



State of
New Hampshire

HOUSE RECORD

First Year of the 168th General Court

Calendar and Journal of the 2023 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 45

Concord, N.H.

Friday, February 10, 2023

No. 11

Contains: Amendments; Bills Laid on Table; Committee Reports; Floor Amendments;
House Deadlines; Meetings and Notices; Revised Fiscal Notes.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on Tuesday, February 14th at 10:00 a.m. for session. We will then meet in Joint Convention with the Senate at 1:00 p.m. for the purpose of hearing Governor Sununu's budget address. Following the budget address, we will continue our regular session for the purpose of acting on additional House bills.

The House will meet on Thursday, February 23rd in order to meet our deadline to act on House bills going to a second committee. Also, please continue to hold Wednesday, February 22nd as a likely session day. Next week's calendar will have our finalized schedule for that week.

During the week of February 27 - March 3, which coincides with most New Hampshire schools' winter recess, we will have no House session. It will be a committee-by-committee decision to limit meetings or keep their meetings to public hearings only. Curtailed scheduling is contingent upon committees being on or ahead of schedule.

For planning purposes, please hold Thursday, March 9th, Tuesday, March 21st and Wednesday, March 22nd as possible session days. The House will meet for session on Thursday, March 23rd.

Pursuant to Mason's Manual of Legislative Procedure Sec. 575 (m) and the State House Conduct Policy, the Speaker of the House has exclusive authority to manage and supervise the legislative chamber, gallery, and anteroom, which includes controlling the distribution of materials in your anteroom mailboxes. Please be advised that there were materials distributed in mailboxes recently that were not authorized by me as Speaker. Anyone wishing to distribute materials in mailboxes should contact the Speaker's Office for authorization in advance.

Pursuant to House Rule 44(d), if any House business is canceled due to inclement weather, notice will be posted on the General Court website at gencourt.state.nh.us. In addition, email notification will go out to affected committees and staff.

State offices will be closed on Monday, February 20th in observance of President's Day.

Sherman A. Packard, Speaker of the House

NOTICE

Meetings of the chairs and vice chairs are scheduled for every Tuesday morning from 9:15 a.m. - 9:45 a.m. in Rooms 305-307 of the Legislative Office Building.

NOTICE

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

CLOSES AT 3:00 p.m. ON:

Wednesday, February 15, 2023
Wednesday, February 22, 2023
Wednesday, March 1, 2023

AVAILABLE ON:

Friday, February 17, 2023
Friday, February 24, 2023
Friday, March 3, 2023

Paul C. Smith, Clerk of the House

NOTICE FROM THE CLERK

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

Paul C. Smith, Clerk of the House

2023 HOUSE DEADLINES

Thursday, February 16, 2023	Last day to report HBs going to a second committee
Thursday, February 23, 2023	Last day to act on HBs going to a second committee
Thursday, March 16, 2023	Last day to report all HBs not in a second committee, except budget bills
Thursday, March 23, 2023	Last day to act on HBs not in a second committee, except budget bills
Thursday, March 30, 2023	Last day to report all remaining HBs Last day to report list of retained HBs
Thursday, April 6, 2023	CROSSOVER Last day to act on all bills
Thursday, May 11, 2023	Last day to report Senate Bills going to a second committee
Thursday, May 18, 2023	Last day to act on SBs going to a second committee
Thursday, June 1, 2023	Last day to report all remaining SBs Last day to report list of retained SBs
Thursday, June 8, 2023	Last day to act on SBs
Thursday, June 15, 2023	Last day to form Committees of Conference
Thursday, June 22, 2023	Last day to sign Committee of Conference reports (4 p.m.)
Thursday, June 29, 2023	Last day to act on Committee of Conference reports

NOTICE

Please note that all streaming videos of standing committee meetings and joint committees can be found at the NH House of Representatives YouTube channel. The link to the YouTube channel:
www.youtube.com/c/NHHouseofRepresentativesCommitteeStreaming

BILLS LAID ON TABLE

HB 148, to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding. (Pending question: Inexpedient to Legislate.)

HB 295-FN, relative to requiring all selectboard and school board meetings to be recorded and broadcast live online. (Pending question: Inexpedient to Legislate.)

TUESDAY, FEBRUARY 14

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 200, relative to choice of counselor to evaluate a child in family court proceedings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Children and Family Law. This bipartisan bill recognizes how it only makes sense to have, when possible, the parents and child in agreement with each other in the selection of the child's counselor. **Vote 15-0.**

HB 404, relative to support contempt hearings. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Long for Children and Family Law. This bill simply repeals RSA 461-A:14, XVIII and places the language in section I, moving the current section I to I-a. The sponsor was absent so the committee wasn't aware of the purpose for the proposed bill. **Vote 14-0.**

HB 411-FN, relative to mediation of cases involving children. **INEXPEDIENT TO LEGISLATE.**

Rep. Cassandra Levesque for Children and Family Law. The committee finds there will be a lot of problems with repealing mediation. The reason behind mediation is so both parties can reach agreements. The court recommends/ orders mediation only when necessary, and repealing this will cause a back-up in the court system. **Vote 13-0.**

HB 547-FN, relative to rebuttable presumptions of sole custody determinations. **INEXPEDIENT TO LEGISLATE.**

Rep. Maria Perez for Children and Family Law. The committee feels there was not enough information and the testimony provided showed it is hard to prove domestic violence. This goes along with the timeline needed and would be difficult to create a parenting plan with a restraining order in place. **Vote 14-0.**

HB 600-FN, relative to temporary orders for parental rights and responsibilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Heather Raymond for Children and Family Law. The committee voted unanimously to find this bill Inexpedient to Legislate based on conflicts with existing RSAs. This bill is not required. **Vote 14-0.**

HB 635-FN, relative to court ordered counseling in parenting plans. **INEXPEDIENT TO LEGISLATE.**

Rep. David Bickford for Children and Family Law. The majority feels the parenting plan statute has worked very well. It has introduced structure for separating parents to resolve issues that are likely to crop up in their future. The court reported it to be a productive tool. **Vote 13-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 143, relative to wiretapping to record conversations related to domestic violence. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. This bill would have allowed a person to make an audio or video recording without the consent of the person being recorded for obtaining evidence. While the committee overwhelmingly agreed with the sentiment behind the proposed legislation, the committee felt that the language as written might do more harm than good. The New Hampshire Domestic Violence Coalition did not support this bill, as they felt that it potentially exposed victims to having it used against them by abusers. **Vote 18-1.**

HB 291-FN, relative to false reports to certain departments. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. This bill would have established a criminal penalty making any person who knowingly makes a false statement or complaint against a business owner to a state department for the purpose of harassing or damaging the reputation of the licensee or business owner guilty of a class A misdemeanor. While the committee agrees making any false reports is unacceptable, there is no way to prove a person had malice or intentions of harassment. We heard testimony that the departments give each complaint due process. The committee unanimously agrees that acts of revenge may be better handled by individual attorneys rather than creating a criminal penalty. **Vote 20-0.**

HB 292-FN, establishing a criminal penalty for theft by a public servant. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. This bill would have established a criminal penalty and created a right of action against any public servant who serves on the governing body of a municipality, who authorizes or attempts to authorize a defense to any legal claim or action against the municipality except in a public or non-public session. While the committee agrees every elected official should hold themselves to the highest standard and not participate in any illegal activity, creating a right of action against board members would destroy local control. Additionally, the committee agreed there may be other avenues of bringing awareness to the residents of any suspected misconduct. **Vote 20-0.**

HB 302-FN-A, relative to including education in the United States Constitution, the Bill of Rights, and the New Hampshire constitution for New Hampshire law enforcement. **INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Mannion for Criminal Justice and Public Safety. This bill requires the police standards and training council to provide each candidate for a law enforcement position with a minimum of 8 hours of education on the United States Constitution and the Bill of Rights and 8 hours of training on the New Hampshire constitution as a condition of graduation. While we believe this bill has good intentions, the police standards and training council already provides this training and, in some cases, exceeds the hourly requirements referenced in this bill. **Vote 20-0.**

EDUCATION

HB 102-LOCAL, requiring high schools to include instruction on the nature and history of communism. **INEXPEDIENT TO LEGISLATE.**

Rep. Alicia Lekas for Education. This bill requires school boards and governing boards of private schools to include at least one hour of instruction on the nature and history of communism for high school graduation. The majority felt this was vague and inadequate for the subject matter. An amendment was introduced to fix this problem but did not pass. **Vote 17-3.**

HB 103, relative to school board member qualifications. **INEXPEDIENT TO LEGISLATE.**

Rep. Mike Belcher for Education. The committee noted concerns regarding the 60-day timeline to implementation resulting in potential vacancies on boards, necessitating impromptu elections; and the possible outsized effect on small districts with many relatives in various positions. The committee expressed that existing laws against corruption and requiring transparency, as well as recusals where necessary, coupled with the say of voters in elections for school boards, adequately addresses the purpose of this bill. **Vote 20-0.**

HB 334-FN, relative to determination and cost of state adequate education. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for Education. This bill would increase the base adequacy grant to equal one-half of the statewide average cost per pupil, costing over \$700 million per year. While this is a well-intentioned bill to increase adequacy, with the elimination of differentiated aid, some students and communities in need will be negatively impacted. **Vote 20-0.**

HB 364-FN, relative to transportation for students attending career and technical education centers. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. Under current law, school districts that send students to a Career Technical Education (CTE) Center are reimbursed by the state at the rate of 10 cents per pupil per mile for a bus or 25 cents per pupil per mile for self-transportation if a bus is not available. This transportation reimbursement formula is inadequate, and results in local districts having to pay the lion's share of transportation costs. For example, several years ago, the total state reimbursement to sending school districts amounted to \$680,000, but the actual cost incurred by those districts was closer to \$2,680,000. One of the reasons that sending district student enrollment at receiving CTE centers has been limited, is due to insufficient transportation funding. All students need this opportunity, as CTE programming is highly successful and all participating high school graduates who graduate from a CTE center exit with a career skill, 70% go on to post-secondary education, and the achievement scores of CTE graduates are high. In the previous biennium, legislation was passed stating that sending districts shall receive "full" reimbursement for transportation; however, full reimbursement at 10 cents remains inadequate. This bill authorizes the department to develop a transportation reimbursement formula using and based upon: type of vehicle, mileage, and number of trips made to the CTE center. State aid is, therefore, not dependent upon the number of students riding on a particular bus. A formula such as this is used in Kansas and other states as well. **Vote 20-0.**

HB 365, relative to a statewide facility condition assessment for school buildings. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. This bill encourages school districts to provide the Department of Education (DOE) with long-range capital improvement program reports that identify current projected school facility goals and needs for the 10-year plan as stated in RSA 198:15-a, V. Both the department and the legislature will use report information to better plan, prioritize, and project anticipated capital construction and renovation expenditures relative to the state building aid program. It is understood that NH's student population has decreased significantly in the past 15 years, from a population over 210,000 to a population approximating 164,000; however, the need for new construction or renovation projects remains a high priority for many districts. Over 50% of NH's school buildings are over 60 years old. Seven of these schools are over 68 years old and have not had a major renovation in more than 50 years. Student achievement is also linked or associated with schools that have appropriate and adequate space: nursing, science labs, cafeteria space, gym, storage, conferencing, media/library, special education, and more. The state has also just finished a prolonged 10-year school building moratorium that has resulted in a backlog of districts anticipating state school building aid support. To compound the issue, most of the older schools and schools with significant health, safety, and access concerns are located in areas of greatest poverty. For the upcoming biennium, the DOE has received 17 building aid requests that total \$564.3M, of which the state's share would be \$227.7M. School building aid needs legislative attention, and this bill is a step forward in providing a more thorough understanding of statewide school building construction and renovation projects that require legislative focus and support in the next 10 years. This bill is supported by DOE and has the unanimous, bipartisan support of the Education Committee. **Vote 20-0.**

HB 424-FN, relative to school lunch payment policies. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education. This bill would require school boards that provide free or reduced cost meals to refrain from certain actions that could stigmatize a child who requests such a meal. When asked during the hearing process where and if these certain activities that could stigmatize a child are occurring, no factual information as to where and if this is a statewide concern was provided the committee. The committee was informed that students not having a meal are provided a meal, regardless of not having payment at the time. Policy is a local control responsibility, and the Education Committee unanimously recommends Inexpedient to Legislate. While discussing this bill, the committee did receive input from districts that collecting later reimbursement for meals is sometimes very difficult to collect, and in the rare occasion has resulted in debt collection activity. **Vote 20-0.**

HB 435, relative to relief aid calculation in determining grants for adequate education. **OUGHT TO PASS.** Rep. Glenn Cordelli for Education. This bill increases the amount for relief based upon eligibility for free or reduced priced school meals and adjusts the grants by changes in the consumer price index as determined pursuant to RSA 198:40-d. **Vote 20-0.**

HB 466, relative to water bottle filling stations in schools. **OUGHT TO PASS.**

Rep. Valerie McDonnell for Education. This bill is a request from the Department of Education. As passed last year, the water bottle filling station bill provides rule-making authority to the State Board of Education. Rule-making is not required as the content of statutory language makes the need for administrative rules unnecessary. **Vote 19-0.**

HB 501, relative to ages for special education services. **OUGHT TO PASS.**

Rep. Alicia Lekas for Education. This is a clean-up bill. Last year we brought NH special education law into alignment with federal law. Federal law states services must be provided until age 21 inclusive, meaning throughout their 21st year. This particular piece of special education law was accidentally missed and does not say inclusive. This bill fixes that. **Vote 20-0.**

HB 578-FN, establishing the position of reporting administrator in the department of education. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education. This bill would establish a new position within the Department of Education and make an appropriation of \$165,000 in FY24 and \$145,000 in FY25. Although this position may assist the department in developing policies and procedures for collecting information from districts as may be required, the committee unanimously recognizes that there are other department positions that have previously been approved by the legislature that remain unfilled. If new personnel funding is available, the committee recommends that the use of these funds be prioritized wisely based upon department and student performance needs. **Vote 19-0.**

ELECTION LAW

HB 101-FN, relative to requiring voters declare a party affiliation prior to a state primary election. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. This bill removes the ability of undeclared voters to cast a ballot in a partisan, primary election and requires them to set a registration four months before the contest. Current law allows the individual political parties to make this change on their own and the committee did not find it prudent to remove that choice at this time. **Vote 19-0.**

HB 259, relative to a study about making working at polling places on election day a civic responsibility and legal obligation for citizens. **INEXPEDIENT TO LEGISLATE.**

Rep. Aidan Ankarberg for Election Law. This bills creates a committee to study making working at polling places a civic responsibility. The Secretary of State spoke of an independent effort to entice veterans to fill these roles and his office does not believe the bill is needed at this time. **Vote 20-0.**

HB 482-FN, requiring the use of ballots with embedded security, traceability, and relative to the chain of custody for ballots cast in elections. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph Boehm for Election Law. This bill requires the use of ballots with embedded security and traceability. This goes beyond the necessity of what is needed in elections. Accountability is needed, and that is verified by comparing the count of the number of ballots either by machine or persons versus the number of people that voted. The number of absentee ballots received may not equal the number of absentee ballots requested, but they have to agree with the number that received. This bill is not necessary. **Vote 19-1.**

HB 599-FN, relative to requiring an audit of the November 2022 election results. **INEXPEDIENT TO LEGISLATE.**

Rep. Clayton Wood for Election Law. This bill establishes an audit of the November 2022 election results for offices for Governor, United States Senate, and United States Congress for 15 New Hampshire towns. This audit requires a forensic election audit be completed within three months of the passage of this bill. This bill also establishes an Election Audit Fund which shall be administered by the Secretary of State. The committee had concerns about the scope of the bill. The authorization of an unidentified audit technical lead developing a process to be determined and involving 15 towns in forensic audits brings up cost concerns, especially when compared to the time and money spent on the Windham audit. We already have an audit process going forward and this bill is not needed. **Vote 19-1.**

ENVIRONMENT AND AGRICULTURE

HB 79, relative to the authority of the commissioner of the department of agriculture, markets, and food to inspect apples. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. The original bill sought to remove the Department of Agriculture, Markets and Food's authority to inspect apples from RSA 434. The department testified that they no longer inspect apples under that authority. The federal Food Safety Modernization Act made that paragraph obsolete. The committee felt that it would be better to assess the relevant statutes for all elements that need updating rather than remove one obsolete passage. The amendment, which replaces the entire bill, creates a study committee to review RSA 426 and RSA 434 for necessary updates. **Vote 20-0.**

HB 128-FN, relative to repealing state seed labeling license requirements. **INEXPEDIENT TO LEGISLATE.** Rep. Jim Creighton for Environment and Agriculture. The Environment and Agriculture Committee recommends this bill as Inexpedient to Legislate because the testimony of state representatives and private organizations indicated that there was no need for this change. There was no other testimony indicating that a change was necessary. The committee agreed unanimously that this bill was not required. **Vote 20-0.**

HB 138, relative to the oversight of the commissioner of the department of agriculture, markets, and food. **OUGHT TO PASS.**

Rep. Molly Howard for Environment and Agriculture. This bill repeals provisions for an eliminated clerical position for a discontinued program for contagious equine metritis and removes statutory language per the request of the Department of Agriculture, Markets and Food. **Vote 20-0.**

HB 152, relative to soil and plant additives. **OUGHT TO PASS.**

Rep. Nicholas Germana for Environment and Agriculture. This bill changes the title of RSA 431 to "Soil and Plant Additives," and provides a statutory definition of soil and plant additives consistent with the chapter. The bill also gives the Commissioner of Agriculture, Food and Markets the authority to determine the collection fee to be applied in the case of delinquent fertilizer inspections fees by rule. The bill removes the one-ton limit on the amount of fertilizer a consumer must purchase before being eligible to receive for a refund in the event that the purchased fertilizer is determined to be deficient, and empowers the Commissioner of Agriculture, Food, and Markets to determine the market value of the fertilizer that has been found deficient in order to determine the amount of money to refund to the consumer. **Vote 20-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

CACR 1, relating to the governor. Providing that there be a lieutenant governor who shall assume the duties of the governor if the governor is incapacitated. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This constitutional amendment concurrent resolution establishes the office of lieutenant governor and changes succession provisions in the event a governor is unable to perform the duties of the office. Instead, believing that the vision of the framers of the New Hampshire Constitution has proven itself over the centuries, the strong majority of the committee chooses to retain the structure laid down by the framers regarding the office of the chief executive, and how, in the case of incapacitation, that officer is to be replaced. Just as, being wary of gubernatorial overreach, our founders checked the authority of the chief executive through a power sharing executive council, they also established no lieutenant governor, and turned to the legislature, calling upon the senate president to replace the governor in case of incapacitation. This had, and still has, the virtue of being extremely thrifty. This arrangement has functioned beautifully over two centuries, and the committee majority sees no compelling reason to abandon it for a potentially pricey growth in state government. Additionally, the proposed implementation of this new office was ill-defined and of questionable workability. **Vote 20-0.**

