

Amendment to HB 1-A

1 Amend the bill by replacing section 5 with the following:

2

3 5 Positions Abolished.

4 I. Developmental Disabilities Council. Position number 14623 is hereby abolished effective
5 at the close of business on June 30, 2025.

6 II. Housing Appeals Board. The following position numbers are hereby abolished effective
7 at the close of business on June 30, 2025: 44827, 9U656, 9U657 and 9U658.

8 III. New Hampshire State Commission on Aging. Position number 44565 is hereby
9 abolished effective at the close of business on June 30, 2025.

10 IV. Office of the Child Advocate. Position numbers 44348, 44349, 44646, 44647, 44820,
11 44833, 44986, 44987 and 9U627 are hereby abolished effective at the close of business on June 30,
12 2025.

13 V. State Department. The following position numbers are hereby abolished at the close of
14 business on June 30, 2025:

15 (a) Accounting Unit #1065 Corporate Administration: 11359 and 43440.

16 (b) Accounting Unit #1610 Records Management Archives: 43455.

17 (c) Accounting Unit #2410 Securities Regulation: 9U590.

18 (d) Accounting Unit #7052 Right-to Know Ombudsman: 9U727.

19 VI. Board of Tax and Land Appeals. Position numbers 14583, 14585, 19820, 19847, 9U165,
20 9U166 and 9U167 are hereby abolished effective at the close of business on June 30, 2025.

21 VII. Human Rights Commission. Position numbers 13939, 13940, 13941, 17081, 19995,
22 42414, 42415, 44504, 44505, 44914, 44915, 44916, 44917, 44918 and 44988 are hereby abolished
23 effective at the close of business on June 30, 2025.

24 VIII. Insurance Department. Position numbers 40590, 44902 and 44112 hereby abolished
25 effective at the close of business on June 30, 2025.

26 IX. Liquor Commission. Position numbers 14227, 14239, 14246, 14248, 14267, 14275,
27 14296, 14297, 14299, 14308, 14318, 14320, 14321, 14327, 14329, 18573, 18940, 43302, 44227,
28 TMPPT1114, TMPPT1202, TMPPT1224, TMPPT2258, TMPPT2463, TMPPT2464, TNPPT3114,
29 TMPPT4247, TMPPT5067, TMPPT5163, TMPPT5164, TMPPT6233, TMPPT6234, TMPPT6235 and
30 TMPPT6236 are hereby abolished effective at the close of business on June 30, 2025.

31 X. Department of Corrections. The following position numbers are hereby abolished
32 effective at the close of business on June 30, 2025:

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- 1 (a) Accounting Unit #7101 Commissioner's Office: 12808, 19895, 43682 and 42238.
2 (b) Accounting Unit #8338 Victim Services Coordinator: 42282.
3 (c) Accounting Unit #8300 Financial Services: 12813, 12826, 18178, 18863, 40894 and
4 42266.
5 (d) Accounting Unit #3372 NH State Prison for Men: 12819, 12821, 12843, 12853,
6 16320, 16833, 16888, 16913, 18173, 18837, 40200, 41505, 44309, 44332, 44319, 40215, 40213, 40201,
7 40178, 40175, 40174, 40169, 30333, 19546, 19537, 16847, 16274, 13023, 13021, 13014, 12988, 12975,
8 12957, 12938, 12928 and 12904.
9 (e) Accounting Unit #3373 Northern NH Correctional Facility: 41326, 41327, 41503,
10 41511, 41451, 41437, 41435, 41431, 41427, 41425, 41415, 41408, 41406 and 41338.
11 (f) Accounting Unit #3374 NH Correctional Facility/Women: 44310, 44306, 44301,
12 44281, 44271, 18831 and 18808.
13 (g) Accounting Unit #6632 Maintenance: 12894, 12930, 12940, 12952, 12966, 13010,
14 18798, 41482, 41484, 44317 and 44336.
15 (h) Accounting Unit #6633 Laundry: 16811 and 44316.
16 (i) Accounting Unit #6634 Kitchen: 12848, 16809, 18777, 18778, 18813 and 44261.
17 (j) Accounting Unit #6634 Warehouse: 12961, 16930 and 18848.
18 (k) Accounting Unit #8302 District Offices: 19568, 19914, 19921 and 30363.
19 (l) Accounting Unit #4106 Concord Transitional Work Center: 12827.
20 (m) Accounting Unit #5172 Shea Farm: 19938 and 16851.
21 (n) Accounting Unit #7874 Calumet House: 16929, 18800 and 18850.
22 (o) Accounting Unit #6820 Programs: 12901, 12885, 12937, 16284, 16812, 18781, 18809,
23 18849, 18854, 19533, 19552, 19564, 19939, 19953, 30341, 40234, 40717, 40719, 41315, 41463, 41464,
24 41467, 41509, 42237, 42240, 42242, 42243, 42250, 42262, 42263, 44263, 44329, 44331, 44334 and
25 44839.
26 (p) Accounting Unit #5833 Secure Psychiatric Unit: 12825, 12831, 19267, 16303 and
27 16282.
28 (q) Accounting Unit #8231 Mental Health: 12852, 12872, 12984, 16277, 16294, 19559,
29 41462, 42270 and 41473.
30 (r) Accounting Unit #8234 Medical – Dental: 12849, 12893, 12946, 18817, 18858, 19536,
31 19915, 30352, 41486, 41494, 41497 and 42254.
32 (s) Accounting Unit #8235 Residential Treatment Program: 16265.
33 (t) Accounting Unit #8236 Pharmacy: 12970, 16832, 9U662.
34 (u) Accounting Unit #6528 Employee Development: 40740 and 42283.
35 (v) Accounting Unit #6529 Human Resources: 12832, 12805, 19901, 13028, 16327,
36 18180, 18804, 41508, 42269 and 44270.
37 (w) Accounting Unit #6531 Business Information Unit: 30347 and 40206.

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1 (x) Accounting Unit #5929 Professional Standards: 12921, 12965, 13031, 16835, 16863,
2 16915, 18520, 41358, 41447, 41524 and 44298.

3 XI. Department of Business and Economic Affairs. The following position numbers are
4 hereby abolished effective at the close of business on June 30, 2026: 19673, 20541, 20748, 21547,
5 21548, 21550, 21558, 21561, 21565, 21583, 21584, 21585, 21617 and 21689.

6 XII. Department of Natural and Cultural Resources. The following position numbers are
7 hereby abolished effective at the close of business on June 30, 2025:

8 (a) Accounting Unit #4104 State Arts Development: 30451, 40491, 42027 and 44996.

9 (b) Accounting Unit #4111 Federal Arts Partnership Grant: 13769, 13771, 30452 and
10 9U130.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 24, 2025
2025-1349h
05/09

Amendment to HB 1-A

1 Amend the bill by replacing section 7 with the following:

2

3 7 Judicial Branch; General Fund Appropriation Reductions. The judicial branch shall reduce
4 state general fund appropriations by \$7,900,000 for the biennium ending June 30, 2027. The
5 accounting unit 02-10-10-100010-1880, class 028, transfer to the department of administrative
6 services for transfers to plant and property, shall not be reduced unless the reduction is agreed to by
7 the commissioner of administrative services and the chief justice of the supreme court.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 27, 2025
2025-1408h
08/06

Amendment to HB 1-A

1 Amend the bill by inserting after section 7 the following, and renumbering the original sections 8-9
2 to read as 9-10, respectively:

3

4 8 Department of Natural and Cultural Resources; General Fund Appropriation Reductions. The
5 department of natural and cultural resources shall reduce state general fund appropriations by
6 \$300,000 for the fiscal year ending June 30, 2026, and \$300,000 for the fiscal year ending June 30,
7 2027.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 25, 2025
2025-1352h
05/09

Amendment to HB 1-A

1 Amend the bill by inserting after section 7 the following, and renumbering the original sections 8-9
2 to read as 9-10, respectively:

