following new paragraph:

XI.(a) Reviewing, at least every 2 years, and updating as necessary, the consolidated state plan to ensure that sufficient funds are used to encourage and establish unified co-curricular activities in schools that currently have no unified program. Each first year of a biennium the department may expend up to \$50,000 for distribution to school districts for the primary purpose of funding first-year operational expenses of equipment and/or uniforms only for unified co-curricular activities. The amount of any grant shall be no more than \$4,000 per program. Any funds remaining shall be distributed in the next year to school districts with existing unified co-curricular programs to fund grants to replace existing equipment and/or uniforms for existing unified co-curricular programs.

(b) The department shall include in its efficiency expenditure request under RSA 9:4 sufficient funds for the continued operation of its duties under this paragraph.

(c) Beginning in fiscal year 2027 and every 5 years thereafter, the department shall conduct an efficiency review of the programs and expenditures under this paragraph and shall make recommendations to the legislature as needed.

(d) The commissioner may adopt rules under RSA 541-A for the administration and oversight of unified co-curricular activities in schools.

2 Appropriation; Department of Education; Unified Co-Curricular Program Support. For the fiscal year ending June 30, 2023, the sum of \$50,000 is appropriated to the department of education for distribution to school districts for the primary purpose of funding the first-year operational expenses of equipment and/or uniforms only for unified co-curricular activities in accordance with RSA 21-N:4, XI. Any funds remaining shall be distributed to school districts with existing unified co-curricular programs to fund grants to replace existing equipment and/or uniforms for existing unified co-curricular programs, and shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect September 1, 2022.

**Amendment to HB 1627-FN-A  
(2022-1163h)**

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

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

AN ACT establishing an education freedom account program administrator in the department of education and making an appropriation therefor, and relative to the school meals direct certification with Medicaid program.

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

2 Appropriation. The sum of \$115,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of education, division of learner support, for the position of education freedom account administrator as established in RSA 21-N:6-b. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

3 New Section; Application for Medicaid Direct Certification Program. The department of education shall seek participation in the Demonstration Projects to Evaluate Direct Certification with Medicaid administered by the United States Department of Agriculture (USDA). The department of health and human services shall assist the department of education as needed in pursuing and implementing this new direct certification methodology.

4 Effective Date.

I. Sections 1 and 2 of this act shall take effect July 1, 2022.

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

2022-1163h

AMENDED ANALYSIS

This bill establishes the position of education freedom account administrator in the department of education, division of learner support, and makes an appropriation to the department for the position. The bill also requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program.

**Amendment to HB1646  
(2022-0808h)**

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

Amend RSA 195:19-a as inserted by section 1 of the bill by replacing it with the following:

195:19-a Composition of Cooperative School Boards. The ~~[number, composition,]~~ method of selection~~;~~ and terms of members of cooperative school boards shall be as provided in the bylaws or articles of agreement of the cooperative school district, as the case may be; provided, however, that such bylaws and articles of agreement shall be limited ~~[to the alternatives contained herein where applicable; and provided further that no cooperative school district in existence on August 22, 1971 shall be required to conform hereto unless it is so voted pursuant to RSA 671:9:]~~ **by the following requirements:**

I. ~~[All members of the cooperative school board shall be elected at large; or~~

H. ~~The cooperative school district shall be divided into single board member districts according to population with as nearly equal population in each district as possible; or~~

III. ~~The cooperative school district shall be divided into multiboard member districts or a combination of single member or multimember districts so that proportional representation will be most nearly achieved; or~~

IV. ~~The members of the cooperative school board shall each be domiciled in and represent a pre-existing district with each pre-existing district having at least one such resident representative [but] and all members of the cooperative school board shall be elected [at large; or]~~ **within their own district.**

V. ~~Such other method of selection of cooperative school board members compatible with proportional representation, one-man one-vote principle as may be approved by the state board of education:]~~

VI. ~~II.~~ The terms of the members of the cooperative school board shall be as provided in the bylaws or articles of agreement provided that in no case shall such terms exceed 3 years.