HB 109, relative to the occupational therapy practice act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tony Lekas for Executive Departments and Administration. This bill as amended updates the occupational therapy practice act concerning the licensing of occupational therapy. It was last updated 22 years ago and since that time the American Occupational Therapy Association (AOTA) has updated the language used to describe the scope and practice of the profession. Most of the changes don't really change the practice or regulation. They update the language to what is currently in use. There is one substantive change. It removes the requirement of a medical referral for occupational therapy. That requirement limits access in environments without doctors. This includes occupational therapy in schools for those with disabilities, on site ergonomic consultations to prevent workplace injuries, and many others. The amendment also makes it clear that professions that are separately licensed, such as recreational therapists, may engage in the practice they are licensed for without also requiring a license as an occupational therapist. **Vote 19-0.**

HB 193-FN, relative to administration of the New Hampshire retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tony Lekas for Executive Departments and Administration. This bill was requested by the New Hampshire Retirement System (NHRS). This bill as amended cleans up a number of internal inconsistencies, duplications, ambiguities, and no longer valid references in the statutes setting up the NHRS. When the section clarifying ambiguities in the statute, which defines how the NHRS handles the case where two teachers share

the same job was drafted, an assumption was made that the sharing was done by days. For example, two teachers might work alternating days, each working 50% of the job. However, the committee learned that in some cases the sharing was done by parts of a day. For an example, one teacher might work mornings and the other afternoons. The committee also learned that not all such sharing was exactly 50/50. The amendment updates the bill to properly deal with such situations. **Vote 20-0.**

HB 266, relative to notice and public access requirements for hybrid and virtual agency public comment hearings for rulemaking. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill clarifies requirements for hybrid and virtual agency meetings now that the emergency orders regarding this matter have been lifted. The bill codifies what should be happening to assure proper notice and public access requirements. **Vote 19-0.**

HB 337-FN, relative to directing the office of professional licensure and certification to provide notice of public meetings and an opportunity for comment from the public. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill is intended to give more notice and transparency to interested parties and the public regarding public meetings of all entities within the Office of Professional Licensure and Certification (OPLC). It specifies two weeks notice before meetings and how materials should be provided to the public. The amendment corrects an RSA cited in the original bill, which negates the fiscal note on that version, and clarifies language in the bill which satisfies both the sponsor's goal of more transparency while protecting certain information that the OPLC is obliged to keep confidential. **Vote 20-0.**

HB 391, relative to the department of health and human services and the department of environmental services data sharing and memorandum of agreement. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill confirms a memorandum of understanding between the Department of Health and Human Services (DHHS) and the Department of Environmental Services (DES). As amended, the bill updates the term of memorandum of understanding, versus an agreement, and reduces the amount of reporting from 6 months to 1 year. Lastly the bill includes the commission on the environmental and public health impacts of per- and poly- fluoroalkyl substances established in RSA 126-A:79-a. **Vote 19-0.**

HB 409-FN, relative to nonresident licensure by the board of barbering, cosmetology, and esthetics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. As amended this bill allows those with a non-resident license the ability to get a NH license from the Board of Barbering, Cosmetology, Esthetics providing that their current license is in good standing and relates to the existing board rules. **Vote 19-0.**

HB 519-FN, relative to establishing a chief information security officer for the department of information technology. **OUGHT TO PASS.**

Rep. Tony Lekas for Executive Departments and Administration. This bill would create the position of chief information security officer for the Department of Information Technology (DOIT) and define the duties of that officer. While there are staff in DOIT dealing with cybersecurity issues in the state information technology systems, this bill would formalize that function. If there is not someone responsible for maintaining statewide information security plans and making sure that the plans are properly implemented, DOIT cannot have any real confidence that the state's IT systems are secure. **Vote 18-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 47, relative to medical records attestations for organ donation eligibility. **INEXPEDIENT TO LEGISLATE.**

Rep. David Nagel for Health, Human Services and Elderly Affairs. It is recognized that the role of the medical trauma team is first and foremost to save the life of the trauma patient. The trauma team may consist of anywhere from one individual to a large group, depending on the medical setting. While there are ATLS (advanced trauma life support) guidelines (not rigid protocols) which guide the team, it is recognized that individual patient circumstances may demand deviation from the guidelines in many circumstances. Statutory demands that the team adhere to rigid protocols may directly harm the patient by interfering with the ability of the team to adapt to individual circumstances. This is not consistent with standard and ethical medical practice, and may indirectly interfere with the potential availability of organs for transplant. Furthermore, the demand that two registered nurses who may not have the expertise to evaluate proper protocol/guideline sign a report attesting to following a proposed protocol, is improper. In many trauma settings, there may not be two such persons to attest. And, finally, such statutory requirement risks deflecting attention of the team from the needs of a patient to the needs of a legal document, again with the potential to do harm. In sum, this bill will potentially harm both the trauma patient and a potential donor, and, therefore, does not achieve its goal(s). **Vote 20-0.**

HB 413, authorizing advanced practice registered nurses and physician assistants to prescribe diabetic shoes. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Health, Human Services and Elderly Affairs. This bill was drafted to address a perceived issue that Physician Assistants (PA) and Advanced Practice Registered Nurses (APRN) cannot currently prescribe diabetic shoes. Diabetic shoes are an important way to prevent ulcers and amputation, and fortunately the scope of practice for both PA's and APRN's currently allows them to prescribe both drugs and devices. This bill is unnecessary and the committee recommends Inexpedient to Legislate. **Vote 20-0.**

HB 428, relative to mental health practice. **OUGHT TO PASS.**

Rep. Joe Schapiro for Health, Human Services and Elderly Affairs. This bill was submitted at the request of the Board of Mental Health Practice (the "Board") and the Office of Professional Licensure and Certification (OPLC). It rearranges and clarifies language around "conditional licenses" which were enacted and signed into law in 2021. HB 428 does three things. First, it requires OPLC to set fees for "conditional licenses" rather than the board. Second, it places language related to Clinical Mental Health Counselors and Marriage and Family Therapists into the relevant sections. Third, it clarifies that those with "conditional licenses" are subject to the jurisdiction of the board. **Vote 20-0.**

JUDICIARY

CACR 5, relating to fundamental rights. Providing that the constitution protects the right to marry. **INEXPEDIENT TO LEGISLATE.**

Rep. Joe Alexander for Judiciary. The Judiciary Committee believes that this constitutional amendment is not needed. The landmark *Obergefell v. Hodges* case held that discrimination against same sex marriage is unconstitutional and that marriages granted to same-sex couples in one jurisdiction must be honored in another under the equal protection clause. There is no evidence that marriage or the right to marry is under attack in this country. Additionally, this CACR is too open-ended in stating simply that "the right to marry shall be a fundamental right." The right to marry whom? How many individuals can get married? Must there be consent? **Vote 19-0.**

HB 67-FN, relative to the right to review source code of software in criminal cases. **INEXPEDIENT TO LEGISLATE.**

Rep. Walter Stapleton for Judiciary. This bill would give a criminal defendant the unqualified right to review the source code of any software used to generate evidence used against him/her in a criminal case. The committee unanimously concluded that this bill was unnecessary because courts already have the authority to order the disclosure of source codes in particular cases if there is reason to believe the code is defective in some way or that its production would constitute exculpatory evidence in that case. There is simply no good reason to make source code automatically available in every case. Moreover, source code often is protected by copyright or other legal protections against disclosure and this bill would seem to override such protections. There could be constitutional problems with unjustifiably infringing owners' property rights in such circumstances. **Vote 20-0.**

HB 162, relative to supported decision making. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bob Lynn for Judiciary. This bill corrects a technical error in the supported decision making statute, RSA 464-D:7, III and IV, as originally enacted. As the statute now stands, it contains a subparagraph that literally states: "omitted." The bill recrafts the statute to eliminate this language. The amendment accomplishes the rewording in a simpler way than the original bill by eliminating the "omitted" language and renumbering the remaining subparagraphs. The bill makes no substantive changes to existing law. **Vote 20-0.**

HB 164, relative to prohibiting towns from criminalizing the right to peacefully and orderly assemble. **INEXPEDIENT TO LEGISLATE.**

Rep. Katelyn Kuttab for Judiciary. The purpose of this bill is to formally legalize the right to peacefully protest in any public place without restriction and to void any municipal ordinances preventing the same. In particular, the bill is aimed at preventing localities from having ordinances that restrict picketing in front of a particular person's home in a residential neighborhood. However, the committee's research disclosed that there is a U.S. Supreme Court case which holds that such ordinances do not violate the Constitution because they protect a home occupant's privacy interests and constitute a reasonable time, place, and manner limitation on First Amendment rights as long as the municipality affords ample alternative opportunities for protest, picketing, etc. In light of this, the committee unanimously believed that this bill was unwise and unnecessary. **Vote 20-0.**

HB 169, relative to termination of guardianship. **INEXPEDIENT TO LEGISLATE.**

Rep. Katelyn Kuttab for Judiciary. This bill would change the burden of proof required to be sustained by the guardian in a petition to terminate a guardianship established by consent from clear and convincing evidence to preponderance of the evidence. It also would change the burden of proof placed upon a parent

seeking to terminate a guardianship granted to grandparents as a result of a parent's substance abuse from preponderance of the evidence to clear and convincing evidence. Although the Judiciary Committee recognizes the importance of protecting every child, based on the controlling U.S. and New Hampshire Supreme Court precedents, the proposed changes very likely would be unconstitutional. **Vote 19-0.**

HB 171-FN, relative to bodily injury actions against governmental units. **INEXPEDIENT TO LEGISLATE.** Rep. Joe Alexander for Judiciary. This bill would reduce governmental immunity and expand the liability of governmental units by eliminating the restriction in current RSA 507-B that limits such liability to causes of action arising out of the ownership, operation, maintenance, or use of motor vehicles and premises. Instead, governmental units could be liable for any acts of simple negligence for ministerial actions and for any discretionary actions performed recklessly or wantonly. The Judiciary Committee was unanimous in its assessment that there is no justification to extend liability in this fashion and that this bill is just not needed. **Vote 19-0.**

HB 187-FN, permitting a police chief or other designated law enforcement officer to serve process. **INEXPEDIENT TO LEGISLATE.**

Rep. Walter Stapleton for Judiciary. Local law enforcement is already struggling with staffing shortages and are stretched thin to cover their important work of public safety and the interdiction of crime. Burdening them further with process serving only exacerbates that condition and detracts from their important work of law enforcement. We have the Sheriff's Department and other appointed officers for that purpose and it functions well as part of their mission and operations. **Vote 20-0.**

HB 289-FN, relative to consultation with legal counsel under the right to know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Bob Lynn for Judiciary. This bill would amend the right to know law section that permits governmental bodies to hold non-public sessions to discuss legal advice provided by its counsel by providing that this provision does not apply if the governmental body attempts to invoke it for the purpose of evading compliance with its obligation to hold public meetings. The committee does not disagree that using the consultation with counsel provision to evade the right to know law is improper. However, the committee believes that the bill is unnecessary because both the public body that engaged in such conduct, and the lawyer who knowingly participated in the conduct, could be subject to the remedies that already exist under the right to know law for improperly attempting to evade its requirements. In the case of the attorney, s/he also likely could be subject to disciplinary action by Bar regulatory authorities. **Vote 19-0.**

HB 290-FN, relative to service of writs and precepts by a constable. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for Judiciary. This bill seeks to amend RSA 104:9 relative to service of writs and other civil precepts by constables over \$75.00. While on the surface this may seem like a simple enough change to the civil process service, research on the measure revealed to the committee that the result of implementing this change to the statute would require police officers to serve civil process in any amount at the behest of private litigants. This stems from the fact that the current statute says constables "shall" serve civil process under \$75 and the fact that RSA 105:3 provides that all police officers are, by virtue of their status, constables. As a result of that unintended consequence, the committee had no choice but to determine that the bill is Inexpedient to Legislate. **Vote 20-0.**

HB 307-FN, relative to attorney's fees in actions under the right to know law. **OUGHT TO PASS.**

Rep. Kristine Perez for Judiciary. This bill returns the attorney's fees provision of the right to know law (RTKL), RSA 91-A, to the way it used to be when the law was first enacted. As originally enacted, it provided for the award of attorney's fees to a party who goes to court to obtain withheld government records if the party prevails in the court proceeding. In the 1980s, the law was changed to say that even if a citizen prevails in court, s/he may not receive attorney's fees unless the court finds that the governmental body knew or should have known that withholding the information violated the RTKL. This bill changes the standard back to what it was, so that a person who prevails in court on his/her request for government information will be awarded fees. The committee unanimously felt that making this change will encourage governmental bodies to adopt the view that disclosure, rather than non-disclosure, of information should be their presumptive position when RTKL requests are made. The bill also allows attorney's fees to be awarded to the public body if it is required to defend against a RTKL suit that is frivolous or taken in bad faith, again providing the public body prevails. **Vote 20-0.**

HB 320-FN, relative to free speech in interactive computer services. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey Greeson for Judiciary. Federal law protects social media platforms from liability for comments and information posted by their users. The key to this protection is in their status as a platform versus a publisher. While the idea is that platforms restrict some content, as a general rule, they are to remain content-neutral and apply any restrictions fairly and equitably. Recent events have proven that social media platforms have engaged in purposeful censorship of particular persons and points of view.

They often apply their censorship arbitrarily and capriciously. That said, the committee nonetheless believes that this bill's attempt to regulate media platforms by characterizing them as public utilities is fraught with danger and potential unanticipated consequences. In addition, there also is an argument that any such regulation would be unconstitutional as a violation of the First Amendment. The federal courts of appeals are divided on this issue and the Supreme Court has not yet weighed in. The bill also contains language that is unclear and in some respects internally inconsistent. Although the committee is sympathetic to the goals of this bill, it also believes that enacting such legislation at this time would be a mistake. **Vote 19-0.**

HB 321-FN-LOCAL, relative to minutes from nonpublic sessions under the right to know law. **OUGHT TO PASS.** Rep. Joe Alexander for Judiciary. This bill would require municipalities to review sealed nonpublic minutes every ten years. Last session the General Court passed a bill requiring municipalities to keep a list of all sealed minutes and the date the minutes were sealed. This bill would expand the law to require each board to review their sealed minutes every 10 years and vote on whether to keep the minutes sealed or unseal them. The bill was supported by Right to Know NH and NH Municipal Association and according to the fiscal note would have a negligible if any fiscal effect on municipalities. **Vote 20-0.**

HB 340-FN, relative to the transfer of residential property. **INEXPEDIENT TO LEGISLATE.** Rep. Scott Wallace for Judiciary. This bill seeks to add to RSA 674 the ability to restrict the acquisition of single-family and multi-family housing to natural persons with certain exceptions. The bill requires a nonnatural person that acquires single or multi-family housing within one of the specified exceptions to register and file reports with the Secretary of State. The Secretary of State shall report violations or untimely reports or registrations to the Attorney General. The proposed penalties for violations of this statute include fines of up to \$5,000, and "the court shall declare the land escheated to the municipality." The committee was unanimous in its conclusion that the bill serves no valid purpose and likely would be unconstitutional. **Vote 20-0.**

HB 379-FN, requiring that attorneys be appointed to represent indigent tenants during residential eviction proceedings and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.** Rep. Katelyn Kuttab for Judiciary. This bill as originally introduced sought to establish a right to counsel paid for by the state for all eviction proceedings. The amendment changed the bill to require merely that in connection with evictions, tenants be informed that they may be eligible for legal assistance from New Hampshire Legal Assistance and informing them how to contact Legal Assistance. **Vote 20-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 165, relative to department of energy procedures in lieu of meeting renewable portfolio standards for biomass. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Harrington for Science, Technology and Energy. The Department of Energy has the statutory authority to adjust the Class III (RPS) requirement due to lack of supply. They have exercised that authority in 2020 and 2021 and it is now at 1% for this reason. This bill is not necessary. **Vote 15-0.**

HB 211, relative to a report by the department of energy on the effectiveness of the system benefits charge. **OUGHT TO PASS.**

Rep. Douglas Thomas for Science, Technology and Energy. This is a housekeeping bill requested by the NH Department of Environmental Services (NHDES). When the Electric Oversight Committee was repealed last biennium, NHDES should have been removed from providing the Systems Benefits Charge Report to Science, Technology, and Energy Committee because that is now the responsibility of the NH Department of Energy. This bill removes NHDES from that reporting requirement. **Vote 20-0.**

HB 633-FN, relative to electric distribution company market share, prohibiting certain electric rate increases, and requiring enforcement against Eversource. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Cormen for Science, Technology and Energy. This bill would limit electric utilities to raising rates to consumers by no more than the annual increase in the Consumer Price Index (CPI). It would also limit each electric utility to 50 percent of the market share in New Hampshire. Based on testimony we heard from Eversource and the NH Department of Energy, this pricing standard may be unconstitutional. Electric utilities buy energy from suppliers and pass on those costs directly to customers. When energy prices rise rapidly, that rate of increase can outpace the CPI. Under this bill, utilities could be unable to recover the full cost of energy that they buy. Therefore, the committee was concerned that limiting the annual increase in rates by the CPI could result in significant financial damage to the utilities. The committee also found that the provision to limit the market share was unclear, as market share could be defined by criteria such as area served, customer count, or revenue; unfortunately, the bill as presented does not provide such specifics. **Vote 20-0.**

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 3, relative to affirming states' power over the federal constitution. **INEXPEDIENT TO LEGISLATE.** Rep. David Lundgren for State-Federal Relations and Veterans Affairs. This resolution included 23 "whereas" paragraphs, several of which raised issues with the committee members. The notion of "nullification" as a "rightful remedy" has already been addressed by the U.S. Congress and by the courts as being extra-constitutional. Thus, the committee unanimously opposed this measure moving forward. **Vote 18-0.**