3

4 8 Department of Environmental Services; General Fund Appropriation Reductions. The
5 department of environmental services shall reduce state general fund appropriations by \$3,000,000
6 for the fiscal year ending June 30, 2026, and \$3,000,000 for the fiscal year ending June 30, 2027.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 18, 2025
2025-1088h
09/05

Amendment to HB 1-A

1 Amend the bill by inserting after section 7 the following and renumbering the original section 8 and
2 9 to read as 9 and 10, respectively:

3

4 8 Legislative Branch; General Fund Appropriation Reductions. The legislative branch shall
5 reduce state general fund appropriations by \$500,000 for the fiscal year ending June 30, 2026, and
6 \$500,000 for the fiscal year ending June 30, 2027.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 18, 2025
2025-1089h
09/05

Amendment to HB 1-A

1 Amend the bill by inserting after section 7 the following and renumbering the original section 8 and
2 9 to read as 9 and 10, respectively:

3

4 8 Office of the Governor; General Fund Appropriation Reductions. The office of the governor
5 shall reduce state general fund appropriations by \$50,000 for the fiscal year ending June 30, 2026,
6 and \$50,000 for the fiscal year ending June 30, 2027.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 25, 2025
2025-1350h
05/09

Amendment to HB 1-A

1 Amend the bill by inserting after section 7 the following, and renumbering the original sections 8-9
2 to read as 9-10, respectively:

3

4 8 New Hampshire Retirement System; Other Fund Appropriation Reductions. The New
5 Hampshire retirement system shall reduce other fund appropriations by \$4,225,013 for the fiscal
6 year ending June 30, 2026, and \$4,471,976 for the fiscal year ending June 30, 2027.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 24, 2025
2025-1347h
05/09

Amendment to HB 1-A

1 Amend the bill by inserting after section 7 the following, and renumbering the original sections 8
2 and 9 to read as 9 and 10, respectively:

3

4 8 Department of Justice: General Fund Appropriation Reductions. The department of justice
5 shall reduce state general fund appropriations by \$7,353,000 for the fiscal year ending June 30,
6 2026, and \$7,353,000 for the fiscal year ending June 30, 2027.

UNAPPROVED

Amendment to HB 1-A

1 Amend the bill by inserting after section 7 the following, and renumbering the original sections 8
2 and 9 to read as 9 and 10, respectively:

3

4 8 Department of Information Technology; Appropriation Reductions.

5 I. The department of information technology shall reduce shared appropriations by
6 \$5,000,000 for the fiscal year ending June 30, 2026, and by \$5,000,000 for the fiscal year ending
7 June 30, 2027.

8 II. The department of information technology, in consultation with the department of
9 administrative services, shall proportionally decrease the funding allocated to the class 027
10 expenditure class lines of each state department or agency by their respective portion of these
11 department of information technology shared costs.

UNAPPROVED

Rep. Weyler, Rock. 14
March 14, 2025
2025-1008h
05/08

Amendment to HB 1-A

1 Amend the bill by replacing section 8 with the following:

2

3 8 Estimates of Unrestricted Revenue.

4 GENERAL FUND	<u>FY 2026</u>	<u>FY 2027</u>
5 BUSINESS TAXES	\$625,400,000	\$650,200,000
6 MEALS AND ROOMS TAX	337,500,000	349,900,000
7 TOBACCO TAX	111,800,000	110,100,000
8 TRANSFER FROM LIQUOR	102,900,000	102,300,000
9 INTEREST AND DIVIDENDS TAX	8,700,000	0
10 INSURANCE	159,000,000	163,000,000
11 COMMUNICATIONS TAX	29,100,000	28,700,000
12 REAL ESTATE TRANSFER TAX	141,200,000	149,300,000
13 COURT FINES & FEES	13,700,000	13,700,000
14 SECURITIES REVENUE	44,400,000	44,500,000
15 BEER TAX	13,000,000	13,000,000
16 OTHER REVENUES	126,000,000	120,000,000
17 MEDICAID RECOVERIES	<u>3,100,000</u>	<u>3,100,000</u>
18 TOTAL GENERAL FUND	\$1,715,800,000	\$1,747,800,000
19		
20 EDUCATION FUND	<u>FY 2026</u>	<u>FY 2027</u>
21 BUSINESS TAXES	\$434,600,000	\$451,800,000
22 MEALS AND ROOMS TAX	11,000,000	11,400,000
23 TOBACCO TAX	64,300,000	63,400,000
24 REAL ESTATE TRANSFER TAX	69,500,000	73,500,000
25 TRANSFER FROM LOTTERY	172,900,000	172,900,000
26 TOBACCO SETTLEMENT	32,500,000	30,000,000
27 UTILITY PROPERTY TAX	45,900,000	46,600,000
28 STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>
29 TOTAL EDUCATION FUND	\$1,193,800,000	\$1,212,700,000
30		
31 HIGHWAY FUND	<u>FY 2026</u>	<u>FY 2027</u>
32 GASOLINE ROAD TOLL	\$127,700,000	\$127,900,000

\$127,700,000

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1	MOTOR VEHICLE FEES	131,700,000	134,700,000
2	MISCELLANEOUS	<u>200,000</u>	<u>200,000</u>
3	TOTAL HIGHWAY FUND	\$259,600,000	\$262,800,000
4			
5	FISH AND GAME FUND	<u>FY 2026</u>	<u>FY 2027</u>
6	FISH AND GAME LICENSES	\$10,000,000	\$10,000,000
7	FINES AND MISCELLANEOUS	<u>4,000,000</u>	<u>4,000,000</u>
8	TOTAL FISH AND GAME FUND	\$14,000,000	\$14,000,000

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 14, 2025
2025-0997h
07/06

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 1.

2025-0997h

AMENDED ANALYSIS

Delete:

1. Makes various changes to the standards and the administration of bail.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 212-A:9, III-VI as inserted by section 3 of the bill by replacing it with the following:

2

3 III. All other state departments and agencies, to the extent possible, consistent with their
4 authorities and responsibilities, shall ~~[assist and cooperate with the executive director in the~~
5 ~~furtherance of the purposes of this chapter for the conservation of endangered or threatened species.~~
6 ~~They shall]~~ take such action as is reasonable and prudent to insure that actions authorized, funded,
7 or carried out by them do not appreciably jeopardize the continued existence of such species or result
8 in the destruction or modification of habitat of such species which is determined by the executive
9 director to be critical, by requiring that all such action is designed to avoid ~~[and]~~, minimize, **and**
10 **mitigate** harm to such species and habitat designated as critical. ***Other departments and***
11 ***agencies may consult with the executive director or hire their own internal wildlife***
12 ***biologists to carry out the requirements of this paragraph. The executive director shall***
13 ***assist other departments and agencies in carrying out this paragraph.*** For the purpose of
14 this statute, "appreciably jeopardize the continued existence of such species" shall be defined in rules
15 adopted by the executive director pursuant to RSA 541-A. The provisions of RSA 212-A or any rule
16 promulgated under this chapter shall not be applicable to a state department or agency when that
17 state department or agency, in the process of undertaking an action, is required by federal law or
18 regulation to address the environmental impact on wildlife or wildlife habitat, of that action.