VII. ~~III.~~ Whenever the bylaws or articles of agreement provide for the election of cooperative school board members pursuant to this chapter, said election shall be with the use of the non-partisan ballot system under RSA 669.

**Amendment to HB 1647-FN  
(2022-1171h)**

**Proposed by the Majority of the Committee on Finance – r**

Amend RSA 458-C:2, X as amended by section 1 of the bill by replacing it with the following:

X. “Self-support reserve” means 115 percent of the federal poverty guideline for a single person living alone, as determined annually by the United States Department of Health and Human Services.

2022-1171h

AMENDED ANALYSIS

This bill revises the child support guideline percentages, defines a shared parenting plan, establishes a new formula for the calculation of child support in cases involving shared parenting plans, and permits the court to modify the presumptive child support amount as justice and the best interest of the child may require.

**Amendment to HB 1661-FN-LOCAL  
(2022-1173h)**

**Proposed by the Committee on Finance – r**

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

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

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

6 New Legislative Parking Garage; Razing of Department of Justice Building Located at 33 Capitol Street and Storrs Street Legislative Parking Garage; Appropriation. The sum of \$35,000,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the legislative branch for the purpose of designing, planning, and constructing a new legislative parking garage and razing the existing Storrs Street legislative parking garage and the department of justice building located at 33 Capitol Street. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. The appropriation shall not lapse.

7 Effective Date.

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

II. The remainder of this act shall take effect June 30, 2022.

2022-1173h

AMENDED ANALYSIS

This bill requires sending district schools and career and technical education (CTE) centers to enter into an agreement to include scheduling, access, transportation, and credits for CTE students. The bill also makes an appropriation to the legislative branch for a new legislative parking garage and for razing the department of justice building and the Storrs Street garage.

**Amendment to HB 1662-FN  
(2022-1134h)**

**Proposed by the Committee on Finance– r**

Amend RSA 126-A:101, I as inserted by section 2 of the bill by replacing it with the following:

I. For each information technology system that contains personal information, the department shall conduct a written risk assessment and mitigation remediation plan in the form of a privacy impact assessment. Amend the bill by replacing section 3 with the following:

3 Data Privacy and Information Technology Security Governance Board; Specialized Employees Authorized; Appropriation.

I. The department is hereby authorized to establish 2 full-time, permanent employees to support and conduct the required data privacy and information technology security assessments, as well as manage the implementation of mitigation efforts and other necessary updates.

II. The qualifications of the 2 employees shall include privacy certifications, information systems expertise, and project management and communications experience. Certifications may be deferred for up to 2 years post-hiring.

III. The 2 employees shall be classified, full time employees who shall work on assisting in implementing the objectives of the data privacy and information technology security governance board, conducting the privacy assessment and mitigation plan, and other, related data privacy and information technology security activities in the department of health and human services. The classification shall be business systems analyst II, labor grade 30, step 5. The sum of \$137,480 in general funds for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of funding 2 business

systems analyst II positions for the purpose of implementation of this act. The governor is authorized to draw a warrant for said amounts out of any money in the treasury not otherwise appropriated. The department is authorized to accept and expend matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

IV. The department is authorized to use contract support available from funds prior to July 1, 2023.

**Amendment to HB 1682-FN-A  
(2022-1099h)**

**Proposed by the Committee on Finance – r**

Amend the bill by replacing section 11 with the following:

11 Appropriation. The sum of \$175,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the police standards and training council. Such appropriation shall be used for the purpose of hiring one full-time staff attorney and 2 full-time investigators. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

**Amendment to HR15  
(2022-0131h)**

**Proposed by the Committee on State-Federal Relations and Veterans Affairs – r**

Amend the bill by replacing the third paragraph after the resolving clause with the following:

That the house clerk forward copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the New Hampshire congressional delegation, the Ambassador of the People's Republic of China to the United States, and the Taipei Economic and Cultural Representative.