HR 13, affirming support for the people of Puerto Rico. **OUGHT TO PASS.**

Rep. Steve Shurtleff for State-Federal Relations and Veterans Affairs. Following the Spanish-American War of 1898, Puerto Rico became a U.S. possession, and the residents of Puerto Rico were given U.S. Citizenship. In 1952 Congress granted Puerto Rico commonwealth status. Puerto Ricans have faithfully fulfilled their obligations as American citizens, to include helping defend our nation—serving with honor and valor as members of our armed forces. Nine Puerto Ricans earned the Congressional Medal of Honor. Sadly, all nine were awarded posthumously. However, the people of Puerto Rico haven't fully shared in the benefits of citizenship, having only a single resident commissioner, with limited legislative authority, representing them in the U.S. Congress, while also being excluded from voting in presidential elections. By this resolution the NH House of Representatives shows its support and solidarity with the people of Puerto Rico as they decide for themselves which course they wish their island to follow, whether it involves statehood, independence, or maintaining their commonwealth status. Self-determination is their right, and theirs alone. **Vote 17-0.**

TRANSPORTATION

HB 132, relative to a tire disclosure for resales of trailers by utility dealers. **INEXPEDIENT TO LEGISLATE.**

Rep. Gregory Hill for Transportation. The committee, while mindful of the sponsors' troubles when purchasing a used trailer, feel that another disclosure, at the time of purchase regarding tire age and condition, should not be mandated. The principle of caveat emptor -let the buyer beware, should instead be the watch phrase when purchasing any used equipment meant to travel at highway speeds. A buyer, if qualified, should inspect the tires carefully before, after, and prior to every use in our opinion. If not qualified themselves, having a qualified person inspect the entire rig, including the tires, in the opinion of the committee would be much more valuable than a disclosure of the type the legislation suggests. **Vote 20-0.**

HB 163-FN, relative to authorized license plate decals. **OUGHT TO PASS.**

Rep. John Sellers for Transportation. This bill adds Space Force and a few other additional decals under the sections of Distinguished Medals and Medals of Heroism that were missing from RSA 261-C:4 I. These are decals for license plates and are only given out when the service person meets the criteria. **Vote 20-0.**

HB 268-FN, relative to the furnishing of special number plates to the liquor commission, division of enforcement and licensing. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. This bill adds the liquor commission, division of enforcement and licensing, to the list of agency and department vehicles eligible for special number plates. This is the same statute that provides plates for municipal and state police, county sheriffs, etc. The committee amendment adds the clerk of the house of representatives to the cover plate statute. **Vote 20-0.**

HB 393-FN, permitting a motor vehicle operator to use only a rear license plate. **INEXPEDIENT TO LEGISLATE.**

Rep. Ted Gorski for Transportation. The Transportation committee heard testimony on two bills with the same subject matter (HB 388 and this bill). The committee decided to concentrate on HB 388. The main reason is that this bill focused on commercial vehicles. The committee felt that commercial vehicles should have two commercial plates. In addition, with commercial vehicles, there may be some overlap with federal statutes. **Vote 20-0.**

TUESDAY, FEBRUARY 14 REGULAR CALENDAR

FINANCE

SB 1-FN-A, (New Title) relative to the closing of the Sununu youth services center and establishing a commission to study the public safety of the secured youth development center and surrounding communities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for Finance. This bill would postpone the closure of the Sununu Youth Development Center from 1 March 2023 until a replacement facility is sufficiently completed and youth are transferred. General funds in the amount of \$1.5 million are appropriated to support continuing operations the final four months of the current fiscal year. Site evaluation and two design options are funded at \$400,000 with site recommendation not later than September 30, 2023. A Commission to Study Community Impacts of the Secured Youth Development Center is established with a sunset date. Construction monies are not appropriated. **Vote 23-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 91-FN-A, relative to privacy obligations of the department of health and human services. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the **Majority** of Health, Human Services and Elderly Affairs. This bill as amended creates a Data Privacy and Information Technology Security Governance Board which will work to keep the state's largest department, the Department of Health and Human Services (DHHS), in line with the Right to Privacy in the New Hampshire Constitution. Key to this will be well-accepted risk management methods of conducting a Privacy Impact Assessment (PIA) on each IT system prior to implementation to identify and mitigate risks. These will be approved by the commissioner and reviewed by the board. Two additional personnel will be added to obtain the special skills and the manpower to conduct the PIAs and to help manage the board. The amendment corrects drafting errors regarding titles and classification of these positions. The goal is to achieve privacy benchmarks common in private industry and to protect personal privacy as a result. Privacy and security work hand in hand, and other bills to improve information security will add to the efforts of this board. **Vote 18-2.**

Rep. Seth King for the **Minority** of Health, Human Services and Elderly Affairs. This bill will cost taxpayers \$300,000 annually. No evidence was provided that the current Department of Health and Human Services (DHHS) security protocols are lacking or that user data has been, or currently is being, breached. Furthermore, the greatest threats to privacy come from large corporate or state actors. As is common practice, the security professionals would likely store patient data on third-party, corporate servers and use software programs that are closed-source, non-free, and proprietary, and therefore would be inherently untrustworthy.

JUDICIARY

HB 347-FN, establishing a superior court land use review docket. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bob Lynn for the **Majority** of Judiciary. This bill provides for the establishment of a specialized land use docket in the superior court to hear all land use appeals from local planning, zoning, and like boards. Its jurisdiction would not cover appeals from any state agencies that may render decisions impacting land use, such as the Department of Environmental Services. The bill also calls for the appointment of a new superior court judge to preside over this docket, and requires that such judge be qualified by virtue of knowledge and experience in land use and property law. The amendment makes clear that the new judge is to be an additional superior court judge and that the authorized judgeships of the superior court (not counting the chief justice) is increased from 21 to 22. The amendment also makes clear that this new docket does not affect in any way the concurrent jurisdiction of the Housing Appeals Board (HAB) to hear appeals within its jurisdiction under RSA 679. It should be noted, however, that, unlike the HAB, which is limited to hearing appeals involving housing developments, the land use docket also could hear appeals in cases involving proposed commercial developments. It also is important to note that, as was the case with the legislation establishing the HAB, this bill makes no substantive changes to land use law. Given the extreme shortage in the availability of housing throughout the state, the committee majority supports the purpose of the bill - to consolidate before a judge knowledgeable in this specialized area of law all land use appeals brought to superior court. The idea is to streamline the appellate process for such cases, thus reducing the time and expense involved in the development process and hopefully increasing the availability of affordable housing. **Vote 16-4.**

Rep. Louise Andrus for the **Minority** of Judiciary. The purpose of this bill is to establish a land use review docket in the super court to expedite the appeals of land review cases. In 2022, HB 1389 establishing a superior court land use review docket was voted on by the Judiciary Committee to send to Interim Study. In

June 2022 an Interim Study hearing was held. The findings were brought back to the Judiciary Committee in November and the vote was Not Recommended for Future Legislation, 14-5. Under current NH laws, when a party disagrees with the decision of a zoning board, an appeal can be made to the superior court or to the NH Housing Appeals Board. Therefore, this bill is not necessary.

PUBLIC WORKS AND HIGHWAYS

HB 62-FN, relative to adjusting the road toll. **INEXPEDIENT TO LEGISLATE.**

Rep. John Cloutier for Public Works and Highways. This bill would decrease New Hampshire's road toll, unofficially known as the state's gas tax by 4.2 cents from 22.2 to 18 cents per gallon. The road toll was last increased by 4.2 cents in 2014 by a bipartisan majority of the legislature, the first such increase in 23 years since 1991. Under this bill, the revenue lost by the State Highway Fund from this 4.2 decrease would be made up by annual transfers from the State General Fund. New Hampshire's Department of Transportation testified in opposition to the bill for five reasons. First, the 4.2 cent decrease could jeopardize our state's federal highway assistance, including Transportation Infrastructure Finance and Innovation (TIFIA) Bonds. Second, it would reduce the amount of money raised by out-of-state drivers purchasing gas or diesel in New Hampshire. Third, the substitution for lost Highway Fund revenue by revenue from the General Fund could vary by total amounts from year to year and would not be reliable. Fourth, the lost Highway Fund revenue would likely result in a reduction of local Block Grant Aid to our municipalities. Fifth, the 4.2 cent decrease would further worsen the Highway Fund's growing structural deficit because of the increasing number of more fuel-efficient, hybrid, and electric vehicles using our state's roads and bridges. The committee opposes this bill for the five listed reasons, and also opposes it until a more equitable and fiscally responsible way to eliminate the Highway Fund's structural deficit can be implemented. **Vote 19-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 234-FN, relative to renewable energy credits. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill is designed to end the practice of Renewable Energy Credit (REC) sweeping, a provision in statute that authorizes state seizure of Renewable Energy (RE) property, without the knowledge of, or any compensation to, NH businesses and residents. This practice enables in-state utilities to use the RE NH residents produce and own to meet their obligations under the Renewable Portfolio Standard (RPS). The committee heard testimony that based on NH case law, REC sweeping is an unconstitutional "taking" of private property and violates the takings clauses in Part 1, Article 12 of the NH Constitution. The property is not abandoned because property only becomes abandoned under NH law if it is left unclaimed for multiple years. It is also a taking because there is no notice before the RECs become the property of an energy supplier. No other state permits this. Under the current statute, electric utilities and suppliers claim the value of residential and commercial renewable energy produced without paying the rightful owners the money that they would receive for those RECs. The practice is intended to lower the utilities costs, but in effect, amounts to a taking of private property. Constituents testified that REC sweeping has decimated the NH REC market, and significantly decreased Alternative Compliance Payments – the only source of funding for the Renewable Energy Fund – NH's sole mechanism for investing in the clean energy transition. The argument that ending REC sweeping could increase electricity bills is inconsequential, as any possible increase would be literally pennies on the average monthly bill. In contrast, investments in RE can result in lower demand for out of state fossil fuels, lower peak demand, improved air quality, more jobs, and increased in-state economic activity.

Rep. Tony Caplan

Statement in support of Inexpedient to Legislate: This bill, if passed, would increase electricity costs by \$30 million over the next ten years. It would do so by repealing RSA 362-F:6, which allows utilities to lower their obligation to buy renewable energy certificates (RECs) when such certificates go unused. This provision of the law was written expressly to reduce the cost of compliance with the renewable portfolio standard (RPS) when such additional expense provokes no new renewable energy investments. RECs are the carrot in the RPS and individuals who do not claim them fulfill the purpose of RSA 362-F, namely, "...to stimulate investment in low emission renewable energy generation technologies...in New Hampshire, whether at new or existing facilities" without needing this incentive. Thus, the additional expense incurred produces no further investment. This repeal would eliminate class I and class II RPS utility obligations resulting in an increase of \$3 million added to current residential, municipal, and commercial customer electricity bills. The Department of Energy and Eversource both testified against the bill.

Rep. James Summers

HB 246-FN, relative to uses of moneys in the renewable energy fund. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: This bill will lower the cost of electricity by rebating to ratepayers the funds accumulated in the Renewable Energy Fund (REF). This fund collects \$7 to \$8 million in a typical year. 2022 will be remembered as the year NH electricity costs soared to their highest

ever level. This bill suspends temporarily the use of REF monies for grants to new energy projects to provide ratepayers with some respite from last year's energy price spike, which is unlikely to end soon. The committee amended the bill to make the rebate valid for a two-year period. The amendment also restored language to ensure that the Department of Energy retained funds to administer the REF. After the amendment passed, the committee deadlocked on passage of the final bill, even though a majority of members agreed that the amended bill was superior. Through June 30 of 2025, this bill provides modest electricity bill relief to ratepayers, which less affluent wage earners need today more than ever.

Rep. Jeanine Notter

Statement in support of Inexpedient to Legislate: The Renewable Energy Fund (REF) was created in 2007 as a component of legislation known as the Renewable Portfolio Standard (RPS) law, RSA 362: F. To comply with the RPS, electric service providers acquire Renewable Energy Certificates (RECs) representing electricity generated from renewable sources. Electric service providers who cannot obtain enough RECs for a given compliance year are required to make Alternative Compliance Payments (ACPs). ACPs provide the funding for the REF, the purpose of which is to support thermal and electrical renewable energy initiatives. The committee received testimony from the NH Department of Energy (DOE) that between FY18 and FY22 a total of \$20.1 million of REF funds were invested in over 4,000 different projects helping to diversify our energy sector. According to DOE, the current available balance in the REF is \$7.8 million and annual contributions to it are approximately \$4.6 million. Rebating the REF to consumers would result in, at most, a \$10.54 annual (or \$1.40 per month) reduction in average consumer electricity bills in year one and \$6.25 annual (\$0.40 monthly) reduction in years thereafter. The committee is unanimous in its concern about the rising price of energy and need to reduce those prices going forward. The members of the committee who recommend ITL believe the people of NH are smart enough to realize that a rebate of \$0.52 – or even \$1.40 – per month will not make a big difference in their monthly budget, but that by collectively investing that money in alternative energy projects we can continue to diversify our sources of electricity to end our over-reliance on natural gas based on past state energy policy decisions.

Rep. Chris Muns

HB 418-FN, relative to eliminating the rebates distributed by the energy efficiency fund. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: The Energy Efficiency Fund (EEF) is a dedicated fund created in 2008 when NH joined the Regional Greenhouse Gas Initiative (RGGI). RGGI is a regional market for emission allowances which are sold at quarterly auctions. New Hampshire's share of emissions allowances is deposited into the EEF. The legislature originally intended that 100% of EEF funds would be used to support energy efficiency, conservation, and demand response programs to reduce greenhouse gas emissions generated in New Hampshire. Those funds are available through the NHSaves program. However, legislation passed in 2012 dictated that only the first \$1 per ton of each allowance sold could be used to fund the EEF. The remaining proceeds are rebated directly to utility ratepayers. This bill would reverse that decision and ensure that ALL proceeds from the sale of emissions allowances are used to reduce energy demand. The committee received testimony from NH Department of Energy that NH's share of RGGI allowance sales is \$43 million dollars. Of that, only \$3.2 million is being invested in programs to support conservation and energy efficiency. The balance of approximately \$40 million is being rebated to customers, but the typical residential customer is currently receiving a rebate of about \$1.77 a month or \$21.24 a year. The committee is unanimous in its concern about the rising price of energy and need to reduce those prices going forward. The members of the committee who recommend OTP believe the people of NH are smart enough to realize that a rebate of \$1.77 per month will not make a big difference in their monthly budget and that the easiest way to reduce their overall cost of energy is to invest in programs to conserve energy and make their homes and businesses more energy efficient with a demonstrated 3:1 return on investment; exactly what the EEF was intended to help support.

Rep. Chris Muns

Statement in support of Inexpedient to Legislate: This bill will increase the cost of electricity by just under \$40 million in the next year and will increase those costs by more than \$40 million in every subsequent year. For perspective, such an increase raises the average ratepayer bill by \$25-\$45 per year. The bill will likely increase ratepayer costs over \$400 million over the next ten years. This bill eliminates the Regional Greenhouse Gas Initiative (RGGI) auction-proceeds rebate that has been in place since 2012. That rebate has saved ratepayers \$120-\$160 million in the past ten years. During the past year, NH utilities have seen their costs for electricity nearly double due to federal policies that inhibit the production and distribution of natural gas and oil. The price of natural gas dictates the cost of electricity. Geopolitical pressures have also contributed to a strain on supplies of natural gas. Adding additional costs to our state's already record high electricity bill hurts residents and businesses alike. It especially hurts the bottom tier of wage earners who may spend as much as 40% of their paycheck on electricity, heat, and gas for the car. The General Court acted to help ratepayers in September of 2022 with HB 2023. This bill would dilute that practical and compassionate policy.

Rep. Jeanine Notter

HB 576-FN-A-LOCAL, establishing an energy conservation program and an energy conservation project fund and establishing the state PACE reserve fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca McWilliams for Science, Technology and Energy. Commercial property assessed clean energy (C-PACE) is a financing tool for building projects targeting energy efficiency and performance. This bill is C-PACE enabling legislation to allow investors and private equity lenders to make loans for commercial clean energy and energy efficiency construction projects in NH to access tools such as up a 60% Federal tax credit. Examples of projects that qualify for this type of funding are the conversion of an existing mill building into mixed use units with a rooftop solar array, or construction of a new 5+ unit housing development with a 40% energy use reduction beyond code. This bill uses no state money and opens up Federal tax incentives for Granite State property owners and developers to retrofit or build new energy efficient buildings. C-PACE uses borrowed capital to pay for the up front costs associated with energy efficiency or renewable energy improvements. Unlike other project financing, the borrowed capital is repaid over time via a tax assessment that runs with the property. The security provided by the tax assessment results in longer term financing and transferability of the repayment obligations to the next property owner. In turn, C-PACE strengthens the business case for investment in longer pay back and deeper building retro fits beyond what is possible with traditional financing. C-PACE must be authorized by state legislation in order for Granite Staters to benefit from this type of project funding. More than 30 states have adopted C-PACE enabling legislation because of the opportunities for investment in local businesses, energy and cost savings, and job creation. **Vote 14-5.**

HB 630-FN, establishing a revolving clean energy accelerator fund in the department of energy. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: A revolving clean energy accelerator fund, also known as a “green bank,” is a type of investment fund that provides financing to clean energy projects. The term “revolving” refers to the fact that the fund is designed to be self-sustaining, with the capital generated from successful investments being recycled back into new opportunities, creating a virtuous cycle of investment and growth in the clean energy sector. The goal of a revolving green bank is to promote energy efficiency while providing a financial return to investors. This bill enables creating a green bank to accept a portion of Infrastructure Reinvestment Act (IRA) monies dedicated to energy efficiency projects and vehicles. We heard testimony from Clean Energy NH that the value of clean energy projects in NH at present is around \$90 million and could be double that if not every state chooses to participate in pursuing the earmarked IRA funds. Most importantly, we cannot guarantee NH will get one penny of the potential \$27 billion that will become available to the states unless we have a mechanism for receiving these funds. We do not know when the monies will become available. We do not know all the parameters for administering the monies. We do know that we cripple our chances of maximizing these monies without enabling legislation to create a green bank as soon as feasible and throw our hat in the ring to accept IRA funds.

Rep. Lucius Parshall

Statement in support of Inexpedient to Legislate: This bill was introduced to create a vehicle to accept proposed federal monies for funding clean energy projects. The bill seeks to establish a “green bank” in which to deposit Inflation Reduction Act dollars. Guidance about the use of such funds and the procedures for acquiring them have not yet been delivered to the NH Department of Energy (NHDOE) and may not arrive for some time. Therefore, the enabling language in this bill cannot describe a process that conforms with federal guidance and, if enacted, could potentially conflict with such guidance. Testimony from the NHDOE foresaw no immediate need for such a “green bank” and indicated that many other repositories would be available to handle future federal dollars. NHDOE was unable to speculate on whether program dollars would cover administrative costs. Designing programs that maximize access to these dollars without incurring expensive overhead should best be left until the details of these programs become available.