19 ***IV. To meet the requirements of paragraph III, the department of environmental***
20 ***services shall complete the review for any permit, approval, or written authorization***
21 ***required pursuant to RSA 482-A, RSA 485-A, and RSA 236. The department of***
22 ***environmental services shall adopt rules under RSA 541-A to implement the review process***
23 ***and establish a fee schedule for any requested reviews. Such rulemaking shall commence***
24 ***within 90 days of the effective date of this paragraph. The revenue collected from this***
25 ***section shall be deposited into the water resources fund established in RSA 482-A:3, III.***

26 ***V. Any reviews conducted to fulfill the requirements of paragraph III for any***
27 ***permit, approval, or written authorization shall be conducted as follows:***

28 ***(a) Reviews shall not exceed 60 days from receipt of all information as required***
29 ***by rules developed pursuant to paragraph IV;***

30 ***(b) The time to complete the review may be extended with written authorization***
31 ***from the applicant;***

1 (c) *If the agency or department requests additional information from the*
2 *applicant necessary to complete the review, the time it takes the applicant to respond shall*
3 *not count against the 60 day timeline in subparagraph (a); and*

4 (d) *If the review period is not completed within the required timelines, except*
5 *as provided for in subparagraph (c), then the permit, approval, or written authorization*
6 *shall be deemed to not appreciably jeopardize the continued existence of a threatened or*
7 *endangered species.*

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 12, 2025
2025-0976h
07/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 4 with the following:

2

3 4 Department of Environment Services; Position Established; Appropriation. There shall be an
4 environmental scientist position established within the department of environmental services,
5 compensated under SOC 19, Payband 8, for the purpose of administering the environmental species
6 act conservation program under RSA 212-A:9, III.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 13, 2025
2025-0992h
08/06

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 217-A:7, III as inserted by section 7 of the bill by replacing it with the following:

2

3 ***III. The department of environmental services shall adopt rules to establish the***
4 ***process for requesting a screening and for the environmental review process in paragraph***
5 ***II. Such rulemaking shall begin within 90 days of the effective date of this section. The***
6 ***commissioner shall assist and cooperate with the department of environmental services to***
7 ***ensure the agency has the information necessary to adequately complete the environmental***
8 ***review process.***

2025-0992h

AMENDED ANALYSIS

KEEP:

3. Requires the department of environmental services to adopt rules and review procedures such that actions of state agencies do not jeopardize the existence or habitats of species protected under the endangered species conservation act.

Rep. D. McGuire, Merr. 14
March 10, 2025
2025-0855h
07/08

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 12, relative to fee increases associated with applications for
- 2 existing dock structures and shoreline structure and minimum impact dredge and fill projects.

AMENDED ANALYSIS

Delete:

13. Increases the fees associated with applications for existing dock structures and shoreline structure and minimum impact dredge and fill projects.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 13 with the following:

2

3 13 Water Management and Protection; Fill and Dredge In Wetlands; Administrative Provisions.

4 Amend RSA 482-A:11, III(a) to read as follows:

5 III.(a) Upon written notification to the department by a municipal conservation commission,
6 a local river management advisory committee, or the New Hampshire Rivers Council that it intends
7 to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its
8 decision on the application that is the subject of the notice until it has received and acknowledged
9 receipt of a written report from such commission, local river management advisory committee, or the
10 council, or until 40 days from the date of filing with the municipal clerk of such notice, whichever
11 occurs earlier~~, subject to an extension of up to 40 days, as permitted by the commissioner, for good~~
12 ~~cause shown].~~ In connection with any local investigation, a conservation commission may hold a
13 public informational meeting or a public hearing, the record of which shall be made a part of the
14 record of the department. ~~[Where the commissioner grants an extension, the time limits prescribed~~
15 ~~by RSA 482-A:3, XIV(b) shall be suspended for up to 40 days as agreed to by the applicant and the~~
16 ~~department.]~~ If a conservation commission, a local river management advisory committee, or the
17 New Hampshire Rivers Council makes a recommendation to the department in its report, the
18 department shall specifically consider such recommendation and shall make written findings with
19 respect to each issue raised in such report which is contrary to the decision of the department. If
20 notification by a local conservation commission, local river management advisory committee, or the
21 New Hampshire Rivers Council pursuant to this paragraph, is not received by the department
22 within 14 days following the date the notice is filed with the municipal clerk, the department shall
23 not suspend its normal action, but shall proceed as if no notification has been made.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 14 with the following:

2

3 14 Terrain Alteration. Amend RSA 485-A:17, II to read as follows:

4 II.(a) The department shall charge a fee for ~~[each review of plans]~~ **applications**, including
5 project inspections, required under this section. ~~[-The plan review fee shall be based on the total area~~
6 ~~to be disturbed.]~~ **For projects that qualify for a permit by notification allowed by paragraph**
7 **II-a, the application fee for a permit by notification shall be \$3,125.** Except for ~~[property~~
8 ~~subject to RSA 483-B:9]~~ **projects that qualify for a permit by notification allowed by**
9 **paragraph II-a**, the fee for ~~[review of plans]~~ **applications** encompassing an area of at least
10 ~~[100,000]~~ **150,000** square feet but less than 200,000 square feet shall be ~~[\$3,125]~~ **\$6,250.** ~~[For the~~
11 ~~property subject to RSA 483-B:9, the fee for review of plans encompassing an area of at least 50,000~~
12 ~~square feet but less than 200,000 square feet shall be \$3,125.]~~ An additional fee of ~~[\$1,250]~~ **\$2,500**
13 shall be assessed for each additional area of up to 100,000 square feet to be disturbed. **For any**
14 **property subject to RSA 483-B:9, the fee for review of plans encompassing an area of at**
15 **least 50,000 square feet but less than 150,000 square feet shall be \$5,000. For all other**
16 **projects, the fee shall be \$500 plus \$0.005 per square foot of disturbance.** No application shall
17 be accepted by the department until the fee required by this paragraph is paid. All fees required
18 under this paragraph shall be paid when plans are submitted for review and shall be deposited in
19 the water resources fund established in RSA 482-A:3, III.

20 (b) The department shall charge a non-refundable fee of \$500 ~~[plus a \$.10 fee per square~~
21 ~~foot of disturbance associated with the amendment request]~~ for each request to amend a permit that
22 requires plans to be reviewed.

23 15 Permit by Notification. RSA 485-A:17, II-a is repealed and reenacted to read as follows:

24 II-a. By January 1, 2026, the department shall adopt rules to establish a permit by
25 notification for projects with plans encompassing an area less than 150,000 square feet that are not
26 subject to RSA 483-B:9.

27 16 Effective Date. Sections 14 and 15 of this act shall take effect 60 days after its passage.

Rep. D. McGuire, Merr. 14
March 17, 2025
2025-1021h
05/06

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 482-A:26-a, I as inserted by section 15 of the bill by replacing it with the following:

2

3 I. Any boathouse constructed after July 1, 2025, and located over public waters shall not
4 exceed a structural height of 18 feet, have no second floor, and minimize storage to accommodate
5 only those items, such as life-jackets, paddles, and rigging, reasonably related to the use of a boat.
6 No boathouse over public waters existing as of July 1, 2025, shall be modified to increase its
7 structural height or to add additional floors.

AMENDED ANALYSIS

KEEP:

12. Defines “boathouse” and “structural height” in the context of fill and dredge in wetlands statutes.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 19 and 20 with the following:

2

3 19 New Subdivision; Solid Waste Facility Site Evaluation Committee. Amend RSA 149-M by
4 inserting after section 64 the following new subdivision:

5

Solid Waste Facility Site Evaluation Committee

6

149-M:65 Declaration of Purpose.

7

8 The legislature and the executive branch recognize that the selection of sites for major solid
9 waste disposal facilities may have significant statewide, regional and local impacts that are not fully
10 evaluated through existing regulatory review. Accordingly, the legislature and the executive branch
11 find that it is in the public interest to establish a procedure to evaluate the local, regional and
12 statewide benefits and burdens of a new major solid waste facility that are not captured by existing
13 regulatory reviews, including noise, odor, aesthetics, local and regional economic impacts, property
14 value impacts, nature and source of waste, need, impacts on tourism, recreation and traffic, and
15 other similar impacts.

15

149-M:66 Definitions. In this subdivision:

16

17 I. "Acceptance" means a determination by the committee that it finds that the application is
18 complete and ready for consideration.

18

19 II. "Administrator" means the administrator of the site evaluation committee established
20 pursuant to RSA 162-H:3-a.