**SESSION DAY LOGISTICS  
March 31st, 2022**

**PARKING**

All legislators should park where they are assigned to park. Those with assigned street spaces should only park in the space assigned to them. Only those with assigned LOB garage spaces will be permitted to access the LOB garage. All others should park in the Storrs Street garage. There will be a shuttle operating to bring legislators from the Storrs Street garage to the State House. The shuttle will pick up and drop off passengers at the ground level of the garage.

**HEALTH SELF-SCREENING**

Members are recommended to utilize the antigen self-tests provided by the General Court prior to attendance. Test kits were mailed in advance. To provide you with the timeliest results, the test should be administered as close to session day as possible. You do not need to report your results to the General Court. However, if your test is positive, please stay home and immediately follow [NH DHHS guidelines for isolation](#).

All attendees are asked to [screen themselves](#) prior to arrival at the State House 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.

Do you share a household with someone who is suspected or confirmed to have COVID-19 in the prior 10 days and are unvaccinated?

Any Non-Member with a positive answer to any of the above questions is not to attend the House session. Any Member with a positive answer to the above questions are recommended not to attend the session..

**LEAVING/RETURNING TO REPS HALL**

Following past practice, Members may leave the hall and monitor debates in via audio feeds in other rooms\*, the House Gallery, the anteroom, or via live stream on their mobile device at a place of their choosing within close proximity of the chamber.

Those choosing to view the livestream video via the internet should take into account that there is a delay of up to 30 seconds.

Roll call and division votes will be announced by the Speaker over the PA system and by the Sergeant at Arms staff in the hallways. Members are asked to return to their seats as quickly as possible in order to vote using the buttons at their assigned seats.

To the best of his ability, the Speaker will announce when the debate has come to the last speaker on a bill so members may begin returning to the chamber before the roll call or division vote is called.

Pursuant to House Rule 22, no member shall vote in any case if the member is not present [in the chamber] when the question is put. Pursuant to House Rule 24, no member shall leave his or her seat while the voting machine is in use and until the Speaker announces the result of the vote.

Members should not participate in voice votes from the gallery, which is not part of the chamber, and would violate House Rule 22.

*\*Rooms other than the gallery and anteroom that have a live audio feed include the House Democratic Office (Room 307), House Majority Office (Room 313), Speaker's Reception Office (Room 312), Webster Conference Room (Room 308), Legislator Lounge (Rooms 122-123).*

### **MASKS USAGE AND AVAILABILITY**

Members are recommended to wear face masks. There is no mask requirement anywhere in the State House complex. N-95 and regular disposable masks will be made available to Members in the anteroom.

### **PUBLIC AND PRESS ACCESS**

The event will be live-streamed, and the link to watch the event live will be posted on the General Court website. The House Gallery will be open.

The platform located in the back part of the House Chamber is reserved for members of the press only. Please note, State House reporters will be accommodated first in case of space availability. Camera operators may use the end aisles to get close up photos, but may not be stationed there. Members of the press will not be allowed to set up on either end aisles or directly behind Members. No member of the press may interact with House Members on the Chamber floor.

### **HVAC/VENTILATION**

The HVAC system in Representatives Hall was replaced and updated in 2019. It has an air exchange rate that meets or exceeds indoor air quality standards. It uses MERV-13 filtration. The General Court will supplement the HVAC system with portable HEPA/ UV-C air filtration units like those that are used in the Legislative Office Building. Additional portable units will be located in the anteroom.

### **ADDITIONAL MITIGATION EFFORTS**

Hand sanitizer and disinfectant wipes will be stationed throughout the anteroom. Frequent hand hygiene is recommended especially after restroom use and before eating. Touchpoint disinfection will be employed throughout the day.

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*Should there be any Americans with Disabilities Act (ADA) requests for accommodations specific to attendance in Representatives Hall, 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](mailto:Jennifer.Becker@leg.state.nh.us).*