Rep. Tom Ploszaj

TRANSPORTATION

HB 260-FN, prohibiting the operation of motor vehicles by drivers with animals on their laps. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Sellers for the **Majority** of Transportation. The majority recommends this bill to be found Inexpedient to Legislate because it is trying to add one-off legislation. The sponsor of this bill was asking the committee to create a distracted driver law for one type of offense, an animal in a driver’s lap while driving. Since there wasn’t any data or statistics of any accidents or deaths caused by a distracted driver, it is unknown if animals in a driver’s lap causes a distraction. What may be a distraction for one person is not for another. The committee believes creating a single law for every type of offense is unrealistic. There was not enough information provided that demonstrates this is a real problem in New Hampshire. **Vote 13-7.** Rep. Dru Fox for the **Minority** of Transportation. It is the position of the minority that safety is of utmost importance. Driving with an animal on your lap is deemed distracted driving, is unsafe and is easily identifiable by law enforcement. This law would eliminate the guess work of defining distracted driving. In the interest of safety to the public, passengers in a car, the driver, and the animal, we believe this bill should be ought to pass.

HB 374-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. 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 card 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 sidestep the process and gain the same benefits. For these reasons the majority recommend inexpedient to legislate on this bill. **Vote 11-9.** Rep. George Sykes for the **Minority** of Transportation. The minority believes that testing those who might otherwise be able to drive from the more than 14,000 undocumented persons as to their ability to drive safely is of paramount importance. This is a public safety measure. Over 100 people signed in electronically in support, with only 2 opposed. We have heard in the past strong testimony from police chiefs in support of this bill. Support which recognizes that this bill would greatly assist their community policing efforts. The American Friends Service Committee, the ACLU, as well as Churches and Immigrant's Rights groups also supported the bill. Their support recognizes that the bill improves public safety and provides for expanded social and economic justice. Passage of the bill would allow many more people to register their automobiles and purchase insurance too. What the bill does not do is grant any further privileges beyond driving privileges. The reality is that it will only prove a person's identity, their residence, their age, and that they've passed a driving test. More than 20 other states and the District of Columbia have made provisions such as this. This bill will add to the efforts previously passed by this legislature to expand driving privileges to the people who live in the state, for example the homeless. Holders of this license will join the already existing more than 29,000 non-citizens who currently hold driving privileges in this state.

HB 388-FN, relative to number plates for motor vehicles. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Daniel Veilleux for the **Majority** of Transportation. All law enforcement agencies and administrative departments opposed this bill. The testimony stated that not having a front license plate complicates toll collections and makes vehicle identification in police enforcement more difficult, especially in cases where the rear plate is obscured by bike racks, equipment, trailers, etc. Tolls involving vehicles hauling trailers are particularly difficult as tolls can only be billed to the owner of the vehicle hauling the trailers. When the rear plate is obscured, toll revenue is lost from the hauling vehicle as well as the additional toll for the trailer. **Vote 11-9.** Rep. Charlie St. Clair for the **Minority** of Transportation. This bill would remove the requirement that non-commercial vehicles display a front license plate. This is already allowed in New Hampshire on a limited basis. When towns have milestone anniversaries, the front plate may be removed and replaced with a commemorative plate and may stay on for a year. The committee was presented with concerns from law enforcement regarding easily identifying vehicles but cited no data from the 21 states which do not require front plates, including Vermont. The fiscal note on the bill assumes that the Department of Motor Vehicles (DMV) would sell fewer license plates. The bill makes no such change. It simply removes the requirement that the front plate be attached to the vehicle. Additionally, some specialty and newer cars do not have a front plate bracket. To attach a front plate, dealers or owners destroy the front fascia of the car by drilling into it. This devalues the car unnecessarily.

HB 597-FN, relative to race and ethnicity data on driver's licenses, and race and ethnicity data collection. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill would allow for a driver at license renewal to opt in and provide their ethnicity and race information to be on their driver's license. Currently no data is being collected statewide. Accurate data will help identify trends in who and where folks are being stopped, and their self identified ethnicity and race information will be available on a statewide basis. The bill was supported by a

wide range of public safety organizations and non-profit groups including the NH State Police, the ACLU, the NH Chiefs of Police Association, the NAACP, and the NH Department of Justice. The NH Department of Motor Vehicles testified that they will be able to implement the program.

Rep. George Sykes

Statement in support of Inexpedient to Legislate: Supporters of inexpedient to legislate believe that this bill does not contain all of the data needed to create any meaningful statistics. The bill allows for collection of data but not require all drivers to provide race and ethnicity data. Ethnicity by itself leaves room for further errors because ethnicity is subjective. Since the data collected will be voluntary it will not provide reliable reports of statistical data to anyone who reviews it. This could, in turn, cause police departments or the public to conclude an outcome that is not correct.

Rep. John Sellers

CHILDREN AND FAMILY LAW

HB 34-FN, relative to raising the age of marriage to eighteen. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jodi Nelson for the **Majority** of Children and Family Law. The majority of the committee supports a motion of Inexpedient to Legislate for the following reasons: the number of minors marrying per year in New Hampshire is very minimal, zero in the past two years. The process in which minors can be granted permission to marry is a significant process, including consent of all parents, interviews and ultimately a decision by a judge. The minors are legally protected because in New Hampshire, the certificate of marriage provides evidence of a minor's emancipation. **Vote 8-7.**

Rep. Cassandra Levesque for the **Minority** of Children and Family Law. The minority of the committee sees the importance of this bill. This bill will allow New Hampshire to join other states in ending child marriage, protecting the children of New Hampshire, and allowing them to be children.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 560-FN-A, establishing a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Karen Reid for Criminal Justice and Public Safety. This bill requires the Division of State Police to establish a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities by letting them know in advance that they may be dealing with such a person prior to arriving at a call. This is a voluntary citizen participation program that has bipartisan support. This bill is beneficial for both law enforcement and citizens, and in the view of the committee, will almost certainly save lives. There is a one time appropriation for the purchase of the software module and a small amount to be used for advertising and then it costs nothing going forward. **Vote 19-0.**

EDUCATION

HB 309-FN, relative to civil rights education in public elementary and secondary schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Oliver Ford for the **Majority** of Education. This bill adds instructional requirements for civil rights and acts of discrimination injustice to the course of instruction in schools concerning national and state history and government. This bill is similar to HB 1632 as submitted to the Education Committee in 2022 that received a committee recommendation of Interim Study. This bill states that "curriculum shall include an additional unit of instruction studying other acts of discriminatory injustice, such as genocide, elsewhere around the globe. This unit shall include, but not be limited to, the Armenian genocide, the Holocaust, Chinese coolie labor in Cuba, the Uighurs in China, the Rohingya of Burma and others." As stated in RSA 193-E:2, IV, "[a]n adequate education shall provide all students with the opportunity to acquire: knowledge of civics and government, economics, geography, history, and Holocaust and genocide education to enable them to participate in the democratic process and to make informed choices as responsible citizens." Consequently, the section of this bill that references "Holocaust and genocide" is not needed as this area of study is already addressed in statute and again required as part of an adequate education in the "Substantive Educational Content of an Adequate Education." Lastly, the committee received written testimony from the Turkish Consulate, Consul General, Boston agreeing that elimination of all forms of discrimination surely stands as an important goal to achieve; however, the content of the bill, as it stands, may not serve that noble purpose. The Consul General, after referencing international law and the "so-called" Armenian genocide, states that using this terminology in the bill would be legally wrong and misleading. It is the opinion of the Consul General that any reference to the "so-called Armenian genocide" in this particular bill would run the risk of politicizing education curriculum. The outcome of this bill would also potentially risk the exposure of the children of the law-abiding Turkish-American community of New Hampshire to discrimination and disenfranchisement in schools and elsewhere. **Vote 12-8.**

Rep. Mike Belcher for the **Minority** of Education. The minority reflects a belief that a requirement of instruction in civil rights era topics, as both history and civics subject matter, and the inclusion of certain named world-historic injustices and genocides, is consistent with local control of curriculum, as no specific materials, hour requirements, nor costs are associated with it. The minority further reflects a belief that this subject requirement is in the interest of the state in affirming the necessary ethics and presuppositions of the New Hampshire and US Constitutions and Bill of Rights. Further, countering ongoing efforts to re-institute discriminatory practices, ongoing scapegoating of populations, other phenomena that threaten the social fabric, and mitigating issues that have contributed to a significant dissatisfied parent demographic are also an articulable state interest. The minority expressed broad interest in an amendment to this bill.

HB 419-FN-A, relative to the math learning communities program of the community college system and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. This program is a two-tier strategy to strengthen the math skills of high school juniors and seniors who are often reluctant math learners and are most likely not to be candidates for higher level mathematics beyond basic algebra. Towards the end of the 10th grade, students who would benefit from additional mathematics instruction to strengthen and expand the students' foundational skills and understanding of how to successfully apply fundamental mathematical learning, are provided the opportunity to enroll in a course titled "Advanced Mathematical Foundations" in the 11th grade. This course involves and teaches fundamental knowledge and skills in the following subject areas: Algebra, Geometry, Probability and Statistics. Instructional practices rely upon course material that emphasizes applied reasoning and practical applications of the skills learned. Upon entering the 12th grade, these students complete "Quantitative Reasoning," a credit, concurrent enrollment course offered with the Community College System of NH (CCSNH). A student who successfully completes this course by earning a "C" grade or better, will receive college credit transferable to 2-year colleges and most senior colleges and universities. This program is needed, as it is a viable and proven program that will certainly raise math understanding among students needing supportive assistance while reversing declining math score which has been declining over the past decade and needs to be reversed. The program provides management and supervision from the CCSNH, and high school math teachers are provided pre-testing materials, curriculum materials, and professional development during the summer at NHTI, to include a summer stipend and travel mileage support. This program is highly recommended by the NH Department of Education, CCSNH, and has unanimous support from the Education Committee. **Vote 20-0.**

HB 420-FN-A, relative to the availability and funding for the dual and concurrent enrollment program by the community college system and making an appropriation therefor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for the **Majority** of Education. The NH Dual and Concurrent Enrollment Program is a proven program. This program offers dual and concurrent enrollment opportunities in three primary ways: through the Running Start Program where students take college level courses as a part of their high school day that are taught by high school teachers whose educational credentials meet college level requirements; eStart where students take dual-credit courses offered online and taught by Community College System of New Hampshire (CCSNH) instructors; and Early College where high school students attend a community college campus. Running Start and eStart are offered at \$150 per course, and Early College is offered at one half the regular rate, a significant savings for students and families compared to traditional costs associated with attendance after high school graduation. This program began in 2019, with an appropriation from the legislature of \$1.5M per year. At that time, the program provided only science, technology, engineering, and math (STEM) courses and was available just to 11th and 12th grade students. A student was allowed to take two courses per year. Last year, the legislature broadened support to include funding for career and technical education (CTE) courses. High School eligibility has been extended to include students in the 10th, 11th, and 12th grades, and this bill also extends the enrollment opportunity for a student to take up to five courses per year. The program will now enable a high school student to also enroll in non-STEM courses, which could not be offered in 2019 due to limited resources and costs. The program is now an absolute success, and through this opportunity, more students are remaining in NH to attain a post-secondary education: courses, certification and degrees. Increasing the state appropriation to \$3.25M per year enables 10th grade students to participate, provides students wider course offerings, and enables the CCSNH to bring innovative solutions that will challenge access to many high schools not positioned to offer dual enrollment courses. This bill will eliminate some of these district disparities. The bipartisan majority of the education committee overwhelmingly supports this bill. **Vote 19-1.**

Rep. Mike Belcher for the **Minority** of Education. The minority is concerned that the elimination of the career and technical education (CTE)/science, technology, engineering, and math (STEM) requirement from this program serves to significantly alter the nature of the program, that it is likely to shift away from state interests in filling open jobs and move towards general incentivization of, and state funding for, post-secondary education in which no state interest is discerned by the minority.

HB 429-FN-LOCAL, requiring the offering of breakfast and lunch in all public and chartered public schools. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: The purpose of the bill and amendment is to require all public school districts in the state to offer a breakfast and lunch program under the Federal National School Breakfast Program (SBP) and the National School Lunch Program (NSLP). The amendment removes charter schools from the bill's requirements. Currently, 456 schools participate in the National School Lunch Program. Under the program, 27 schools provide lunch but not breakfast, and 6 provide neither. Income guidelines are in place for eligibility for both free and reduced price meals under the program. This bill is the result of an Education Committee subcommittee that met throughout the summer and fall investigating the role that schools can play in feeding children in our state. Approval of the bill and amendment will ensure that the children of every NH public school family of limited means can be provided with a healthy breakfast and lunch.

Rep. Arthur Ellison

Statement in support of Inexpedient to Legislate: This bill would require all public schools to participate in the National School Breakfast Program (SBP) and to make both breakfast and lunch available to all students. Currently, of the 456 schools that offer lunch under the National School Lunch Program (NSLP), only 27 schools provide lunch but do not also offer breakfast under the SBP. Six public schools do not operate either a NSLP or SBP. Under this bill, 27 schools would need to implement a SBP and 6 would need to operate both a NSLP and a SBP. However, there is no information about whether any of the schools without a SBP are not already providing breakfast, albeit not under the federal guidelines. It is impossible to know whether the goal - that those students who need breakfast can get it - is not already being met. Because this bill mandates compliance, it could create a Part I, Article 28-a constitutional issue if the costs of implementing the new programs and complying with federal standards fall to the local districts. Each local school board is responsible for the operation and funding of all programs and services offered by the district. In accordance with RSA 189:11-a, the local school board may provide meals that meet minimum, nutritional standards to students through programs other than the National School Lunch Program or the School Breakfast Program. This is a local decision made by locally elected school board members and citizens in accordance with the statutory waiver process. This is a "one size fits all" policy that negates the many unique operational characteristics of Granite State schools.

Rep. Margaret Drye

HB 430-FN-LOCAL, relative to applications for the education freedom accounts program. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: The bill limits applications for Education Freedom Accounts (EFAs) to students who are presently enrolled in public school for at least one year or will be entering kindergarten or first grade. Information provided by the Department of Education suggests of the 3,200 students currently enrolled in the EFA program, only about 100 students made the decision to leave their public school because of the availability of public taxpayer money to pay for a private education. The vast majority of EFA students had already left public school prior to the start of the EFA program or were likely to choose a private education regardless of the EFA. The existing law has enabled a taxpayer-funded private tuition rebate program. The bill restores the program back to its intended purpose of providing "school choice" options to students and their families.

Rep. David Luneau

Statement in support of Inexpedient to Legislate: This bill would restrict the successful Education Freedom Accounts program to only those students who are currently attending a NH public school for a minimum of one year. The impact would be to exclude students who were not currently attending a public school. Students who had already left a public school for an education option that met their needs would no longer be eligible for the program. Many questions were left unanswered in the executive session. What about students just moving to NH? What about NH students on the VT or ME borders who attend approved schools in those states under tuition agreements? This bill has too many unanswered questions in addition to the exclusion of families trying to find the best education for their children.

Rep. Glenn Cordelli

HB 487-FN, establishing a New Hampshire farm-to-school reimbursement program. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: This bill establishes a state program through the Department of Education to reimburse schools up to \$1,200 for the purchase of locally grown and produced food products like meats, vegetables, and fruits as part of the cafeteria offerings and snacks. Students will have access to fresh, nutritious, locally grown, and produced food products like meats, vegetables, and fruits. Feeding our children local foods, teaching them about our local food economy helps students thrive and succeed. Local farmers and producers will have new market opportunities, increased connections with

students, their communities and schools as well as receiving more financial support to grow the local agricultural economy. This program is a win-win-win-win for students, schools, our local farmers and producers, and New Hampshire's food economy.

Rep. Linda Tanner

Statement in support of Inexpedient to Legislate: This bill establishes a New Hampshire farm-to-school reimbursement program as part of the National School Lunch Program and makes an appropriation therefor. It would require the Department of Education to hire a staff person to manage the program. It is unsure if there are enough farms in the state to supply the program or if enough food is grown within the state to make this a worthwhile endeavor. There are 149 schools in NH voluntarily participating in farm to school programming; of those, 76.5% serve local food, 73.5% provide food, nutrition or agricultural education, 55% have edible gardens, and nearly 50% hold student field trips to farms, taste tests, and cooking demos. The cost of establishing such a program is unnecessary when schools can contract with local farmers and develop their own local gardening curriculum as they see fit.

Rep. Katy Peternel

HB 521-FN-A, relative to the department of education payment for placement for an episode of treatment. **OUGHT TO PASS.**

Rep. Glenn Cordelli for Education. This bill details and clarifies current practices for Department of Health and Human Services or Department of Education payment for services when a student is placed in a residential placement in an emergency situation. The determining factor as to department payment responsibility will be whether the placement is due to the student's special needs. The bill also limits school district costs for special education for a student in placement. **Vote 20-0.**

HB 542-FN-A, establishing an academic research and improvement performance data analyst in the department of education. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. This bill establishes a new, necessary position within the Department of Education. The academic research and improvement performance data analyst shall collect and analyze statewide assessment data to: measure student progress, evaluate program and instructional effectiveness, guide curriculum development and resource allocations, and promote accountability. The position shall also assist educators in the effective use of data to drive and improve education decision-making ensuring that all children learn. The analyst shall further support the goal to improve statewide student proficiency and growth using data-driven decision-making: collecting data, analyzing data, reporting data, using data for school improvement, and communicating through data. For years, the Education Committee has requested data that reflects achievement and growth of certain grade level cohorts as they progress through the grades. It has been noticed that statewide math proficiency falls in and around the completion of the middle school years. By better analyzing and utilizing data to understand those components in the math curriculum or other subjects that are weak, districts and the department will be better positioned to make necessary improvements. This bill has bipartisan, unanimous support from the Education Committee. **Vote 20-0.**

HB 626-FN, requiring the department of education to administer the education freedom account. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: The bill requires the Department of Education to administer Education Freedom Accounts (EFAs). Under current law, EFAs are administered by a private contractor that keeps 10% of the taxpayer dollars allocated to these accounts. Most students with an EFA were not even attending public schools when they applied to the program and instead were already going to private or home schools at no cost to taxpayers. But now, New Hampshire taxpayers are on the hook to pay for private school tuition and home school costs totaling \$20 million plus another \$2.3 million as payment for administrative costs to a contractor that has current and former state legislators on its board and employs seven people. Moving the administration of the EFA program from the contractor to the department, as done in other states, is financially more responsible and will provide for better transparency, accountability, and oversight for the program. And it will result in more of the EFA funds to be used for students.