20

21 III. "Affected municipality" means any municipality or unincorporated place in which any
22 part of a major solid waste disposal facility is proposed to be located and any municipality or
23 unincorporated place from which any part of the proposed major solid waste disposal facility will be
24 visible or audible, including off-site traffic impacts.

24

25 IV. "Certificate" means the document issued by the committee, containing such terms and
26 conditions as the committee deems appropriate, that authorizes the applicant to proceed with the
27 proposed site and facility.

27

28 V. "Commence construction" means any clearing of the land, excavation or other substantial
29 action that would result in long-term impacts to the site of the proposed facility, but does not include
30 land surveying, optioning or acquiring land or rights in land, changes desirable for temporary use of
31 the land for public recreational uses, necessary subsurface explorations to determine hydrogeologic
and soil conditions, work required as part of an application to any federal, state, or local authority,

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1 or other preconstruction monitoring or testing to establish background information related to the
2 suitability of the site for the proposed use.

3 VI. "Committee" means the solid waste evaluation committee established by this chapter.

4 VII. "Department" means the department of environmental services.

5 VIII. "Major solid waste disposal facility" means a location, system, or physical structure for
6 the collection, separation, storage, transfer, processing, treatment, or disposal of solid waste with a
7 proposed waste acceptance rate greater than 100,000 tons per year. Major solid waste disposal
8 facility does not include any facility proposed to be constructed by a New Hampshire municipal
9 government.

10 IX. "Filing" means the date on which the application is first submitted to the committee.

11 X. "Person" means any individual, group, firm, partnership, corporation, cooperative,
12 municipality, political subdivision, government agency, or other organization.

13 149-M:67 Solid Waste Evaluation Committee Established.

14 I. There is hereby established a committee to be known as the New Hampshire solid waste
15 evaluation committee consisting of 5 members, as follows:

16 (a) The chairperson of the waste management council established under RSA 21-O:9,
17 who shall serve as chairperson of the committee. If there is an appeal pending before the waste
18 management council related to the major solid waste disposal facility, then the chairperson of the
19 wetlands council, water council or air resources council established under RSA 21-O, selected by the
20 commissioner of the department, shall serve as chairperson of the committee.

21 (b) The commissioner of the department of environmental services, or designee.

22 (c) Two members and, when required by RSA 149-M:68, an alternate member,
23 appointed by the governor with the consent of the executive council, including a member who serves
24 on a local conservation commission and a member who has expertise in the private waste
25 management industry.

26 (d) One public member and, when required by RSA 149-M:68, an alternate public
27 member, appointed by the governor with the consent of the executive council as described in RSA
28 149-M:68, with expertise or experience in one or more of the following areas: business management;
29 environmental protection; natural resource protection; solid waste disposal facility design,
30 construction, operation, or management; community and regional planning or economic
31 development; municipal or county government; or the governing of unincorporated places.

32 II. All members, including those who sit for a member recused under RSA 149-M:68, shall
33 refrain from ex parte communications regarding any matter pending before the committee. A
34 majority of the members of the committee shall constitute a quorum for the purpose of conducting
35 the committee's business.

36 III. The committee shall be administratively attached to the department of environmental
37 services.

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- 1 IV. The chairperson shall serve as the chief executive of the committee and may:
- 2 (a) Serve as presiding officer.
- 3 (b) Delegate to other members the duties of the presiding officer, as appropriate.
- 4 (c) Establish, with the consent of the committee, the budgetary requirements of the
- 5 committee.
- 6 (d) Engage personnel in accordance with this chapter.

7 V. The presiding officer may appoint a hearing officer to perform the functions described in

8 RSA 149-M:70, V.

9 149-M:68 Members Appointed By The Governor With The Consent Of Council.

10 I. Members and alternate members appointed under RSA 149-M:67, I(c) and (d) shall serve

11 4-year terms and until their successors are appointed and qualified. Any member chosen to fill a

12 vacancy occurring other than by expiration of a term shall be appointed for the unexpired term of the

13 member who is succeeded.

14 II. If at any time the member appointed by the governor with the consent of the executive

15 council must recuse himself or herself from a matter before the committee or is not otherwise

16 available for good reason, the alternate member shall replace such member.

17 III. No member nor any member of his or her family shall receive income from entities that

18 own or operate, or have applied to own or operate, major solid waste disposal facilities in New

19 Hampshire. The members appointed by the governor with the consent of the executive council and

20 their alternates shall comply with RSA 15-A and RSA 15-B.

21 IV. Any member appointed by the governor with the consent of the executive council may be

22 removed from office in accordance with RSA 4:1.

23 149-M:69 Administrator and Other Committee Support.

24 The administrator shall provide support to the committee. If the administrator is not available

25 or the position is vacant, the committee may hire an independent contractor at the expense of the

26 applicant. The administrator shall be under the supervision of the chairperson when performing

27 duties for the committee. The administrator shall be compensated for work performed for the

28 committee as set forth in RSA 149-M:85. The administrator, or chairperson in the absence of an

29 administrator, with committee approval, may engage additional technical, legal, or administrative

30 support to fulfill the functions of the committee as necessary.

31 149-M:70 Powers and Duties of the Committee; Rules.

32 I. The committee shall:

- 33 (a) Evaluate and issue any certificate under this chapter for a major solid waste
- 34 disposal facility.
- 35 (b) Determine the terms and conditions of any certificate issued under this chapter.
- 36 (c) Adjudicate enforcement matters.
- 37 (d) Assist the public in understanding the requirements of this chapter.

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1 (e) Deny applications for a certificate based on such findings and rulings as may be
2 necessary to support its decision to deny.

3 II. The committee shall hold hearings as required by this chapter and such additional
4 hearings as it deems necessary and appropriate and, in addition to the requirements under RSA 91-
5 A, ensure adequate and timely public notice of no less than 7 calendar days.

6 III. The committee may delegate to the administrator or such state agency or official as it
7 deems appropriate the authority to specify the use of any technique, methodology, practice, or
8 procedure approved by the committee within a certificate issued under this chapter, or the authority
9 to specify minor changes in the major solid waste disposal facility configuration to the extent that
10 such changes are authorized by the certificate for those portions of a proposed major solid waste
11 disposal facility project.

12 IV. The committee shall not delegate its authority or duties except as provided under this
13 chapter.

14 V. In any matter before the committee, the presiding officer, or a hearing officer designated
15 by the presiding officer, may hear and decide procedural matters that are before the committee,
16 including procedural schedules, consolidation of parties with substantially similar interests,
17 discovery schedules and motions, and identification of significant disputed issues for hearing and
18 decision by the committee. Undisputed petitions for intervention may be decided by the hearing
19 officer and disputed petitions shall be decided by the presiding officer. Any party aggrieved by a
20 decision on a petition to intervene may within 10 calendar days request that the committee review
21 such decision. Other procedural decisions may be reviewed by the committee at its discretion.

22 VI. The committee shall issue such rules to administer this chapter, pursuant to RSA 541-
23 A, after public notice and hearing, as may from time to time be required.

24 149-M:71 Prohibitions and Restrictions.

25 I. No person shall commence construction of any major solid waste disposal facility within
26 the state unless it has obtained a certificate pursuant to this chapter. Such facilities shall be
27 constructed, operated, and maintained in accordance with the terms of the certificate and any other
28 federal, state, or local permits or approvals. Such certificates are required for changes or additions
29 to existing facilities that propose an annual throughput of greater than or equal to 100,000 tons per
30 year. Such a certificate shall not be transferred or assigned without approval of the committee.
31 Unless otherwise specified in this chapter, any approved major solid waste facility shall not be
32 constructed, operated, or closed in a manner materially different than the manner in which it was
33 presented in the application for a certificate as modified and conditioned by such certificate.

