LEGISLATIVE COMMITTEE MINUTES

HB79

Bill as Introduced

HB 79 - AS AMENDED BY THE HOUSE

14Feb2023... 0212h

2023 SESSION

23-0108
08/10

HOUSE BILL ***79***

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

SPONSORS: Rep. Ankarberg, Straf. 7; Rep. Coulon, Graf. 5

COMMITTEE: Environment and Agriculture

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.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

14Feb2023... 0212h

23-0108
08/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

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

Be it Enacted by the Senate and House of Representatives in General Court convened:

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.

HB 79 - VERSION ADOPTED BY BOTH BODIES

14Feb2023... 0212h

2023 SESSION

23-0108
08/10

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COMMITTEE: Environment and Agriculture

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CHAPTER 12
HB 79 - FINAL VERSION

14Feb2023... 0212h

2023 SESSION

23-0108
08/10

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COMMITTEE: Environment and Agriculture

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CHAPTER 12
HB 79 - FINAL VERSION

14Feb2023... 0212h

23-0108
08/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

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

Be it Enacted by the Senate and House of Representatives in General Court convened:

12:1 Committee Established. There is established a committee to study laws relative to standards for farm products and marketing and grading commodities.

12:2 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.

12:3 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?

12:4 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.

12:5 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.

12:6 Effective Date. This act shall take effect upon its passage.

Approved: May 04, 2023
Effective Date: May 04, 2023

Committee Minutes

SENATE CALENDAR NOTICE
Energy and Natural Resources

Sen Kevin Avard, Chair
Sen Howard Pearl, Vice Chair
Sen Regina Birdsell, Member
Sen David Watters, Member
Sen Debra Altschiller, Member

Date: March 13, 2023

HEARINGS

Tuesday	03/21/2023
(Day)	(Date)

Energy and Natural Resources	State House 103	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	**HB 79**	establishing a committee to study the New Hampshire law relative to standards for farm products and marketing and grading commodities.
9:15 a.m.	**HB 152**	relative to soil and plant additives.
9:30 a.m.	**HB 252**	exempting certain agricultural operations from certain municipal noise ordinances.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 79		
Rep. Ankarberg	Rep. Coulon	
HB 152		
Rep. Bixby	Rep. Comtois	Sen. Avard
HB 252		
Rep. Comtois	Rep. Bixby	Rep. Aron

Nikolas Liamos 271-7875

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee

Nikolas Liamos 271-7875

HB 79, establishing a committee to study the New Hampshire law relative to standards for farm products and marketing and grading commodities.

Hearing Date: March 21, 2023

Time Opened: 9:00 a.m. **Time Closed:** 9:07 a.m.

Members of the Committee Present: Senators Birdsell, Avard, Pearl and Watters

Members of the Committee Absent : Senator Altschiller

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

Sponsors:
Rep. Ankarberg Rep. Coulon

Who supports the bill: Rep. Peter Bixby (Strafford 13)

Who opposes the bill: None

Who is neutral on the bill: None

Summary of testimony presented in support:

Representative Peter Bixby

Strafford 13

- Representative Peter Bixby introduced House Bill 79.
- Rep. Bixby stated that HB 79 was referred to the House Environment and Agriculture Committee as a bill to restrict the ability of the commissioner to inspect apples.
    - Rep. Bixby noted that the original bill stated that any apples inspected by the commissioner would have to be paid for.
- Rep. Bixby stated that the commissioner testified that the section of the statute being addressed was not the current statute that is being used to inspect produce.
    - Rep. Bixby explained that the statute which grants the authority to inspect produce falls under the Food Safety Modernization Act (FSMA).
- Rep. Bixby stated that the commissioner also testified that RSA 434 has a lot of sections that are not being used because they are now covered by the FSMA inspections.

- Rep. Bixby explained that the FSMA inspections are performed under the authority granted in RSA 436.

- Rep. Bixby stated that the House Environment and Agriculture Committee decided, that instead of killing the bill, they would use HB 79 as a vehicle to create a study committee to examine RSA 434 and RSA 436.
  - Rep. Bixby explained that the study committee would look to remove redundant language from the two statutes and ensure there is consistencies between the two statutes.

NPL
Date Hearing Report completed: March 24, 2023

Speakers

Senate Energy and Natural Resources Committee
SIGN-IN SHEET

Date: 3/21/2023 **Time:** 9:00 a.m.

HB 79 AN ACT establishing a committee to study the New Hampshire law relative to standards for farm products and marketing and grading commodities

Name/Representing *(please print neatly)*

Rep Peter Bixby	Support ☑	Oppose ☐	Speaking?	Yes ☑ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐

Voting Sheets

Senate Energy and Natural Resources Committee

EXECUTIVE SESSION RECORD

2023-2024 Session

Bill # HB579

Hearing date: 3/21/23

Executive Session date: 3/21/23

Motion of: OTP **Vote:** 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	X			X	
Sen. Pearl, Vice Chair	X	X		X	
Sen. Birdsell	X			X	
Sen. Watters	X		X	X	
Sen. Altschiller					

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair					
Sen. Pearl, Vice Chair					
Sen. Birdsell					
Sen. Watters					
Sen. Altschiller					

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair					
Sen. Pearl, Vice Chair					
Sen. Birdsell					
Sen. Watters					
Sen. Altschiller					

Reported out by: Rep 1

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Wednesday, March 22, 2023

THE COMMITTEE ON Energy and Natural Resources

to which was referred **HB 79**

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

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator Howard Pearl
For the Committee

Nikolas Liamos 271-7875

ENERGY AND NATURAL RESOURCES

HB 79, establishing a committee to study the New Hampshire law relative to standards for farm products and marketing and grading commodities.

Ought to Pass, Vote 4-0.

Senator Howard Pearl for the committee.

Docket of HB79		
12/23/2022	H	Introduced 01/04/2023 and referred to Environment and Agriculture
01/10/2023	H	Public Hearing: 01/17/2023 11:00 am LOB 301-303
01/25/2023	H	Executive Session: 01/31/2023 10:30 am LOB 301-303
02/09/2023	H	Committee Report: Ought to Pass with Amendment # 2023-0212h (NT) 01/31/2023 (Vote 20-0; CC) HC 11 P. 5
02/14/2023	H	Amendment # 2023-0212h: AA VV 02/14/2023 HJ 5
02/14/2023	H	Ought to Pass with Amendment 2023-0212h: MA VV 02/14/2023 HJ 5
03/07/2023	S	Introduced 02/22/2023 and Referred to Energy and Natural Resources; SJ 9
03/13/2023	S	==CANCELLED== Hearing: 03/14/2023, Room 103, SH, 09:00 am; SC 13
03/13/2023	S	==RESCHEDULED== Hearing: 03/21/2023, Room 103, SH, 09:00 am; SC 14
03/22/2023	S	Committee Report: Ought to Pass, 03/30/2023; SC 15
03/30/2023	S	Ought to Pass: MA, VV; OT3rdg; 03/30/2023; SJ 12
04/26/2023	S	Enrolled Adopted, VV, (In recess 04/13/2023); SJ 14
04/26/2023	H	Enrolled (in recess of) 04/06/2023
05/08/2023	H	Signed by Governor Sununu 05/04/2023; Chapter 12; eff: 05/04/2023

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 79 **Senate Committee:** ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

___ Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

___ Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide 8/4/23 Date

Senate Clerk's Office AK