Rep. David Luneau

Statement in support of Inexpedient to Legislate: The current nonprofit organization administering the Education Freedom Accounts (EFA) is running within the mean for administrative costs relative to public schools. Further, there were substantial startup costs associated with the EFA program that were cited in testimony that are not expected to be duplicated going forward, and which should result in substantial cost savings that may bring the cost well below the mean for public schools. The private sector administration of this program is also believed to be more agile and capable of operating within the parameters of law while being more cost effective over the long term. Further legislation is anticipated in the committee that will clarify existing language that multiple organizations may administer this program as an open bidding process that provides further competitive advantage.

Rep. Mike Belcher

HB 638-FN-LOCAL, relative to the extraordinary need grants to schools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for the **Majority** of Education. This bill imposes new requirements on the implementation of accountability plans for extraordinary need grants to schools. During the previous session, SB 420 established an “Extraordinary Need Grant” within the education funding formula that is based upon equalized property valuation per pupil and Free and Reduced Meal program eligibility. The amount of \$14.3M for FY23 is directed to poverty/low income communities as part of the funding formula. This is a separate need grant, and is not part of either base adequacy or differentiated aid that comprise “adequacy.” The allocation for FY24 approximates \$9.7M. A school district receiving this aid is required to complete an accountability report identifying how the received grant will be used. The accountability plan was amended to SB 420 by the House in the previous session. Due to the fact that many small districts receive well under \$50,000 in revenue from the grant and with some smaller districts provided only \$2,000, these districts are having to place more time and resources into applying for the grant than funds that will eventually be received. Language within this bill states that the accountability plan will NOT be a condition requirement to receive the extraordinary need grant award as estimated on November 15 pursuant to law, if the grant is less than \$50,000. **Vote 19-1.** Rep. Alicia Lekas for the **Minority** of Education. The minority believes that all such grants should have accountability to the taxpayer as was originally passed into law. This bill seeks to remove that accountability for grants under \$50,000. The minority wonders how much out of \$50,000 it takes to write a report and email it to the DOE. The minority was willing to entertain an amendment for perhaps grants under \$1,000. The minority believes that we keep sending more money to education into a black hole, with no knowledge of how it is actually being spent and whether it is effective. The law as it stands requires the school receiving the grant to account for the grant and its effectiveness. We should not be short-changing that after only a year of the grant being instituted.

ELECTION LAW

HB 324-FN-A, relative to campaign contributions and expenditures and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ross Berry for the **Majority** of Election Law. This bill seeks to create a system of taxpayer-funded elections for the purpose of removing the influence of money on political candidates. Taxpayer-funded campaigns take money from taxpayers who may not support a particular candidate or party and gives it to those that they would not have supported. This means that taxpayers are forced to fund campaigns they do not support which is an infringement of the right to free speech and to freedom of association. Furthermore, nothing in this proposed bill would prohibit outside money or groups from participating in an election so the law would be putting a \$6,000,000.00 burden on people of New Hampshire while allowing outside campaign dollars to continue to flow. As such, this bill does not accomplish its objective and amounts to a bailout of failing campaigns. **Vote 10-10.** Rep. Russell Muirhead for the **Minority** of Election Law. Supporters of Ought to Pass believe that this bill addresses the problem of the undue influence of elites and dark money created by our current system of campaign finance. The bill creates “voter-owned elections” for the executive council and governor races by giving every voter four \$25 certificates that they in turn could donate to candidates of their choice. The plan has been successfully implemented in other places, such as Seattle. While this bill only creates a legal framework so the plan can be implemented at a later date, the sponsor estimates that if fully implemented, the total costs of the plan would amount to \$8 per voter, per election cycle. Supporters of the bill believe this is a small and reasonable price to pay to limit the power of the donor class and to empower ordinary citizens.

HB 502-FN, relative to voter affidavit ballots. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: Supporters of Ought to Pass believe that the current statutes under 2022’s SB418 are unconstitutional and the language should be repealed. The constitutional conflicts include the date of the state primary not providing adequate time for UOCAVA ballots to rectify any missing documents and RSA 659:13-1c stating that moderators cannot mark ballots. These constitutional issues can be solved by supporting this bill.

Rep. Heath Howard

Statement in support of Inexpedient to Legislate: Supporters of ITL believe that this bill seeks to return New Hampshire’s voter registration process to an unaccountable and vulnerable system with no checks or verifications. Under this proposed bill, any person would be able to walk into any polling location on election day and register to vote while presenting no form of ID or proof of domicile. Furthermore, this bill reinstates the religious exemption clause for those voters registering without ID from having to have their photo taken. By repealing affidavit ballots, these votes will be cast and indistinguishable even though they may not be from qualified voters. The provisions of this law only apply to those registering on election day and the exemption for previously registered voters remains.

Rep. Ross Berry

HB 508-FN, relative to the payment of postage on absentee ballot return envelopes. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for Election Law. This bill would have the Secretary of State provide pre-paid, first-class postage for all return envelopes accompanying absentee ballots. The sponsors believe that the cost of first-class postage is a barrier to absentee voters, and have characterized the cost of postage as a “poll tax” upon absentee voters. In opposition to this bill, it is believed that the “poll tax” characterization is unsubstantiated. No evidence was provided to demonstrate that the cost of postage was an undue burden to a significant number of absentee voters, and nothing was provided to justify costs exceeding \$100,00.00. Additionally, no provision was made for special elections or overseas voters. Undeniably, the civic duty and privilege of voting necessarily incurs a cost for the voter; whether it be time spent researching the candidates, time taken to place one’s vote, transportation costs, or postage. This bill would ultimately create two voter classes: those with financed voting activities, and those without financing. The author of this report believes this practice of providing postage would ultimately discourage more active participation in the voting process. **Vote 11-9.**

ENVIRONMENT AND AGRICULTURE

HB 300-FN, prohibiting the disposal of certain food waste. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Megan Murray for Environment and Agriculture. This bill, as amended, comports with the findings, goals, and recommendations of the Solid Waste Working Group and the committee’s work to address waste disposal hierarchy goals. It supports our efforts to keep food waste out of landfills as it is not only a methane gas generator, but it is also heavy. There are more preferable methods such as: feeding hungry people, animals, and composting. The attached amendment reduces the radius from 50 miles to 20 miles for those generating one ton or more of waste per week. It also opens the door for burgeoning industries to develop in composting, as working group goals outline. **Vote 20-0.**

HB 462-FN-A, making an appropriation to the solid waste management fund and targeting food waste reduction and diversion. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Environment and Agriculture. This bill appropriates \$2 million to the solid waste management fund and supports food waste reduction and diversion efforts. The amendment clarifies the language allowing for other grants and monies from other sources to be deposited into the fund. For the appropriation to this fund, 50% shall be used to give priority to projects associated with the reduction and diversion of food, food waste, and other organic wastes. **Vote 20-0.**

HB 494-FN, relative to fees collected under the New Hampshire fertilizer law. **OUGHT TO PASS.**

Rep. Peter Bixby for Environment and Agriculture. Currently the fees from the New Hampshire fertilizer law and the New Hampshire agricultural liming materials law go into the general fund. The study committee on soil conditioners heard testimony last term that the Department of Agriculture, Markets and Food did not have adequate resources to test fertilizers to make sure they met label guarantees on a regular basis. This bill will create a dedicated fund to direct the fees toward the purpose for which they are charged, namely, to oversee the requirements for plant and soil amendments to ensure an even playing field for producers and consumer protection for farmers, gardeners and other agricultural producers. **Vote 20-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 341-FN, establishing licensure for massage establishments. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Matthew Santonastaso for the **Majority** of Executive Departments and Administration. This bill will require massage establishments to be licensed and aims to help reduce sex trafficking by having the Office of Professional Licensure and Certification (OPLC) conduct inspections. This is in the scope of law enforcement and OPLC isn’t equipped to deal with this kind of situation. Additionally, it is unlikely that any massage establishments that are involved in sex trafficking would comply and apply for a license that requires these inspections. They would either rebrand or simply not comply. The committee believes that this license would be burdensome to legitimate businesses and ineffective in fighting the abuses that concern its sponsors. **Vote 11-9.** Rep. Jaci Grote for the **Minority** of Executive Departments and Administration. This bill requires that massage establishments be registered with the Office of Professional Licensing and Certification (OPLC) to allow inspections of their facilities similarly to barbering, cosmetology, and esthetics. The purpose of these inspections are similar to those for other boards and confirms that employees are properly licensed and that the establishment meets public hygiene standards. Those sole and independent therapists are exempt from this bill.

HB 620-FN, establishing a department of early childhood education and relative to a pre-kindergarten pilot program. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: The original bill requested a Department of Early Childhood Education for a three year pilot program. The committee has strong reservations for a new

Department and its related costs for a pilot program. An amendment adopted by the committee enables a division of early childhood education under the Department of Education (DOE). The Deputy Commissioner of Education appeared before the subcommittee in support of the amendment and stated that DOE would account for this three year pilot program within their budget.

Rep. Jaci Grote

Statement in support of Inexpedient to Legislate: This bill, as introduced, would have created a new executive branch department just to run a pre-kindergarten pilot program. That is likely why the bill came to this committee. Many on the committee did not believe that standing up a new department just for a pilot program was at all an appropriate use of state resources. An amendment was proposed that, instead of creating a new department, to start the pre-kindergarten pilot program under the department of education. There are numerous studies on the benefits and harms of state pre-kindergarten programs. Those on the committee who oppose this bill, even as amended, have various serious concerns about the value of such programs and the possible harm they may produce. In any case, the committee does not have the experience and expertise to make such a determination. If such a program is proposed in the future, it should not include the creation of an entire department with all the overhead and cost that entails for a pilot program. Instead, it should be proposed in a manner that would result in the education committee reviewing it and making a recommendation on this complex and non-obvious question.

Rep. Tony Lekas

COMMITTEE MEETINGS FRIDAY, FEBRUARY 10

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

10:00 a.m. Regular meeting. This meeting will take place by remote conference. To listen in please follow the instructions: Please register for HB 737 Commission Meeting on February 10, 2023 10:00 AM EST at: <https://attendee.gotowebinar.com/register/5594148464891896925>
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 (213) 929-4212 Access Code: 237-862-334 Webinar ID: 914-210-731
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. You may also call Amy Rousseau at 603-848-1372.

COMMISSION TO STUDY THE USE OF OHRVS IN NEW HAMPSHIRE (RSA 215-A:44-a), Department of Natural & Cultural Resources, 172 Pembroke Road, Main Conference Room, Concord, NH

10:00 a.m. Regular meeting. Remote access: Microsoft Teams Meeting ID: 223 916 359 909
Passcode: nCcpDM By Phone: +1 603-931-4944 ,975104183#.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB

8:30 a.m. Subcommittee Work Session on **HB 107-FN**, relative to employment restrictions for registered sex offenders.
9:30 a.m. **HB 191**, relative to voluntarily surrendered firearms.
10:15 a.m. **HB 305**, relative to exceptions for violations related to Presidential Executive Orders governing the keeping or bearing of arms.
11:00 a.m. Executive Session on **HB 31-FN**, repealing the prohibition on the possession or sale of black-jacks, slung shots, and metallic knuckles; **HB 89**, relative to posthumous exonerations and annulments; **HB 158-FN**, relative to armor piercing ammunition; **HB 216-FN**, exempting dimethyltryptamine from the controlled drug act; **HB 315**, prohibiting provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in a criminal case; **HB 473-FN**, relative to penalties for controlled drug violations; **HB 498-FN**, requiring fish and game officers to obtain a warrant to conduct a search and seizure; **HB 545-FN**, amending the victims' bill of rights; **HB 581-FN**, repealing the controlled drug act and establishing a committee to study the policy and statutory changes necessary to implement the repeal; **HB 191**, relative to voluntarily surrendered firearms; **HB 305**, relative to exceptions for violations related to Presidential Executive Orders governing the keeping or bearing of arms.

EDUCATION, Room 205-207, LOB

9:00 a.m. Executive Session on **HB 577-FN-L**, relative to state aid for special education pupils.
9:45 a.m. **HB 651**, authorizing the department of education and local school districts to contract with transportation network companies to provide school transportation services.

- 10:15 a.m. **HB 349**, relative to a special purpose school district for Bridgewater, Hebron, and Groton.
 11:15 a.m. **HB 275-L**, relative to schools approved for a school tuition program by a school board.
 12:45 p.m. **HB 640**, relative to cost recovery for vocational rehabilitation programs.
 1:15 p.m. **HB 628-FN**, requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.
 2:00 p.m. **HB 427**, relative to public comment and inquiry during school board meetings.
 2:45 p.m. **HB 629-FN**, establishing a student bill of rights.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306-308, LOB

- 10:00 a.m. Subcommittee Work Session on **HB 655-FN**, relative to the office of professional licensure and certification.

Room 302-304, LOB

- 10:00 a.m. Full Committee Work Session on **HB 436-FN-L**, relative to group II retirement under transition provisions in the retirement system.

FINANCE - DIVISION I, Room 212, LOB

- 10:00 a.m. Department of Natural and Cultural Resources - Agency Overview Presentation.
 11:00 a.m. Liquor Commission - Agency Overview Presentation.
 1:00 p.m. Department of Business and Economic Affairs - Agency Overview Presentation.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1), State House, 107 North Main Street, Executive Council Chambers - Room 207, Concord, NH

- 9:30 a.m. Regular meeting.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 206-208, LOB

- 10:00 a.m. Executive Session on **HB 392-FN**, relative to constitutional convention procedures for delegates; **HCR 7**, recognizing the Nulhegan Band of the Coosuk Abenaki Nation; **HR 7**, calling for the federal government to preserve and protect Medicare and Social Security without cuts to benefits; **HR 15**, relative to affirming support against the establishment of a state religion; **HR 16**, relative to the Internal Revenue Service.

STATEWIDE INTEROPERABILITY EXECUTIVE COMMITTEE (SIEC) (RSA 21-P:48, IV), NH Fire Academy, Classrooms 5, 6 & 7, 98 Smokey Bear Blvd Concord, NH

- 9:00 a.m. Regular meeting.

MONDAY, FEBRUARY 13

ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b), Room 100, Walker Building, 21 S. Fruit St, Concord, NH

- 9:00 a.m. Regular meeting.

EDUCATION, Room 205-207, LOB

- 9:00 a.m. **HB 204**, relative to non-academic surveys in schools.
 9:45 a.m. **HB 550-FN**, relative to chartered public school dissolution.
 10:30 a.m. **HB 382**, authorizing local school boards to give students release time for participation in religious instruction in an elective course for the purposes of satisfying curriculum requirements.
 10:40 a.m. **HB 634-FN**, relative to students' participation in religious instruction to satisfy elective curriculum requirements.
 10:50 a.m. **HB 552-FN-A-L**, relative to making incentive grants for school districts that improve in certain assessment scores.
 11:30 a.m. **HB 371**, establishing a commission to evaluate and recommend standards for public schools.
 1:00 p.m. Full Committee Work Session on **HB 654**, relative to the one-year certificate of teaching eligibility; **HB 377-FN**, relative to screening and intervention in public schools for dyslexia and related disorders; **HB 437-FN**, relative to a reading assessment and intervention program; **HB 623-FN**, establishing a teacher candidate loan forgiveness program.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 9:00 a.m. **HB 558-FN**, relative to electric microgrids and electric grid resiliency.
 9:30 a.m. **HB 372**, establishing a commission to study the short and long-term impacts of pending national and regional carbon pricing mechanisms on New Hampshire's citizens, businesses, institutions, and environment.
 10:00 a.m. **HB 509**, relative to the phasing out of the minimum electric renewable portfolio standard.
 10:30 a.m. **HB 523-FN**, relative to net energy metering limits for individual and business customers.
 2:30 p.m. **HB 524-FN**, relative to regional greenhouse gas initiative funds.

- 3:30 p.m. **HB 233-FN**, relative to useful thermal energy under the renewable portfolio standards.
 3:00 p.m. Executive Session on **HB 175**, relative to the state's energy consumption reduction goal; **HB 176**, relative to rules of the site evaluation committee; **HB 208-FN**, establishing greenhouse gas emission reduction goals for the state and establishing a climate action plan; **HB 298**, relative to placement of personal wireless service facilities.

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2), Room 104, LOB

- 3:00 p.m. Regular meeting.

NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2), Brain Injury Association of New Hampshire Office, 52 Pleasant Street, Concord, NH

- 2:00 p.m. Special meeting.

NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a), New Hampshire Veterans Home, Tarr South Conference Room, 139 Winter Street, Tilton 03276

- 9:00 a.m. Regular meeting.

WAYS AND MEANS, Room 202-204, LOB

- 10:00 a.m. Agency Presentations.

TUESDAY, FEBRUARY 14

COMMERCE AND CONSUMER AFFAIRS, Room 302-304, LOB

- 9:00 a.m. Full Committee Work Session on **HB 639-FN-A**, relative to the legalization and regulation of cannabis and making appropriations therefor.

WEDNESDAY, FEBRUARY 15

COMMERCE AND CONSUMER AFFAIRS, Room 302-304, LOB

- 10:00 a.m. Full Committee Work Session on **HB 279-FN**, increasing the penalty for on-premises licensees overserving alcohol; **HB 465-FN**, restricting use of perfluoroalkyl and polyfluoroalkyl substances in certain consumer products; **HB 639-FN-A**, relative to the legalization and regulation of cannabis and making appropriations therefor.
 1:15 p.m. Executive Session on **HB 279-FN**, increasing the penalty for on-premises licensees overserving alcohol; **HB 373-FN**, relative to billing for ambulance services; **HB 465-FN**, restricting use of perfluoroalkyl and polyfluoroalkyl substances in certain consumer products; **HB 639-FN-A**, relative to the legalization and regulation of cannabis and making appropriations therefor.
 2:00 p.m. **HB 513-FN**, relative to affordability and safety of clinician administered drugs.
 2:15 p.m. **HB 304-FN**, relative to advanced driver assistance system disclosures by auto glass repair or replacement facilities.