34 II. Notwithstanding RSA 541-A:29 or any other law to the contrary, an application for a
35 certificate from the committee shall be approved or denied by the committee prior to final decisions
36 on all other state agency permit applications. Applications for certificates may be filed and
37 evaluated by the committee concurrently with other state approvals and public hearings may be

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1 scheduled concurrently with hearings held by other state agencies as part of their permitting process
2 for the same facility.

3 III. Notwithstanding paragraph II, for facilities under review by the department for a
4 permit on or prior to July 1, 2025, an application for a certificate from the committee shall be
5 approved or denied after other state agency approvals have been obtained. The committee shall not
6 consider technical questions already considered by other state or federal agencies, nor include terms
7 or conditions in a certificate that have already been reviewed and decided upon by other state or
8 federal agency regulatory reviews.

9 149-M:72 Application for Certificate.

10 I. All applications for a certificate for a major solid waste disposal facility shall be filed with
11 the administrator or the chair of the committee.

12 II. Upon filing of an application, the chairperson or designated presiding officer shall
13 expeditiously conduct a preliminary review to ascertain if the application contains sufficient
14 information to carry out the purposes of this chapter. If the application does not contain such
15 sufficient information, the chairperson or designated presiding officer shall, in writing, expeditiously
16 notify the applicant of that fact and specify what information the applicant must supply.

17 III. To carry out the committee's duties in RSA 149-M:70, each application shall:

18 (a) Describe in reasonable detail the types and quantities of waste and their
19 characteristics proposed to be accepted and size of each major part of the proposed facility.

20 (b) Describe in reasonable detail the source of waste to be accepted.

21 (c) Describe how the proposed facility satisfies the criteria listed under RSA 149-
22 M:11,III.

23 (d) Identify both the applicant's preferred choice and other alternatives it considers
24 available for the site and configuration of each major part of the proposed facility and the reasons for
25 the applicant's preferred choice.

26 (e) Describe in reasonable detail the impact of each major part of the proposed facility
27 on existing local, regional, and state land uses.

28 (f) Document that written notification of the proposed project, including appropriate
29 copies of the application, has been given to the appropriate governing body of each affected
30 municipality, as defined in RSA 149-M:66, III. The application shall include a list of the affected
31 municipalities.

32 (g) Provide analysis on the local, regional and statewide visual impact of the proposed
33 facility during construction, operation, and post-closure and the visual impacts as evaluated through
34 a visual impact assessment prepared in accordance with professional standards by an expert in the
35 field.

36 (h) Provide information in reasonable detail about the impacts on local, regional and
37 state property values, human health, tourism, outdoor recreation, wildlife, traffic, noise, and odor by

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1 the proposed facility. These analyses shall be conducted in accordance with professional standards
2 by an expert in these fields.

3 (i) Provide a reasonable amount of information relative to how new contaminants of
4 concern not regulated by a permit issued by the department, will be monitored, evaluated and
5 managed over the proposed life of the facility.

6 (j) Provide a reasonable amount of information relative to the economic impacts of the
7 proposed facility on affected municipalities, the region, and the state.

8 (k) An assessment of greenhouse gas and other emissions emanating from the facility
9 and from transport of solid waste-related material and by-products to and from the proposed facility.

10 (l) Potential economic benefits to the local area and potential infrastructure
11 improvements associated with the proposed project.

12 (m) Provide such additional information as the committee may require or request to
13 carry out the purpose of this chapter.

14 IV. To the extent any information provided in the application was submitted and considered
15 by a state agency as part of its permitting evaluation and decision under RSA 149-M:71, III, the
16 applicant shall specify what information was so considered and the statutory and regulatory
17 authority for that agency's consideration of the information.

18 V. For all information submitted with the application that was prepared by an outside
19 consultant or expert, the applicant shall submit the qualifications of such consultants or experts to
20 prepare such information.

21 VI. The committee shall require the applicant to hire an independent third party at the
22 expense of the applicant and agreed upon by the committee in consultation with the municipality
23 where the facility is proposed to be located, to peer review any assessments provided under this
24 section.

25 VII. The chairperson or designated presiding officer shall decide whether to accept the
26 application as administratively complete within 60 days of filing. If the chairperson or designated
27 presiding officer rejects an application because it determines it to be administratively incomplete,
28 the applicant may choose to file a new and more complete application or cure the defects in the
29 rejected application within 10 days of receipt of notification of rejection.

30 VIII. Public information sessions shall be held in accordance with RSA 149-M:76.

31 IX. Within 180 days of the acceptance of an application, the committee shall issue or deny a
32 certificate for the proposed major solid waste disposal facility.

33 X. The applicant shall immediately inform the committee of any substantive modification to
34 its application.

35 XI. The committee may require state agencies with relevant technical expertise to
36 participate in committee proceedings.

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1 XII. The department shall conduct a review of the application information submitted
2 pursuant to RSA 149-M:72, III(c) to determine whether the facility has demonstrated that it satisfies
3 the criteria in RSA 149-M:11, III. Such review shall be conducted in accordance with RSA 149-M:11.
4 The department shall report its findings to the committee in order to inform the committee's decision
5 on the application.

6 XIII. The committee may deny a permit application based upon the criteria in RSA 149-M:9,
7 IX.

8 XIV. A state agency may intervene as a party in any committee proceeding in the same
9 manner as other persons under RSA 541-A.

10 149-M:73 Disclosure of Ownership.

11 Any application for a certificate, or for change in ownership and transfer of certificate, shall be
12 signed and sworn to by the person or executive officer of the association or corporation making such
13 application and shall contain the following information:

14 I. Full name and address of the person, association, or corporation.

15 II. If an association or limited liability company, the name of the state under which it was
16 formed, the names and residences of the members of the association or limited liability company.

17 III. If a corporation, the name of the state under which it is incorporated with its principal
18 place of business and the names and addresses of its directors, officers and stockholders.

19 IV. If doing business in a form other than as an association, limited liability company or
20 corporation, the form of the business, the name of the state under which it was formed, and the
21 names and residences of anyone with a financial, ownership or control interest in the organization.

22 V. The location or locations where an applicant is to conduct its business.

23 VI. A statement of assets and liabilities of the applicant and other relevant financial
24 information of such applicant.

25 VII. The committee shall administratively approve changes of ownership and transfers of
26 certificates within 90 days of a petition if it determines the new certificate holder has adequate
27 financial, technical, and managerial capability to assure construction and operation of the facility in
28 continuing compliance with the terms and conditions of the certificate and any federal, state and
29 local permits.

30 149-M:74 Application and Filing Fees.

31 I. A person filing with the committee an application for a certificate for a major solid waste
32 disposal facility, shall pay to the committee at the time of filing a fee determined in accordance with
33 the fee schedule described in paragraph II. If an application for a certificate for a major solid waste
34 disposal facility is deemed incomplete pursuant to RSA 149-M:72, VII, and a new application is
35 submitted thereunder, the unused portion of the initial application fee shall be refunded to the
36 applicant or credited to the filing of the new application. The committee may in its discretion
37 provide for a credit or refund in other circumstances that are unforeseen by the applicant.

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1 II. The fees under paragraph I shall be determined in accordance with a fee schedule posted
2 by the committee on its website, which shall include the following amounts:

3 (a) Application fee for a major solid waste disposal facility: \$20,000 base charge and
4 \$1,000 per additional 10,000 tons/year throughput in excess of 100,000 tons per year.

5 (b) Filing fees for administrative proceedings:

6 (1) Petition for committee jurisdiction: \$500.

7 (2) Certificate transfer of ownership: \$1,000.

8 (3) Request to modify a certificate: \$1,000.

9 III. All fee charges shall be deposited in the solid waste evaluation committee fund
10 established in RSA 149-M:84 and shall be nonlapsing and accounted for as a separate line item.

11 IV. The committee shall review and evaluate the application fees and filing fees in the fee
12 schedule in subparagraphs II(a) and (b) at least once each year. The committee may increase any
13 amount in the fee schedule by no more than the increase in the consumer price index from the prior
14 year, provided that any such increase shall occur not more frequently than once during any 12-
15 month period. Modifications to the fee schedule shall be posted on the committee website, with a
16 link prominently displayed on the home page.

17 149-M:75 Counsel for the Public.

18 I. The chair or the administrator shall notify the attorney general of all administrative
19 proceedings. The attorney general may appoint an assistant attorney general as counsel for the
20 public in administrative proceedings. Upon notification that an application for a certificate has been
21 filed with the committee in accordance with RSA 149-M:72, the attorney general shall appoint an
22 assistant attorney general as a counsel for the public. The counsel shall represent the public in all
23 aspects of the committee's authority. The counsel shall be accorded all the rights and privileges,
24 and responsibilities of an attorney representing a party in formal action and shall serve until the
25 decision to issue or deny a certificate is final.

26 II. This section shall not be construed to prevent any person from being heard or
27 represented by counsel; provided, however, the committee may compel consolidation of
28 representation for such persons as have, in the committee's reasonable judgment, substantially
29 identical interests.

30 149-M:76 Public Hearing; Studies.

31 I. At least 30 days prior to filing an application for a certificate, an applicant shall hold at
32 least one public information session in the affected municipality where the proposed facility is to be
33 located. This session may be held concurrent with a public session held as a requirement of any
34 other state permit or approval.

35 II. The committee may order the applicant to provide such additional public information
36 sessions in affected municipalities as are reasonable to inform the public of the proposed project.

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1 III. Within 90 days after acceptance of an application for a certificate, the committee shall
2 hold at least one public information session in each the municipality where the proposed facility is
3 proposed to be located.

4 IV. Subsequent public hearings shall be in the nature of adjudicative proceedings under
5 RSA 541-A and shall be held in the municipality in which the proposed facility is to be located or in
6 Concord, New Hampshire, as determined by the committee. The committee shall give adequate
7 public notice of the time and place of each subsequent hearing.

8 V. The committee shall adopt rules regarding the timing and method of notices for public
9 information sessions and public hearings and the any other requirements regarding such sessions
10 and hearings.

11 VI. The committee shall consider and weigh all evidence presented at public hearings and
12 shall consider and weigh written information and reports submitted to it by members of the public
13 prior to the closing of the record of the proceeding. The committee shall provide an opportunity at
14 one or more public hearings for comments from the governing body of each affected municipality and
15 residents of each affected municipality. The committee shall consider, as appropriate, prior
16 committee findings and rulings on the same or similar subject matters, but shall not be bound
17 thereby.

18 VII. The solid waste evaluation committee shall require from the applicant whatever
19 information it deems necessary to assist in the conduct of the hearings, and any investigation or
20 studies it may undertake, and in the determination of the terms and conditions of any certificate
21 under consideration.

22 VIII. The committee and counsel for the public shall conduct such reasonable studies and
23 investigations as they deem necessary or appropriate to carry out the purposes of this chapter and
24 may employ a consultant or consultants, legal counsel and other staff in furtherance of the duties
25 imposed by this chapter, the cost of which shall be borne by the applicant or certificate holder in
26 such amount as may be approved by the committee. The committee and counsel for the public are
27 further authorized to assess the applicant or certificate holder for all travel and related expenses
28 associated with the processing of an application or other proceedings under this chapter.

29 IX. Times for conducting public hearings and rendering a decision on the application may be
30 extended for good cause upon written request of the applicant.

31 149-M:77 Judicial Review.

32 Decisions made pursuant to this chapter shall be appealed in accordance with RSA 541.

33 149-M:78 Monitoring and Enforcement.

34 I. The department shall monitor the construction and operation of any major solid waste
35 disposal facility granted a certificate under this chapter, after all other subsequent approvals are
36 obtained, to ensure compliance with such certificate and enforce the terms and conditions of any
37 such certificate. With the exception of the authority retained by the state agencies in accordance

1 with paragraph V, the department may delegate the authority to monitor the construction or
2 operation of any major solid waste disposal facility granted a certificate under this chapter to such
3 state agency or official as it deems appropriate but shall ensure that the terms and conditions of the
4 certificate are met. Any authorized representative or delegate of the department shall have a right
5 of entry onto the premises of any part of the solid waste generation facility to ascertain if the facility
6 is being constructed or operated in continuing compliance with the terms and conditions of the
7 certificate. During normal hours of business administration and on the premises of the facility, such
8 a representative or delegate shall also have a right to inspect such records of the certificate-holder as
9 are relevant to the terms or conditions of the certificate.

10 II. Whenever the department administratively determines, on its own or in response to a
11 complaint, that any term or condition of any certificate issued under this chapter or prior law is
12 being violated, it shall, in writing, notify the certificate holder of the specific violation and order the
13 person to immediately terminate the violation. If, 15 days after receipt of the order, the person has
14 failed or neglected to terminate the violation, the department shall notify the committee, which may
15 suspend the person's certificate. In addition to suspension, if, after 15 days of receipt of the order,
16 the person has failed or neglected to terminate the violation, the committee may impose a fine not to
17 exceed \$5,000 per day until the violation is corrected. Except for emergencies, prior to any
18 suspension or imposition of a fine, the committee shall give written notice of its consideration of
19 suspension or imposition of a fine and of its reasons therefor and shall provide opportunity for a
20 prompt hearing.

21 III. In addition to other remedies provided in this chapter, upon petition of the department,
22 the committee may suspend a certificate if the committee determines that a person has made a
23 material misrepresentation in the application, or in the supplemental or additional statements of
24 fact, or studies required of the applicant, or if the committee determines that the person has violated
25 the provisions of this chapter, or any rule adopted under this chapter. Except for emergencies, prior
26 to any suspension, the committee shall give written notice of its consideration of suspension and of
27 its reasons therefor and shall provide an opportunity for a prompt hearing.

28 IV. Upon petition of the department, the committee may revoke any certificate that is
29 suspended after the person holding the suspended certificate has been given at least 90 days' written
30 notice of the committee's consideration of revocation and of its reasons therefor and has been
31 provided an opportunity for a full hearing.

32 V. Notwithstanding any other provision of this chapter, each state agency having
33 permitting or other regulatory authority shall retain all of its powers and duties of enforcement.

34 VI. The full amount of costs and expenses incurred by the department and committee in
35 connection with any enforcement action against a person holding a certificate, in which the person is
36 determined to have violated any provision of this chapter, any rule adopted by the department or
37 committee, or any of the terms and conditions of the issued certificate, shall be assessed to the

1 person and shall be paid by the person to the committee. Any amounts paid by a person to the
2 committee pursuant to this paragraph shall be deposited in the solid waste evaluation committee
3 fund established in RSA 149-M:84.

4 VII. The department may adopt rules in furtherance of its monitoring and enforcement
5 responsibilities under this chapter.

6 149-M:79 Records.

7 Complete verbatim records shall be kept by the committee of all hearings, and records of all
8 other actions, proceedings, and correspondence of the committee, including submittals of information
9 and reports by members of the public, shall be maintained, all of which records shall be open to the
10 public inspection and copying as provided for under RSA 91-A. Committee records regarding
11 pending applications for a certificate shall also be made available on a website.

12 149-M:80 Temporary Suspension of Deliberations.

13 If the committee, at any time while an application for a certificate is before it, deems it to be in
14 the public interest, it may temporarily suspend its deliberations and time frames established under
15 this chapter.

16 149-M:81 Findings and Certificate Issuance.

17 I. Any certificate issued by the committee shall be based on the record. The decision to
18 issue a certificate in its final form or to deny an application once it has been accepted shall be made
19 by a majority of the committee.

20 II. The committee may consult with interested regional agencies and agencies of border
21 states in the consideration of certificates.