EDUCATION, Room 205-207, LOB

- 9:00 a.m. Executive Session on **HB 272-FN**, increasing chartered public school per pupil funding; **HB 492-FN**, requiring the department of education to provide the house and senate standing committees responsible for education with copies of the laws and rules relative to education; **HB 529-FN-A-L**, relative to additional aid grants for schools based on free and reduced price meals and fiscal capacity disparity; **HB 71**, repealing a department of education report on chartered public school funding; **HB 382**, authorizing local school boards to give students release time for participation in religious instruction in an elective course for the purposes of satisfying curriculum requirements; **HB 634-FN**, relative to students' participation in religious instruction to satisfy elective curriculum requirements; **HB 441-FN-L**, eliminating residency requirements for public school attendance; **HB 104**, relative to multi-stall bathrooms and locker rooms in schools; **HB 352**, relative to excused absences due to a student's mental or behavioral health; **HB 505-FN**, relative to comprehensive mental health education in schools; **HB 539-FN**, relative to vaccination clinics at schools; **HB 627-FN**, relative to local education improvement plans and disparities in education; **HB 514**, relative to the dissemination of obscene material by schools and institutions of higher learning; **HB 604**, relative to reading specialists; **HB 623-FN**, establishing a teacher candidate loan forgiveness program; **HB 563-FN-L**, relative to the adoption of school administrative unit budgets; **HB 452**, relative to the department of education procedures for school building aid applications; **HB 354**, relative to chartered public school eligibility for state school building aid; **HB 394-L**, relative to the organization of cooperative school boards; **HB 632**, relative to the cooperative school district budget committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306-308, LOB

- 10:00 a.m. **HB 457-FN**, relative to state treasury pension and insurance fund management.

- 10:30 a.m. **HB 278-FN**, relative to special duty hours worked by retired police members in the retirement system.
- 10:35 a.m. Public Hearing on non-germane amendment #2023-0334h to HB 278 relative to relative to special duty hours worked by retired police members in the retirement system. The amendment ratifies a provision for the retirement system to receive employer compensation reports and assess a penalty for noncompliance. Copies of the amendment are available on the General Court website.
- 11:15 a.m. **HB 461-FN**, relative to elimination by political subdivision employers of a group II retirement position.
- 2:00 p.m. **HB 559-FN**, establishing a state retirement plan group for new state employee members of the retirement system.
- 1:00 p.m. Executive Session on **HB 436-FN-L**, relative to group II retirement under transition provisions in the retirement system; **HB 258**, establishing a certification for animal chiropractors.

FINANCE - DIVISION I, Room 212, LOB

- 1:00 p.m. Division Work Session on **HB 506-FN-A**, relative to the construction of a rail trail box tunnel on Exit 4-A in Derry and making an appropriation therefor.

FINANCE - DIVISION II, Room 209, LOB

- 1:00 p.m. Budget Process Work Session with LBA.

FINANCE - DIVISION III, Room 210-211, LOB

- 1:00 p.m. Division Work Session on **HB 527-FN-A**, relative to Medicaid reimbursement rates for certain assisted living facilities.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 201-203, LOB

- 9:00 a.m. **HB 608-FN**, establishing a pilot program to support the bureau of developmental services redesign.
- 10:00 a.m. **HB 69**, relative to direct payment and membership-based health care facilities.
- 11:00 a.m. **HB 238**, relative to the role of quality control and the developmental disability service system.
- 11:30 a.m. **HB 317**, establishing a commission to study transitioning to a 2-tier waiver system for individuals eligible for disability services.
- 1:00 p.m. Executive Session on **HB 188**, relative to the duration of physical therapy; **HB 554-FN**, relative to treatment alternatives to opioids; **HB 66**, establishing a commission to study non-pharmacological treatment options for patients with chronic pain; **HB 500**, relative to prescribing opioids via telehealth medicine; **HB 325**, relative to the controlled drug prescription health and safety program advisory council members; **HB 611-FN**, relative to eligibility criteria for the therapeutic cannabis program; **HB 610-FN**, expanding the definition of providers who can certify patients of the therapeutic cannabis program; **HB 431**, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use; **HB 282-FN-A**, relative to including certain children and pregnant women in Medicaid and the children's health insurance program. Continued executive session on any remaining bills from February 9, 2023.

JUDICIARY, Reps Hall, SH

- 9:00 a.m. **CACR 2**, relating to reproductive freedom. Providing that all persons have the right to make their own reproductive decisions.
- 10:30 a.m. **HB 271-FN**, repealing the fetal life protection act.
- 1:00 p.m. **HB 88**, relative to reproductive rights.
- 2:30 p.m. **HB 224-FN**, repealing the criminal and civil penalties from the fetal life protection act.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:30 a.m. Executive Session on **HB 489-FN-A**, establishing a county tourism development fund administered by the department of business and economic affairs and making an appropriation therefor; **HB 265-L**, relative to municipal property tax relief for installation of fire suppression systems; **HB 335**, relative to notice of tax lien on real estate subject to a lien for old age assistance; **HB 433-FN**, providing that property tax exemptions granted prior to a home sale shall not be applied to the new homeowner; **HB 177**, relative to the definition of qualified structures under the community revitalization tax relief incentive; **HB 154**, relative to the adoption of public health ordinances by municipalities; **HB 236**, relative to condominium conversions under water and waste disposal laws and municipal ordinances; **HB 202**, relative to property tax abatements; **HB 51**, relative to requiring towns and school districts use warrant articles for lobbying agents; **HB 313**, relative to the reductions from the default budget for official ballot town meetings; **HB 270**, relative to the election of Strafford county commissioners; **HB 294**, enabling municipalities to adopt a child tax credit; **HB 423**, relative to accessory dwelling unit uses allowed by right;

HB 467-FN, relative to public playground accessibility; **HB 477**, to prohibit municipal inspections of owner-occupied units of multi-unit housing; **HB 485**, establishing deputy animal control officers; **HB 526-FN**, regulating the use of temporary traffic control personnel; **HB 636-FN**, relative to required education for zoning board of adjustment members.

SCIENCE, TECHNOLOGY AND ENERGY, Room 104, LOB

1:00 p.m. Subcommittee Work Session on **HB 81**, establishing a study committee to examine all ancillary charges for propane gas sales.

SPECIAL COMMITTEE ON CHILDCARE, Room 104, LOB

10:00 a.m. Licensing requirement and the background check process.

WAYS AND MEANS, Room 202-204, LOB

10:00 a.m. Executive Session on **HB 288-FN**, relative to taxation of sole proprietorship businesses; **HB 297**, relative to the state's dedicated funds review; **HB 569-FN**, relative to the state education property tax and the low and moderate income homeowners property tax relief program.

10:30 a.m. **HB 220**, establishing a committee to study the regulatory structure of charitable gaming.

10:45 a.m. **HB 607-FN**, relative to the regulation of games of chance.

1:15 p.m. **HB 510-FN**, relative to removing the exemption for premium cigars from the tobacco tax.

2:15 p.m. **HB 568-FN**, relative to assessing all state adequate education and local education costs through the state education warrant.

THURSDAY, FEBRUARY 16

COMMERCE AND CONSUMER AFFAIRS, Room 302-304, LOB

10:00 a.m. Exec session continued from Wednesday if needed

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB

9:00 a.m. Executive Session on **HB 32-FN**, relative to possession or discharge of a firearm in a safe school zone; **HB 46-FN**, relative to the appointment of magistrates and repealing the statutes governing bail commissioners; **HB 59-FN**, requiring a background check prior to any commercial firearm sale; **HB 76**, imposing a waiting period between the purchase and delivery of a firearm; **HB 78**, repealing an act prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep or bear arms; **HB 106-FN**, relative to extreme risk protection orders; **HB 351-FN**, relative to the negligent storage of firearms and relative to firearm safety devices; **HB 444-FN**, prohibiting possession of a firearm at a polling place; **HB 474-FN**, relative to enforcement of federal firearms laws and establishing penalties; **HB 512-FN**, exempting firearms manufactured in New Hampshire from federal laws and regulations.

Continued Executive Session on any remaining bills from 2/10/23.

EDUCATION, Room 205-207, LOB

9:00 a.m. **HB 553**, relative to school district information on personnel salaries.

9:30 a.m. **HB 536**, relative to the chartered public school joint legislative oversight committee.

10:00 a.m. **HB 649-FN**, repealing the collection of the state education property tax.

11:00 a.m. **HB 651**, authorizing the department of education and local school districts to contract with transportation network companies to provide school transportation services.

11:30 a.m. **HB 528-FN**, relative to school lunches and establishing the meals for students fund.

Continued executive session on any remaining bills from February 15, 2023.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306-308, LOB

10:00 a.m. **HB 64**, requiring the commission on demographic trends to consider data on race and ethnicity for the purpose of increasing racial and ethnic diversity in New Hampshire.

10:30 a.m. **HB 228**, relative to repealing the commission on demographic trends.

11:15 a.m. **HB 564**, relative to ratification of amendments to the state building code and state fire code.

11:20 a.m. Amendment 2023-0091 for HB 564.

1:00 p.m. **HB 617-FN**, prohibiting, with limited exceptions, state agencies from requiring use of proprietary software in interactions with the public.

1:45 p.m. **HB 284**, relative to financial information regarding requests for bids and proposals.

2:30 p.m. **HB 359**, relative to legal holidays.

FINANCE - DIVISION I, Room 212, LOB

9:30 a.m. Budget Work Session - NH Retirement System.

10:00 a.m. Budget Work Session - Insurance Department.

10:30 a.m. Budget Work Session - Board of Tax and Land Appeals.

- 11:00 a.m. Budget Work Session - Executive Council.
- 1:00 p.m. Budget Work Session - Liquor Commission.
- 2:00 p.m. Budget Work Session - Department of Employment Security.

FINANCE - DIVISION II, Room 209, LOB

- 10:00 a.m. Budget Work Session - Community College System of New Hampshire.
- 11:00 a.m. Budget Work Session - University System of New Hampshire.
- 1:00 p.m. Budget Work Session - Lottery Commission.
- 2:00 p.m. Budget Work Session - Police Standards and Training Council.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 201-203, LOB

- 9:00 a.m. **HB 406-FN**, relative to parental access to children's medical records.
- 9:45 a.m. **HB 114**, relative to the age at which a minor may receive mental health treatment without parental consent.
- 10:30 a.m. **HB 575-FN**, relative to vaccine and pharmaceutical products purchased, promoted, or distributed by the state and its political subdivisions.
- 11:15 a.m. **HB 557-FN**, relative to the department of health and human services' rulemaking authority regarding immunization requirements.
- 1:00 p.m. **HB 408**, relative to foster children and vaccinations.
- 1:30 p.m. **HB 217**, establishing a committee to study the effects of fluoride on fetuses and children.
- 2:00 p.m. **HB 342-FN**, relative to lead testing in children.
- 2:30 p.m. **HB 425-FN**, repealing the statute relative to medical freedom in immunizations.

JUDICIARY, Reps Hall, SH

- 9:00 a.m. **HB 346-FN**, relative to the right of any infant born alive to appropriate medical care and treatment.
- 10:30 a.m. **HB 562-FN**, requiring informed consent prior to receiving an abortion procedure.
- 1:00 p.m. **HB 591-FN**, prohibiting abortions after detection of fetal heartbeat.
- 3:00 p.m. **HB 652-FN**, relative to nonpublic sessions under the right to know law.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB

- 10:00 a.m. Executive Session on **HB 241**, relative to the opportunity of school district employees representing the collective bargaining unit to meet with the public employer as part of collective bargaining negotiations.
- 10:15 a.m. Executive Session on **HB 410**, relative to municipality ranked list promotions.
- 10:30 a.m. Executive Session on **HB 561**, establishing a committee to examine workforce and school accommodations for those with long-term COVID and ME/CFS.
- 11:00 a.m. Executive Session on **HB 182-FN**, prohibiting discharge of volunteer firefighters or volunteer emergency medical technicians from other employment.
- 11:15 a.m. Executive Session on **HB 150**, relative to the certification of a collective bargaining unit.
- 11:30 a.m. Executive Session on **HB 125**, relative to youth employment during the school year and at night.

Room 305-307, LOB

- 1:00 p.m. Subcommittee Work Session on **HB 232-FN**, adopting section 1910 OSHA standards for public sector employees in New Hampshire.
- 2:30 p.m. Subcommittee Work Session on **HB 82-FN**, relative to employment protection for participants in the therapeutic cannabis program.

SCIENCE, TECHNOLOGY AND ENERGY, Room 206-208, LOB

- 9:00 a.m. **HB 631-FN**, relative to electric utility smart meter gateway devices.
- 10:00 a.m. **HB 159**, relative to the default service rate for electricity.
- 1:00 p.m. Executive Session on **HB 233-FN**, relative to useful thermal energy under the renewable portfolio standards; **HB 257**, relative to telephone carrier of last resort obligations; **HB 251**, relative to the cost of compliance with disclosure of electric renewable portfolio standards; **HB 263-FN**, requiring notification to renewable energy customer-generators of issues related to renewable energy credits; **HB 281**, relative to least cost integrated resource plan of utilities; **HB 443**, establishing a commission to study the withdrawal of New Hampshire from ISO New England; **HB 372**, establishing a commission to study the short and long-term impacts of pending national and regional carbon pricing mechanisms on New Hampshire's citizens, businesses, institutions, and environment; **HB 605-FN**, relative to solar generation under the renewable portfolio standards.

WAYS AND MEANS, Room 210-211, LOB

- 10:00 a.m. Revenue Work Session.

FRIDAY, FEBRUARY 17

ADMINISTRATIVE RULES (RSA 541-A:2), Room 306-308, LOB

9:00 a.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB

9:00 a.m. Executive Session on **HB 588-FN**, relative to the criteria for applying for parole; **HB 653-FN**, prohibiting personal recognizance bail for violent crimes; **HB 624-FN**, relative to federal immigration checkpoints; **HB 596-FN**, prohibiting the use of racial profiling in law enforcement activities and in sentencing; **HB 400-FN**, relative to certain assault offenses, bail eligibility for commission of certain assault offenses, and making a false report to a law enforcement officer; **HB 107-FN**, relative to employment restrictions for registered sex offenders; **HB 360-FN**, an act legalizing cannabis for persons 21 years of age or older.

FINANCE - DIVISION I, Room 212, LOB

9:30 a.m. Budget Work Session - Department of Energy, Public Utilities Commission, Site Evaluation Committee, Office of Consumer Advocate.

11:00 a.m. Budget Work Session - Community Development Finance Authority.

1:00 p.m. Budget Work Session - Department of Information Technology.

2:00 p.m. Budget Work Session - Treasury Department.

FINANCE - DIVISION III, Room 210-211, LOB

1:00 p.m. Budget Work Session with Department of Health and Human Services.

FISCAL COMMITTEE (RSA 14:30-a), Room 210-211, LOB

10:00 a.m. Regular meeting.

JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1), Room 100, SH

1:00 p.m. Regular meeting.

NEW HAMPSHIRE TRANSPORTATION COUNCIL (RSA 238-A:2), NH DOT, Room 112-113, 7 Hazen Drive, Concord, NH

9:00 a.m. Regular meeting. Join Zoom: <https://us06web.zoom.us/j/82230897405?pwd=aGZXRNVENi9lYzA5VDdsNmUxMWRrdz09>

By Phone: +1 312 626 6799 Webinar ID: 822 3089 7405 Passcode: 996541

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

9:00 a.m. Regular meeting.

SPECIAL COMMITTEE ON HOUSING, Room 104, LOB

10:00 a.m. Presentation by NH Realtors Association.

10:30 a.m. Presentation by Elm Grove Companies.

1:00 p.m. Presentation from NH Legal Assistance.

1:30 p.m. Presentation by Housing Action NH.

2:00 p.m. Research presentation on NH zoning laws by Jason Sorens.

TUESDAY, FEBRUARY 21

CHILDREN AND FAMILY LAW, Room 206-208, LOB

9:30 a.m. **HB 548-FN**, relative to the definition of compliance with a legal support order for child support payments.

10:10 a.m. **HB 618-FN**, relative to wage garnishment with child support payments.

10:50 a.m. **HB 583-FN**, relative to the termination of child support.

11:10 a.m. **HR 14**, a resolution to urge the investigation of due process in family court cases.

1:00 p.m. Executive Session on **HB 306**, relative to prohibiting reunification therapy; **HB 535-FN**, requiring an attorney for a child who is the subject of a proceeding in a family court case; **HB 471-FN**, relative to final disposition hearings in divorce proceedings; **HB 497-FN**, relative to the confidentiality of records within the division of children, youth, and families.

2:00 p.m. **HB 185-FN**, relative to the determination of parental rights and responsibilities based on shared parenting and shared access to the child's records.

2:45 p.m. **HB 455-FN**, relative to creating a new state cause of action and special findings for abused, neglected, and abandoned children seeking special immigrant juvenile status under federal law.

3:15 p.m. **HB 499-FN**, requiring the rules of evidence to apply in family court cases and relative to the admission of certain evidence in family court proceedings.

ENVIRONMENT AND AGRICULTURE, Room 303, LOB

10:30 a.m. **HB 253**, establishing a committee to study extended producer responsibility.

- 1:00 p.m. **HB 56**, relative to permits for the siting of new landfills.
 2:30 p.m. **HB 602-FN**, relative to landfill siting.

WEDNESDAY, FEBRUARY 22

WAYS AND MEANS, Room 202-204, LOB

- 10:00 a.m. Revenue estimates.

FRIDAY, FEBRUARY 24

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB

- 9:00 a.m. Executive Session on **HB 113**, relative to the physical fitness performance requirements for law enforcement officers; **HB 135-FN**, prohibiting no-knock warrants; **HB 156**, relative to misconduct by a law enforcement officer; **HB 328-FN**, an act legalizing certain controlled substances for persons 21 years of age or older; **HB 344-FN**, relative to the home cultivation of cannabis plants and the possession of certain cannabis-infused products; **HB 376**, establishing a committee to study the current education, training, and requirements for personnel employed as emergency dispatchers and 911 telecommunicators for police, fire, and emergency medical organizations; **HB 481-FN**, relative to arrest warrants and search warrants; **HB 503-FN**, relative to the rights afforded to a person accused of a crime; **HB 585-FN**, relative to screening law enforcement officer candidates for steroids and requiring law enforcement officers to be screened for steroids in complaints involving the use of excessive force; **HB 589-FN**, prohibiting state and local law enforcement from participating in the enforcement of copyright claims against free and open source software projects; **HB 593-FN**, relative to the forfeiture of assets in connection with a drug offense.
HB 421, requiring feminine hygiene products to be provided to prisoners who menstruate in state and county correctional facilities.