22 III. After due consideration of all relevant information regarding the potential siting,
23 including potential significant impacts and benefits, the committee shall determine if issuance of a
24 certificate will serve the objectives of this chapter. In order to issue a certificate, the committee
25 shall find that:

26 (a) The applicant has adequate financial, technical, and managerial capability to assure
27 construction, operation, and closure of the facility in continuing compliance with the terms and
28 conditions of the certificate.

29 (b) The facility will not unduly interfere with the orderly development of the region with
30 due consideration having been given to the views of municipal and regional planning commissions
31 and municipal governing bodies.

32 (c) The facility satisfies the criteria in RSA 149-M:11, III.

33 (d) The net public benefit of the facility to the region shall outweigh any adverse impact
34 of the facility on human health, aesthetics, historic preservation, economic impacts to the region,
35 tourism, outdoor recreation, regional and statewide business development, wildlife, noise, odor,
36 traffic impacts, existing land uses, including property values, characteristics and source of waste,
37 and any other impacts assessed as part of the application pursuant to RSA 149-M:72, III.

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1 (e) Issuance of a certificate will serve the public interest of the citizens of New
2 Hampshire.

3 IV. The committee shall issue an order granting or denying a certificate. Such order shall
4 summarize and address issues of concern expressed during public information sessions and hearings
5 to ensure that the public's voice has been heard and recorded.

6 V. A certificate of site and facility may contain such reasonable terms and conditions,
7 including, but not limited to the authority to require bonding, as the committee deems necessary.
8 Such certificates, when issued, shall be final and subject only to judicial review.

9 VI. The committee shall condition the certificate upon the results of applicable federal and
10 state approvals or appeal processes and required federal and state agency studies whose study
11 period exceeds the application period.

12 149-M:82 Penalties.

13 I. Any construction or operation of major solid waste disposal facilities without first
14 obtaining a certificate from the committee, or any material violation of the terms and conditions of a
15 certificate issued by the committee, shall be subject to a civil penalty not to exceed \$10,000 for each
16 violation or for each day of a continuing violation. Such violation may also be enjoined by the
17 superior court upon application of the attorney general.

18 II. Whoever purposely or knowingly commits any violation of any provision of this section
19 shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

20 149-M:83 Severability.

21 If any provision of this chapter, or application thereof to any person or circumstance is held
22 invalid, the invalidity does not affect other provisions or applications of the chapter which can be
23 given effect without the invalid provisions or applications, and to this end, the provisions of this
24 chapter are severable.

25 149-M:84 Fund Established; Funding Plan.

26 There is hereby established in the office of the state treasurer a nonlapsing, special fund to be
27 known as the solid waste evaluation committee fund. All application and other filing fees received
28 by the committee under this chapter shall be deposited in the fund. All moneys in the fund shall by
29 continually appropriated to the committee and shall be used to pay for operating costs of the
30 committee and the partial salary of the administrator. If the administrator position is vacant, the
31 fund may be used to pay an independent contractor to perform those duties. Notwithstanding any
32 other provision of law, the committee may engage the department for additional technical, legal, or
33 administrative support to fulfill the requirements of this chapter, the cost of which shall be charged
34 directly to the applicant or major solid waste disposal facility owner.

35 149-M:85 Compensation and Reimbursement.

36 I. The public members of the committee shall be compensated for all time spent on
37 committee business, including compensation and reimbursement for major solid waste disposal

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1 facility proceeding time and expenses. Compensation shall be provided on a pro rata basis, based
2 upon the daily salary rate of an unclassified position at the initial step in grade FF under RSA 94:1-
3 a, I(a).

4 II. State agencies represented on the committee shall be reimbursed for major solid waste
5 disposal facility proceeding time and expenses incurred by their respective members or designees,
6 except that time spent for the first 5 full days of their participation with respect to any application or
7 other proceeding concerning a major solid waste disposal facility shall not be subject to
8 reimbursement. The rate of reimbursement to each respective agency shall be based on a pro rata
9 share of the employee's salary, benefits, and related costs.

10 III. The department of justice shall be reimbursed in the same manner as described in
11 paragraph II for major solid waste disposal facility proceeding time and expenses that are incurred
12 by the counsel for the public.

13 IV. All persons or agencies seeking compensation or reimbursement under this section shall
14 keep detailed time and expense records which shall be submitted to the chairperson or administrator
15 and used to determine the amount of compensation or reimbursement. The chairperson or
16 administrator shall develop a recordkeeping system and accounting and payment procedures.

17 V. Compensation shall not be provided to members of the committee for initial meetings
18 conducted prior to acceptance of application fees. The department shall provide support for the
19 adoption of rules established by the committee.

20 149-M:86 Solid Waste Permit Applications Suspended.

21 I. The department shall not issue any permit approvals that authorize new capacity for
22 major solid waste disposal facilities until rules are adopted by the committee or until July 1, 2026,
23 whichever is later.

24 II. Notwithstanding RSA 149-M:9, the department shall not issue any permit to construct or
25 operate a new landfill facility in New Hampshire under RSA 149-M:9 until July 1, 2028. The
26 department may accept applications, evaluate them for completeness, and request more information
27 to make an application complete, but shall not proceed to further evaluation or process any
28 applications, notwithstanding RSA 541-A:29, in order that any evaluation of need, benefit, harm, or
29 appropriateness of the site proposed will await the development of new regulations, data,
30 technologies, and policies.

31 III. Nothing in paragraph II shall be construed to prohibit the expansion or modification of
32 any landfill facilities on any site on which, as of December 1, 2022, a Resource Conservation and
33 Recovery Act (RCRA) Subtitle D landfill exists that has been permitted in accordance with RSA 149-
34 M:9.

35 IV. In this section, the term "site" means a single parcel or adjacent parcels, owned in their
36 entirety by a landfill operator or its affiliates as of December 1, 2022, including a site where one or
37 more public utility easements traverse the site.

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1 20 New Subparagraph; Solid Waste Evaluation Committee Fund. Amend RSA 6:12, I(b) by
2 inserting after subparagraph (399) the following new subparagraph:
3 (400) Moneys deposited in the solid waste evaluation committee fund as established
4 in RSA 149-M:84.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 7, 2025
2025-0809h
08/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 23 and 24.

2025-0809h

AMENDED ANALYSIS

DELETE:

22. Clarifies the dates on which all OHRV trails on the Connecticut Lakes headwaters working forest property are open for use.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 11, 2025
2025-0878h
06/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 72 and 73, relative to housing champion designation and grant
- 2 program fund.

AMENDED ANALYSIS

Delete:

28. Extends an appropriation to the housing champion designation and grant program fund.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 13, 2025
2025-0983h
05/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 80 with the following:

2

3 80 Repeal; Commission on Aging. RSA 19-P, relative to the commission on aging, is repealed.

4 81 Health and Human Services Oversight Committee; Reference Removed. Amend RSA 126-
5 A:15, IV to read as follows:

6 IV. Directly or through an ancillary body, the oversight committee shall ~~[serve as the~~
7 ~~legislative liaison for the state commission on aging, established under RSA 19 P:1, and shall]~~
8 consider the major problems facing elderly citizens.

9 82 System of Care for Healthy Aging; Reference Removed. Amend RSA 151-E:27, IV to read as
10 follows:

11 IV. Beginning November 1, 2023, and annually thereafter, the department shall report to
12 the governor~~[, the state commission on aging established in RSA 19 P:1]~~ and the joint legislative
13 committee on health and human services established in RSA 126-A:13. The report shall provide
14 detailed information regarding the status of the implementation of this subdivision.