PUBLIC WORKS AND HIGHWAYS, Room 201-203, LOB

- Capital Budget Presentations.
 10:00 a.m. Legislative Budget Assistant.
 10:30 a.m. University System of New Hampshire.
 11:00 a.m. Governor's Office.
 11:30 a.m. Department of Information Technology.
 1:00 p.m. Department of Administrative Services.
 2:00 p.m. Community College System of NH.

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

- 9:30 a.m. Regular meeting. Remote attendance:
<https://attendee.gotowebinar.com/register/3435858814888164108>.

MONDAY, FEBRUARY 27

WAYS AND MEANS, Room 202-204, LOB

- 10:00 a.m. Full Committee Revenue work session.

TUESDAY, FEBRUARY 28

FINANCE - DIVISION II, Room 209, LOB

- 10:00 a.m. Budget Work Session - Department of Education

WAYS AND MEANS, Room 202-204, LOB

- 10:00 a.m. Full Committee Revenue work session.

WEDNESDAY, MARCH 1

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 210-211, LOB

- 9:00 a.m. **HB 215**, relative to the adoption of rules by the department of health and human services regarding medication administration by licensed nursing assistants.
 9:30 a.m. **HB 136**, relative to the department of health and human services collaborating and holding a roll call vote on final proposal of rules with the advisory council prior to departmental rulemaking.
 10:00 a.m. **HB 642-FN**, relative to prohibiting the department of health and human services from enforcing salary caps for direct care workers.

- 10:30 a.m. **HB 378**, requiring a health care provider to inform and offer to take and preserve blood and urine samples from a patient who may have been drugged or sexually assaulted.
- 1:00 p.m. **HB 277**, relative to patients' right to sterilization treatment.
- 2:00 p.m. **CACR 8**, relating to a constitutional right to birth control. Providing that the constitution protects the right to access birth control.

NEW HAMPSHIRE LOW-GRADE TIMBER AND WOOD EMERGING MARKET COMMISSION (RSA 227-1), NH DNCR Forests and Lands, Main Conference Room, 172 Pembroke Road Concord, NH

10:00 a.m. Regular meeting.

WAYS AND MEANS, Room 202-204, LOB

10:00 a.m. Revenue work session.

MONDAY, MARCH 6

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

10:00 a.m. Organizational meeting.

TUESDAY, MARCH 7

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Reps Hall, SH

- 10:00 a.m. **HB 619-FN**, prohibiting gender transition procedures for minors, relative to sex and gender in public schools, and relative to the definition of conversion therapy.
- 1:00 p.m. **HB 368-FN**, relative to protections related to receiving gender-affirming health care or gender-affirming mental health care.

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), Edward Cross Training Center Facility, 722 Riverwood Drive, Pembroke, NH 03275

5:00 p.m. Regular meeting.

WEDNESDAY, MARCH 8

RESOURCES, RECREATION AND DEVELOPMENT, Reps Hall, SH

1:00 p.m. **HB 448**, relative to Lake Winnepesaukee speed limitations.

FRIDAY, MARCH 10

CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2), Room 201-203, LOB

9:00 a.m. Organizational/Regular meeting.

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

9:30 a.m. Organizational / Regular Business Meeting.

MONDAY, MARCH 13

NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), University System of New Hampshire, 5 Chenell Drive, Suite 301, Concord, NH

10:00 a.m. Regular meeting.

FRIDAY, MARCH 17

ADMINISTRATIVE RULES (RSA 541-A:2), Room 306-308, LOB

9:00 a.m. Regular meeting.

MONDAY, MARCH 27

NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Mathey Center at Burley Farms, 247 North River Road, Epping, NH 03042

2:00 p.m. Regular meeting.

OFFICIAL NOTICES

This is to notify you that the Public Hearing and Meeting with the Full **Strafford** County Delegation has been scheduled for **Monday, February 13th at 9:30 a.m.** Public Access Via Zoom:

Meeting ID: 885 9255 6634 Passcode: 890898

<https://us02web.zoom.us/j/88592556634?pwd=MUZmQ21QOEQyUU9mbIRObFRoSmMvUT09>

Rep. Peter Schmidt

The **Rockingham** County Executive Committee will conduct a Public Hearing on Wednesday, **February 15, 2023, at 6:00 p.m.**, with an Executive Committee Meeting to immediately follow, in the Hilton Auditorium at the Rockingham County Rehabilitation and Nursing Center in Brentwood, NH. The purpose for the Executive Committee Public Hearing is for a Supplemental Appropriation to fund Department of Corrections Stipends through the end of Fiscal Year 2023. In person attendance of the Executive Committee is required. A quorum of the Executive Committee is also required.

AND

The County Convention will meet at **6:30 p.m.** in the Hilton Auditorium to vote a Supplemental Appropriation to fund Department of Corrections Stipends through the end of Fiscal Year 2023. In person attendance of the County Convention is required. A quorum of the County Convention is also required.

Limited in-person access: Contact Cheryl Hurley, Delegation Coordinator, at 603-679-9369, if you are planning on in-person attendance. Zoom access is available: To access the meeting by audio, please follow the instructions below:

1. Dial the Call in Number: 1-929-205-6099
2. Enter the Meeting ID: 571-325-5541#
3. Note: Participant IDs will not be provided for this meeting, simply press # to continue
4. Enter the Meeting Password: 312900#

The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: rbernier@co.rockingham.nh.us

Rep. John Potucek, Clerk

The **Coos** County Delegation will be meeting in joint session with Coos County Commissioners on **Friday, February 17, at 10:00 a.m.** The meeting will be held at the North Country Resource Center, located at 629 Main St., Lancaster, NH.

Rep. Corinne Cascadden, Clerk

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB250, HB 324, HB 327, HB 345, HB 397, HB 429, HB 436, HB 447, HB 449, HB 460, HB 463, HB 482, HB 511, HB 519, HB 525, HB 527, HB 533, HB 535, HB 537, HB 543, HB 547, HB 556, HB 560, HB 566, HB 571, HB 579, HB 582, HB 583, HB 593, HB 598, HB 599, HB 600, HB 605, HB 606, HB 612, HB 613, HB 614, HB 615, HB 616, HB 617, HB 618, HB 624, HB 628, HB 630, HB 631, HB 639, HB 643, HB 648, HB 655.

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.

All Representatives are invited to Bible study and prayer with Pastor Peter Chamberland **8:00 a.m. every Thursday morning**. We will meet in the Upham Walker House with coffee and pastries available. All are invited to attend for this wonderful time together.

Representative Debbie Hobson

Legislators interested in learning more about the New Hampshire Retirement System are invited to attend a general information presentation on **February 15th, February 23rd and February 24th**. These events - not to be confused with the benefit information sessions regularly offered for members - are intended to serve as "NHRS 101," providing a broad, factual overview of the retirement system. The presentation is the same as one that was given to the legislative committees in January. Live events at the NHRS office are scheduled for Wednesday, February 15th, at 9:00 a.m., and Thursday, February 23rd, at 4:00 p.m. A live webinar is scheduled for 10 a.m. on Friday, February 24. The presentations are expected to last between 60 and 75 minutes. All events are also open to the general public. RSVP by contacting Marty Karlon at 410-3594 or marty.karlon@nhrs.org.
Rep. Carol McGuire

Please join the New Hampshire Retail Association (NHRA) for the 57th Annual Meeting at the Holiday Inn in Concord on **February 16th from 11:00 a.m. – 1:00 p.m.** The annual meeting brings together retailers, stakeholders, and legislators for a conversation on the issues impacting New Hampshire's retail industry. Additionally, there will be a presentation of our annual Retailer of the Year Award, Legislator of the Year Award, and Law Enforcement Partner of the Year award. Lunch will be provided. To RSVP, please contact Curtis Picard at curtis@retailnh.com.

Reps. Jason Osborne and Matt Wilhelm

The New Hampshire Association of Nurse Anesthesiology (NHANA) and the New Hampshire Nurse Practitioner Association (NHNP) will be hosting a legislative breakfast on **Tuesday, February 21, from 8 a.m. to 10:00 a.m.** in the State House cafeteria. Note that this has been rescheduled from January 26th. A hearty warm breakfast will be served. Advanced Practice Registered Nurses (APRN) including CRNAs, NPs and CNMs will be on hand to discuss pending legislation as well as the services they provide to NH residents.

Rep. Mark Pearson

Save the Children Action Network, New Futures, MomsRising, and NAEYC invite all NH Lawmakers to attend a hearty hot Legislative Breakfast on **Wednesday, Feb 22 beginning at 8:00 a.m.** at St. Paul's Church, 21 Centre St, Concord. Please join us as we work together to solve the child care crisis in NH. This bipartisan event will feature guest speakers who are passionate about improving NH's child care system. Questions? Contact Dellie Champagne at Dchampagne@savechildren.org or 603 496-8660. Registration is not required.

Rep. Mary Jane Wallner

On **February 23rd at 3:00 p.m.**, Jonathan Williams will offer a policy briefing on budgeting at the Upham Walker House. This is sponsored by the NH Members of ALEC. ALL House and Senate Members & Staff are welcome (if Executive Staff arrives, so much the better). This is a non-partisan event, as ALEC is a non-partisan organization. First time legislators are urged to visit to see what the largest legislative members educational organization in the nation (celebrating 50 years) is about. Coffee and desert snacks from Statehouse Cafe will be offered. Please contact Jordan Ulery via email at repuulery@comcast.net to reserve your spot. Seating is limited, so register early. A free-will offering to cover expenses is requested. If you have questions about ALEC please visit alec.org

Rep. Jordan Ulery

Legislative Breakfast – The annual Water's Worth It! legislative breakfast is set for **Wednesday March 8, 2023** at the Holiday Inn on Main Street in Concord. Check in for the event begins at **7:00 a.m.** with a breakfast buffet. Water quality professionals will present information on drinking water and wastewater treatment challenges in New Hampshire. The keynote speaker this year is Scott Spradling an Emmy award winning former reporter, anchor, and political director for WMUR-TV. In addition, Water Division staff for NH-DES will also address the audience. All legislators and staff are invited to enjoy a hearty breakfast and learn more about New Hampshire's water infrastructure. This event is free. Please RSVP to info.nhwpc@gmail.com by February 24th to reserve your seat at this important breakfast. The breakfast is sponsored by the NH Water Pollution Control Association in conjunction with a wide-ranging coalition of other NH non-profit water organizations. There is no cost for enjoying breakfast with your legislative peers and attending this event.

Rep. Tom Buco

New Hampshire Interfaith Power and Light (NHIPL) & The League of Conservation Voters cordially invite all NH Lawmakers to a legislative lunch on **Thursday, March 23rd from 12:00 p.m. – 1:30 p.m. in the State House Cafeteria.** Join us for a full lunch and conversation about clean, renewable energy and how it relates to care for creation. IPL national president Susan Hendershot will join the discussion.

Rep. Alexis Simpson

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

Rep. Rick Ladd

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

**Amendment to SB 1-FN-A
(2023-0465h)**

Proposed by the Committee on Finance- r

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

AN ACT relative to the closing of the Sununu youth services center, making appropriations thereof, and establishing a commission to study community impacts of the secured youth development center.

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

1 Repeal. 2021, 91:329, relative to the closure of the Sununu Youth Services Center, is repealed.

2 Appropriation; Continuation of Operations of the Sununu Youth Services Center. The sum of \$1,500,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of continuing operations at the Sununu youth services center through June 30, 2023. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Appropriation; Replacement Facility for the Sununu Youth Services Center. An amount not to exceed \$400,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the purpose of site evaluation for a replacement facility for the Sununu Youth Services Center. When assessing potential locations, the department shall consider two possibilities: a facility with a capacity of 6 to 12 beds, and a facility with a capacity of 12-18 beds. The department shall present its recommended site for the facility to the commission established in RSA 169-B:48 no later than September 30, 2023. The appropriation contained in this section shall not lapse until June 30, 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

4 Department of Health and Human Services; Sununu Youth Services Center; Construction and Operation of a Replacement Secure Facility. The department of health and human services, in collaboration with the department of administrative services, shall issue a request to procure a qualified architect on or before March 1, 2023, and shall collaborate to issue a request for proposals for a contractor to build the resulting construction project. The SYSC shall immediately be closed for detention or admission of any child when a replacement facility is sufficiently completed that children can be legally and safely housed there.

5 New Subdivision; Commission to Study Community Impacts of the Secured Youth Development Center. Amend RSA 169-B by inserting after section 47 the following new subdivision:

Commission to Study Community Impacts of the Secured Youth Development Center

169-B:48 Commission to Study Community Impacts of the Secured Youth Development Center.

I. There is established a commission to study the impacts of the secured youth development center on surrounding communities. The commission shall consider and, as needed, make recommendations on site selection, public safety, fire safety, and other relevant factors. Notwithstanding RSA 14:49, the commission shall consist of the following members:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Three senate members, appointed by the senate president.

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

(d) The commissioner of the department of safety or designee.

(e) The child advocate or their designee.

(f) A representative from the New Hampshire Sheriff's Association, appointed by that organization.

(g) One or more representatives from local law enforcement agencies, appointed by the speaker of the house of representatives.

(h) One or more representatives from municipal governing bodies, appointed by the senate president.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission. The commission's study shall include procedures and practices of the secured youth development facility meant to ensure the safety of the youths held at the facility, facility staff, the people of the municipality where the facility is located, and neighboring municipalities.

III. The commission may solicit input from any person or entity the commission deems relevant to its study.

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

V. The commission shall submit a preliminary report including its findings, including its recommended site for the secured youth development center, and any recommendations for proposed legislation on or before November 1, 2023 and a final report on or before November 1, 2024 to the speaker of the house of representatives; the president of the senate, the house clerk, the senate clerk, the governor, and the state library.

6 Repeal. RSA 169-B:48, relative to a commission to study community impacts of the secured youth development center, is repealed.

7 Effective Date.

I. Section 1 of this act shall take effect February 28, 2023.

II. Section 6 of this act shall take effect November 1, 2024.

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

2023-0465h

AMENDED ANALYSIS

This bill requires the closure of the Sununu youth services center, sets out parameters for the contract for a replacement facility, and makes appropriations thereof. The bill also establishes a commission to study the impacts of the secured youth development center on surrounding communities.

Amendment to HB 79

(2023-0212h)

Proposed by the Committee on Environment and Agriculture – c

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

AN ACT establishing a committee to study the New Hampshire law relative to standards for farm products and marketing and grading commodities.

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

1 Committee Established. There is established a committee to study laws relative to standards for farm products and marketing and grading commodities.

2 Membership and Compensation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall review RSA 426 and RSA 434 and assess the following:

I. Are statutes consistent with current regulatory needs and practices?

II. Are there overlapping, redundant, or conflicting statutes in RSA 426 and RSA 434?

III. Do any statutes need to be transferred from one chapter to the other to provide clarity and consistency?

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

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

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

2023-0212h
AMENDED ANALYSIS

This bill establishes a committee to study New Hampshire laws relative to standards for farm products and marketing and grading of certain commodities.

**Amendment to HB 91-FN-A
(2023-0142h)**

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs – r
Amend RSA 126-A:102, III as inserted by section 2 of the bill by replacing it with the following:

III. Unless otherwise required by law or applicable regulation, no personal information shall be collected prior to the completion of the assessment and plan and any subsequent measures as a result of the assessment and plan, as determined by the governance board for any systems implemented subsequent to March 31, 2024.

Amend section 3 of the bill by replacing paragraphs III and IV with the following:

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 information technology manager IV, labor grade 32, step 7.

IV. The sum of \$300,000 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of health and human services for the purpose of funding 2 information technology manager IV positions as required in paragraph III of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

**Amendment to HB 109
(2023-0214h)**

Proposed by the Committee on Executive Departments and Administration – c

Amend RSA 326-C:1, IV as inserted by section 1 of the bill by replacing it with the following:

IV. “Occupational therapy” means the care and services provided by an occupational therapist or occupational therapy assistant who are licensed pursuant to this chapter. Areas of occupation include but are not limited to:

- (a) Activities of daily living, which are the routine activities a person completes to meet their basic health and survival needs.
- (b) Instrumental activities of daily living, which are activities a person completes to live independently and participate in the community.
- (c) Health management.
- (d) Rest and sleep.
- (e) Education.
- (f) Work.
- (g) Play.
- (h) Leisure.
- (i) Social participation.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5: 4 New Paragraph; Occupational Therapists; Eligibility for Licensure. Amend RSA 326-C:5 by inserting after paragraph III the following new paragraph:

IV. No person shall practice occupational therapy in this state unless licensed under this chapter, provided that nothing in this chapter shall be construed to restrict a person licensed under any law of this state from engaging in the profession or practice for which that person is licensed.

**Amendment to HB 162
(2023-0116h)**

Proposed by the Committee on Judiciary – c

Amend the bill by replacing section 1 with the following:

1 Supported Decision Making; Form and Content of Valid Agreement. Amend RSA 464-D:7, III and the introductory paragraph of RSA 464-D:7, IV to read as follows:

III. A supported decision-making agreement is only valid if all of the following occur:

- (a) The agreement is in a writing that contains the elements of the form contained in RSA 464-D:16.
- (b) ~~[(c)]~~

— (c) The agreement is dated.

~~[(d)]~~ (c) The agreement is signed in the presence of 2 adult witnesses, or before a notary public, justice of the peace, or commissioner of deeds.

[(e)] (d) Each party to the agreement has signed the agreement voluntarily and with an understanding of the nature and effect of the agreement.

IV. The 2 adult witnesses required by subparagraph [HH(d)] III(c) may not be any of the following:

2023-0116h

AMENDED ANALYSIS

This bill makes technical corrections to the supported decision-making law in RSA 464-D:7.

**Amendment to HB 193-FN
(2023-0269h)**

Proposed by the Committee on Executive Departments and Administration – c

Amend the bill by replacing section 1 with the following:

1 Retirement System; Definition; Teacher; Job Sharing. Amend RSA 100-A:1, VI to read as follows:

VI. “Teacher” shall mean any regular or special teacher, principal, supervisor or administrator, librarian or other member of the teaching or professional staff engaged in the service of the public elementary and secondary schools located within the state and supported by and under the control of the state, the local school district, or other employers of teachers eligible for membership in the system. For teachers who job share, teacher shall mean 2 individuals who share one position *which is divided 50/50, 60/40, or 70/30 for each school semester for which the employer designated a position as a job share position*. For purposes of membership as a teacher under this chapter, proof of appropriate certification by the department of education or appropriate professional licensure shall be maintained by the employer and available to the retirement system.

**Amendment to HB 200
(2023-0010h)**

Proposed by the Committee on Children and Family Law – c

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

1 Parental Rights and Responsibilities; Parenting Plans; Contents; Establishing Right to Choice of Counselor. Amend RSA 461-A:4, III to read as follows:

III. *If the parenting plan directs a child of the parties to participate in counseling, the parents shall have the right to choose the counselor. In cases where the parties are unable to agree on a counselor or in the event that a finding of abuse has been made, the court shall choose a participating provider in the parties’ health insurance carrier network.*

2 New Section; Judicial Branch Family Division; Counseling. Amend RSA 490-D by inserting after section 15 the following new section:

490-D:16 Counseling. In the event that a court proceeding under this chapter requires a child to be evaluated by a mental health practitioner, the parents of the child shall have the right to choose the practitioner. In cases where the parties are unable to agree on a practitioner or in the event that a finding of abuse has been made, the court shall choose a participating provider in the parties’ health insurance carrier networks.

3 Effective Date. This act shall take effect January 1, 2024.

**Amendment to HB 246-FN
(2023-0288h)**

Proposed by the Committee on Science Technology and Energy – r

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

1 Renewable Energy Fund; Use of Funds. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund.

(a) For the period of July 1, 2023 through June 30, 2025, notwithstanding paragraphs V through XI, any remaining moneys paid into the fund under paragraph II of this section shall be used by the department of energy to reduce ratepayer costs via a public utilities commission approved reduction in electric rates.

(b) Commencing July 1, 2025, any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the department of energy to support thermal and electrical renewable energy initiatives. Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of

energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

2 Public Utilities Commission; Proceedings on Use of Renewable Energy Fund. Within 60 days after the effective date of this act, the public utilities commission shall open a docket to determine how the moneys in the renewable energy fund under RSA 362-F:10, as amended by this act, will be distributed to ratepayers. The public utilities commission shall complete its action on such docket within 60 days after the date the docket was opened.

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

2023-0288h

AMENDED ANALYSIS

This bill provides that for a 2-year period all moneys in the renewable energy fund derived from renewable energy certificates shall be used to reduce ratepayer costs, and requires the public utilities commission to open a docket to determine how renewable energy fund moneys will be distributed to ratepayers.

Amendment to HB 268-FN

(2023-0365h)

Proposed by the Committee on Transportation – c

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

AN ACT relative to the furnishing of special number plates to the liquor commission, division of enforcement and licensing, and official cover plates to the house clerk.

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

2 Official Cover Plates. Amend RSA 261:90 to read as follows:

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

2023-0365h

AMENDED ANALYSIS

This bill would require the state to pay number plate fees for plates furnished to the liquor commission, division of enforcement and licensing. It also would authorize the issuance of official cover license plates for the house clerk.

Amendment to HB 300-FN

(2023-0169h)

Proposed by the Committee on Environment and Agriculture – r

Amend RSA 149-M:27, V(a)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) An alternative facility authorized to manage food waste consistent with the provisions of subparagraph (b) is located within 20 miles of the point of generation; and

**Amendment to HB 337-FN
(2023-0180h)**

Proposed by the Committee on Executive Departments and Administration – c

Amend the bill by replacing section 1 with the following:

1 New Paragraphs; Office of Professional Licensure and Certification; Notifications. Amend RSA 310-A:1-d by inserting after paragraph V the following new paragraphs:

VI. All boards, councils, and commissions within the office of professional licensure and certification shall notify the public of any public meeting no less than 14 days prior to the meeting. All materials distributed to the board, council, or commission for the meeting shall be available to the public no less than 7 days prior to the meeting, provided the materials do not contain information exempt from disclosure under RSA 91-A:5. The chair of the board, council, or commission shall be permitted to add items to the agenda within 7 days of a meeting if, in the chair's discretion, the public's interest in the board addressing the matter outweighs the public's interest in timely access to materials associated with the new agenda item. In such circumstances, materials shall be made available to the public as soon as reasonably practicable. If it is not practicable to make available to the public at least one day prior to a meeting, enough paper copies shall be made available at the meeting location prior to the start of the meeting.

VII. All boards, councils, and commissions within the office of professional licensure and certification shall provide an opportunity for comment from the public, virtually or in person, at public meetings, in a manner established by the board, council, or commission chair.

VIII. All boards, councils, and commissions within the office of professional licensure and certification shall provide an opportunity for the public to submit written comments on matters before the board, council, or commission.

**Amendment to HB 347-FN
(2023-0117h)**

Proposed by the Majority of the Committee on Judiciary– r

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

1 New Section; Superior Court; Land Use Review Docket. Amend RSA 491 by inserting after section 7-a the following new section:

491:7-b Land Use Review Docket.

I. Without limiting the jurisdiction vested in any court in the state, and subject to the appointment of a presiding justice by the governor with the consent of the executive council as provided in this section, the supreme court may establish by court order not inconsistent with this section, a land use review docket in the superior court which shall have jurisdiction to hear appeals from decisions of local land use boards, including but not limited to decisions of municipal planning boards, zoning boards, historic district commissions, and conservation commissions. The jurisdiction of this docket shall not include appeals of decisions by state agencies.

II. The governor with the consent of the executive council may appoint the first presiding justice of the land use review docket, who shall be qualified by reason of such person's knowledge and experience in land use and real property law. The first presiding justice of the land use review docket shall be an additional justice of the superior court, which shall increase by one the number of authorized justices of the superior court as provided in RSA 491:1. The chief justice of the superior court, following the appointment or designation of the initial presiding justice, may designate such additional justices to preside over cases assigned to the land use review docket, as necessary, based upon caseload, disqualification of the presiding justice, or efficient allocation of judicial resources.

III. The presiding justice of the land use review docket shall be an associate justice of the superior court and shall be entitled to the compensation and benefits provided to all such justices under applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

IV. The workload of the presiding justice of the land use review docket shall be the matters before that docket. The presiding justice may be assigned to any other matter within the jurisdiction of the superior court or sit by designation on any other court in the same manner as any other associate justice of the superior court, as determined to be necessary by the chief justices of the superior and supreme courts.

V. Subject to the provisions of this section, all appeals to superior court filed pursuant to RSA 677 and all proceedings for such appeals, shall be assigned to the land use review docket, including motion practice, discovery, injunctive relief, alternative dispute resolution, and hearing on the merits. Nothing in this section shall affect the concurrent jurisdiction of the housing appeals board to hear appeals within its jurisdiction brought pursuant to RSA 679.

VI. The court shall hold a structuring conference within 30 days of its receipt of the notice of appeal. At the structuring conference the court shall set a deadline for the filing with the court of the certified record and shall schedule a hearing on the merits to be held within 60 days of receipt of the certified record. The court shall issue a decision on the merits within 60 days of the hearing. The court may extend any of the

deadlines established in this paragraph upon agreement of the parties or for other good cause shown, but if the extension is based upon good cause, the court shall articulate in its order granting the extension the specific facts and circumstances that warrant the extension.

2 Superior Court; Justices. Amend RSA 491:1 to read as follows:

491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and council to a 5-year term, and [21] **22** associate justices. Said justices shall be appointed and commissioned as prescribed by the constitution and shall exercise the powers of the court unless otherwise provided. The chief justice shall be appointed from among the associate justices. In the event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-year term, he or she may return to the position of associate justice, whether or not an associate justice vacancy then exists.

3 Effective Date. This act shall take effect January 1, 2024.

2023-0117h
AMENDED ANALYSIS

This bill establishes the land use review docket in the superior court and increases the amount of associate justices of the superior court to 22.

**Amendment to HB 379-FN
(2023-0347h)
Proposed by the Committee on Judiciary – c**

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

AN ACT requiring notice be provided to tenants during residential eviction proceedings regarding legal counsel.

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

1 New Paragraph; Actions Against Tenants; Notice to Tenants. Amend RSA 540:3 by inserting after paragraph III the following new paragraph:

III-a. The eviction notice shall clearly state that an indigent tenant may be eligible for assistance from New Hampshire Legal Assistance for legal counsel in the eviction proceeding and shall include instructions on the process for contacting and obtaining such assistance. This paragraph does not guarantee a right to legal assistance.

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

2023-0347h
AMENDED ANALYSIS

This bill provides that tenants subject to eviction shall be provided with instructions on the process for contacting and obtaining assistance from New Hampshire Legal Assistance

**Floor Amendment to HB 388-FN
(2023-0437hh)
Proposed by Rep. Hynes – r**

Amend the bill by replacing section 1 with the following:

1 Number Plates. Amend RSA 261:75 to read as follows:

I. The department shall design and issue to every person whose vehicle is registered a number plate or plates for a fee of \$4.00 per plate, ***provided that in the event a private passenger vehicle is only issued one plate, the fee for such plate shall be \$8.00.*** Such plate or plates shall be furnished by the department yearly or at whatever interval of years the department shall determine. In all cases such plate or plates shall bear on the face thereof a permanent or changeable designation of their effective period.

II. Every vehicle driven in or on any way in this state, if required to be registered hereunder, shall have displayed conspicuously thereon a number plate or plates to be furnished by the department, together with any current validation sticker issued by the department and which has a changeable designation of their effective period. The director may make special rules relative to the number of plates, the location of said plate or plates on the vehicle, and the material and design thereof, provided, however, that number plates for passenger vehicles shall have the state motto “Live Free or Die” written thereon, ***and further provided that a private passenger vehicle shall only be required to display one number plate on the rear of the vehicle.*** The plate shall be kept clean.

**Amendment to HB 391
(2023-0152h)**

Proposed by the Committee on Executive Departments and Administration – c

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

AN ACT relative to the memorandum of understanding on data sharing between the department of health and human services and the department of environmental services.

Amend the bill by replacing section 1 with the following:

1 Data Sharing Between the Department of Environmental Services and the Department of Health and Human Services; Memorandum of Understanding. Amend RSA 126-A:76, I(a) to read as follows:

(a) Enter into ~~[an updated]~~ **a** memorandum of ~~[agreement]~~ **understanding** on cooperation regarding data sharing between the department of health and human services and the department of environmental services.

2023-0152h

AMENDED ANALYSIS

This bill directs the department of environmental services and the department of health and human services to enter into a memorandum of understanding on cooperation regarding data sharing. The bill also changes the reporting requirement from 6 months to an annual basis and requires it to be submitted to the commission on the environmental and public health impacts of PFAS.

Amendment to HB 409-FN

(2023-0353h)

Proposed by the Committee on Executive Departments and Administration – c

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

1 Barbering, Cosmetology, and Esthetics; Non Resident Licensure. Amend RSA 313-A:14 to read as follows: 313-A:14 Nonresidents. The board shall license any applicant who is similarly licensed in any other state **or territory**, provided the ~~[other state's licensing requirements are substantially equivalent to or higher than those of this state]~~ **applicant holds a current license in good standing in accordance with rules adopted by the board under RSA 313-A:8, I and II.**

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

Amendment to HB 429-FN-L

(2023-0170h)

Proposed by the Committee on Education – r

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

AN ACT requiring the offering of breakfast and lunch in all school districts.

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

1 Schools; Food and Nutrition Programs. Amend RSA 189:11-a, I to read as follows:

I. Each school board shall make ~~[at least one meal]~~ **breakfast and lunch** available during school hours to every pupil under its jurisdiction. Such meals shall be served without cost or at a reduced cost to any child who meets federal income eligibility guidelines. The state board of education shall ensure compliance with this section and shall establish minimum nutritional standards for such meals as well as income guidelines set for the family size used in determining eligibility for free and reduced price meals. ~~[Nothing in this section shall prohibit the operation of both a breakfast and lunch program in the same school.]~~

2 Schools; Food and Nutrition Programs. Amend RSA 189:11-a, VII(a) to read as follows:

VII.(a) Each school district ~~[which participates]~~ **shall participate** in the National School Breakfast Program **unless the school district is granted a waiver by the department to implement its own breakfast/ lunch program, for which the school district shall comply with the minimum nutritional standards for such meals as well as income guidelines set for the family size used in determining eligibility.** **Each school district** shall maintain annual statistics on the number of breakfast meals served to pupils.

3 Effective Date. This act shall take effect July 1, 2024.

2023-0170h

AMENDED ANALYSIS

This bill requires school districts to offer both breakfast and lunch programs to students, and allows a district to receive a waiver if it implements its own breakfast/lunch program.

Amendment to HB 462-FN-A

(2023-0159h)

Proposed by the Committee on Environment and Agriculture – r

Amend RSA 149-R:4, III as inserted by section 1 of the bill by replacing it with the following:

III. The department is authorized to solicit funds from ~~[the United States Environmental Protection Agency or other agencies that are targeted for making grants consistent with this section]~~ **any source, including the United States Environmental Protection Agency and other federal agencies, gifts, donations of money, grants, legislative appropriations, or any matching funds and incentives.** ~~[Such funds, when received, may be deposited into the fund, and shall be used for the purposes described in this chapter.]~~ **Notwithstanding RSA 4:8 and RSA 14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste management fund to be used for the purpose described in RSA 149-R:4.**

**Amendment to HB 487
(2023-0103h)**

Proposed by the Committee on Education – r

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of \$745,000 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of education, office of nutrition programs and services, to initiate the farm to school reimbursement program. Of this sum \$145,000 shall be for the hiring of a staff person to manage the program. Of this sum \$50,000 shall be used to support information technology related to the program. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

**Amendment to HB 576
(2023-0162h)**

Proposed by the Committee on Science, Technology and Energy – r

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

AN ACT relative to administration of a commercial property assessed clean energy (C-PACE) program in a clean energy efficiency and clean energy district.

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

1 New Paragraph; Authority; Energy Efficiency and Clean Energy Districts; C-PACE Programs. Amend RSA 53-F:3 by inserting after paragraph VI the following new paragraph:

VII. Adoption of a clean energy efficiency and clean energy district shall include a commercial property assessed clean energy (C-PACE) model implemented according to the most recent U.S. Department of Energy (DOE) released best practice guidelines for PACE financing programs.

2 Energy Efficiency and Clean Energy Districts; Priority Lien and Collection. Amend RSA 53-F:8 to read as follows:

53-F:8 Priority; Collection and Enforcement. Collection of special assessments under this chapter shall be made by the tax collector or other official responsible for property tax or municipal service charge collection. A municipality shall commit bills for amounts due on the special assessments, including interest and any charges, to the tax collector with a warrant signed by the appropriate municipal officials requiring the tax collector to collect them. Each year bills for amounts due on the special assessments shall coincide with bills for property taxes or municipal service charges. ~~Each special assessment on the property of a participating property owner shall create a lien on the property pursuant to RSA 80:19, except that the lien shall be junior to existing liens of record at the time the bill for the assessment is mailed to the participating property owner. Enforcement powers for nonpayment shall be those provided under RSA 80 relative to property tax collection, including RSA 80:19; provided, however, a tax sale of the property shall not extinguish prior liens of record. At the time of enforcement, only the past due balances of the special assessment under this chapter, including all interest, charges, and penalties, shall be due for payment. Notwithstanding any other provision of law, in the event of a transfer of property ownership through foreclosure or a sheriff's sale by a senior mortgagee or lienholder which has consented to the making of a loan by a private lender under the provisions of this chapter, the lien of the municipality shall not be extinguished, and the net proceeds of the sale, if any, after payment of all prior obligations to mortgagees and lienholders, costs and expenses of foreclosure or sheriff's sale, shall be first applied to the payment of any past due balances of the loan and then any excess shall be applied against the remaining balance of the loan. If a senior mortgagee or lienholder has not given its consent to the loan, a foreclosure or sheriff's sale by the mortgagee or lienholder shall extinguish all junior mortgages and liens.] *Each special assessment imposed under a clean energy efficiency and clean energy district program pursuant to an assessment contract, including any interest on the assessment and any penalty, shall, upon recording of the assessment contract in the county in which the district area is located, constitute a lien against the property on which the assessment is imposed until the assessment, including any interest or penalty, is paid in full. The lien of the assessment contract shall run with the property until the assessment is paid in full and a satisfaction or release for the same has been recorded by the town, city, or district or its program administrator and shall have the same lien priority and status as other property tax and special assessment liens as provided in RSA 80. The town, city, or district, or any permitted assignee, shall have all rights and remedies in the case of default or delinquency in the payment of an assessment as it does with respect to delinquent property taxes and other delinquent special assessments as set forth in RSA 80.*~~

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

2023-0162h

AMENDED ANALYSIS

This bill clarifies the use of a commercial property assessed clean energy (C-PACE) model in a clean energy efficiency and clean energy district under RSA 53-F. The bill also provides for senior lien status for clean energy efficiency and clean energy districts and for the lien of the assessment contract to run with the property until the assessment is paid in full.

**Amendment to HB 620-FN
(2023-0376h)**

Proposed by the Committee on Executive Departments and Administration – r

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

AN ACT establishing a division of early learning in the department of education and relative to a pre-kindergarten pilot program.

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

1 New Section; Department of Education; Division of Early Learning; Pre-K Pilot Program. Amend RSA 21-N by inserting after section 12 the following new section:

21-N:13 Division of Early Learning; Pre-K Pilot Program. There is hereby established within the department the division of early learning, under the supervision of an unclassified director of early learning, whose responsibilities shall include, but not be limited to, the following functions, in accordance with applicable laws:

I. Effectively and efficiently coordinate efforts and programs to serve pre-kindergarten children throughout the state, including establishing and delineating any working relationships with the department of health and human services under RSA 170-E related to early care and education personnel.

II. Development of a cohesive and comprehensive system of high quality early learning and care which shall be in addition to any duty of the department to provide education to children in kindergarten and later grades.

III. Design, create, and administer a 3-year high quality, community-based, mixed delivery public pre-kindergarten pilot program.

(a) For the purposes of this pilot program, a mixed delivery model means that many different types of high quality early education providers may participate in the pilot program, including public and non-public schools, and community based programs such as Head Start, faith based programs, licensed child care providers, including home and center-based providers.

(b) The pilot program should meet the 10 baseline “Recommendations for High-Quality Pre-Kindergarten” (NIEER, 2019) and either hold a minimum quality designation of step 3 in the department of health and human services Granite Steps for Quality, Quality Recognition and Improvement System (QRIS); or be a department of education approved preschool program.

(c) The director shall submit a report annually on January 1 to the governor and general court that reports on progress made in the pre-kindergarten pilot program.

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

2023-0376h

AMENDED ANALYSIS

This bill establishes a division of early learning in the department of education. The bill requires the director of early learning to design, create, and administer a 3-year high quality, community-based, mixed delivery public prekindergarten pilot program.