2025-0983h

AMENDED ANALYSIS

Replace:

31. Repeals the commission on aging.

Rep. D. McGuire, Merr. 14
March 11, 2025
2025-0901h
09/08

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 7:8-b, II(c) as inserted by section 114 of the bill by replacing it with the following:

2

3 (c) ~~[An office of the solicitor general.]~~ ***A civil rights unit, which shall be responsible***
4 ***for enforcing the New Hampshire Law Against Discrimination and the New Hampshire***
5 ***Civil Rights Act, bringing civil enforcement actions on behalf of the public to redress***
6 ***discriminatory acts and civil rights violations, and enforcing any other state or federal***
7 ***antidiscrimination laws that authorize the attorney general to enforce them.***

2025-0901h

AMENDED ANALYSIS

KEEP:

52. Revises the organizational structure of the bureaus within the department of justice, division of legal counsel.

Rep. D. McGuire, Merr. 14
March 11, 2025
2025-0898h
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 124.

2025-0898h

AMENDED ANALYSIS

Deletes paragraph 56, which clarifies that certain records held by the executive branch are confidential.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 13, 2025
2025-0987h
06/02

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 157-B:5, I as inserted by section 137 of the bill by replacing it with the following:

2

3 I. Subsequent to the inspection of an elevator or accessibility lift, an inspector shall file with
4 the commissioner an inspection report on a form prescribed by the commissioner indicating whether
5 or not the elevator or accessibility lift is certifiable and shall provide a copy of the inspection report
6 to the owner or the owner's designee. When an elevator or accessibility lift passes inspection, the
7 commissioner shall furnish an ~~[inspection certificate to its owner or the owner's designee on a form~~
8 ~~prescribed by the commissioner. A fee of \$50 shall be charged for each certificate. If the fee is not~~
9 ~~paid within 30 days of the date on which the certificate is issued, the certificate shall be void.]~~
10 ***invoice for a fee of \$75 to the unit owner or designee. Upon receipt of the fee, the***
11 ***commissioner shall issue an inspection certificate to its owner or the owner's designee on a***
12 ***form prescribed by the commissioner, with a separate fee required for each certificate.***

2025-0987h

AMENDED ANALYSIS

Keep:

66. Implements a fee for unit owners to obtain a certificate of successful inspection of an elevator or accessibility lift.

Rep. D. McGuire, Merr. 14
March 12, 2025
2025-0974h
09/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 155 with the following:

2

3 155 Repeal. RSA 31-A, relative to revenue sharing with cities and towns, is repealed.

2025-0974h

AMENDED ANALYSIS

REPLACE:

79. Repeals revenue sharing with cities and towns under RSA 31-A.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 11, 2025
2025-0897h
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 160, relative to the safe drinking water act.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 10, 2025
2025-0858h
02/06

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 161 with the following:

2

3 161 New Paragraph; Acquisition by State of Certain Dams and Water Rights; Acquisition
4 Authorized. Amend RSA 482:48 by inserting after paragraph XI the following new paragraph:

5 XII. For a consideration of \$1, the department of environmental services may accept an
6 easement from the abutting property owners of all rights necessary for access, and to store
7 equipment during repair, reconstruction, maintaining, and operation of Pequawket Dam in the Town
8 of Conway, Horn Pond Dam in the Town of Wakefield, and Souhegan Site #35 in the Town of New
9 Ipswich for the purpose of repairing and reconstructing these dams. The rights and easements the
10 department is authorized to acquire for the benefit of the state shall be exempt from taxation as long
11 as the easements are held by the state. Except for the \$1 consideration, nothing in this paragraph
12 shall mandate or authorize the expenditure of any funds or capital in relation to its provisions.

2025-0858h

AMENDED ANALYSIS

Replace paragraph 85 with:

85. Allows the department of environmental services to accept an easement from the abutting property owners of all rights necessary for access, and to store equipment during repair, reconstruction, maintaining, and operation of Pequawket Dam, Horn Pond Dam, and Souhegan Site #35 for the consideration of \$1.

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 21-O:11, I as inserted by section 163 by replacing it with the following:

2

3 I. There is hereby established an air resources council which shall be composed of 11
4 members, including one representing the [~~steam-power~~] **electric** generating industry; one
5 representing the oil industry; one representing the natural gas industry; **one representing the**
6 **renewable energy industry**; one representing the manufacturing component of industry; one
7 representing the field of municipal government; and [~~6~~] **5** members appointed at large who shall
8 represent the public interest, one of whom shall be [~~a licensed practicing physician or other health~~
9 ~~care professional possessing expertise in the field of public health and the health-related impacts of~~
10 ~~air pollution~~] **in the field of public health**, one of whom shall represent the field of recreation, and
11 at least one of whom shall represent environmental interests. The council members who shall
12 represent the public interest may not derive any significant portion of their income from persons
13 subject to permits or enforcement orders, and may not serve as attorney for, act as consultant for,
14 serve as officer or director of, or hold any other official or contractual relationship with any person
15 subject to permits or enforcement orders. All potential conflicts of interest shall be adequately
16 disclosed. The members shall be residents of the state and shall be appointed by the governor with
17 the consent of the executive council. Each member shall serve for a term of 4 years.

2025-0840h

AMENDED ANALYSIS

KEEP:

87. Varies the types of experience in public health members of the air resources council may have.

Rep. Ebel, Merr. 7
March 10, 2025
2025-0852h
02/06

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 165 with the following:

2

3 165 Department of Environmental Services; Water Council. Amend RSA 21-O:7, I(a) to read as
4 follows:

5 (a) Thirteen of the members shall be public members appointed by the governor, with
6 the consent of the council, who shall serve for terms of 4 years. Of these members, 2 shall represent
7 the industrial interests of the state; one shall represent the vacation home or private recreational
8 interests of the state; one shall represent the agricultural interests of the state; one shall be an
9 employee of any municipal or privately-owned waterworks in the state; one shall be a representative
10 of the septage hauling industry~~[, nominated by the New Hampshire Association of Septage Haulers]~~;
11 one shall be a member of a statewide nonprofit conservation or environmental organization; one
12 shall be a treatment plant operator; one shall be a designer or installer of septic systems~~[, nominated~~
13 ~~by the Granite State Designers and Installers Association]~~; one shall represent **a** New Hampshire
14 rivers **council**~~[, nominated by the New Hampshire Rivers Council]~~, and one shall represent **a** New
15 Hampshire lakes **association**~~[, nominated by the New Hampshire Lakes Association]~~. The 2
16 remaining members shall be appointed and commissioned respectively as the chairman and vice
17 chairman of the council;

2025-0852h

AMENDED ANALYSIS

Keep:

89. Reconfigures some criteria to serve on the wetlands council.

Rep. D. McGuire, Merr. 14
March 11, 2025
2025-0934h
07/08

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 482:8-a as inserted by section 167 of the bill by replacing it with the following:

2

3 482:8-a Annual Registration Fee. Annual registration fees for dams shall be payable to the
4 department on January 1 of each calendar year. Yearly dam registration fees shall be based on
5 classification as follows: Low hazard potential = [~~\$400~~] **\$440**; Significant hazard potential = [~~\$750~~]
6 **\$825**; High hazard potential = [~~\$1,500~~] **\$1650**. If the hazard classification designated by the Federal
7 Energy Regulatory Commission for a dam differs from the classification designated by the
8 department, the annual dam registration fees shall be based on the classification designated by the
9 Federal Energy Regulatory Commission except that a dam which is classified as a non-menace dam
10 by the department shall be exempt from the annual dam registration fee for as long as the dam is
11 classified by the department as a non-menace dam. Revenues from this annual registration are to be
12 collected by the department and deposited in the dam maintenance fund established in RSA 482:55
13 to be used for the inspection of dams.

Rep. D. McGuire, Merr. 14
March 12, 2025
2025-0980h
07/08

Amendment to HB 2-FN-A-LOCAL

- 1 Amend RSA 482:9 as inserted by section 168 of the bill by deleting paragraph II-a.

2025-0980h

AMENDED ANALYSIS

Replace:

90. Increases dam registration fees and sewage disposal fees.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 12, 2025
2025-0981h
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend RSA 485-A:30 as inserted by section 169 of the bill by deleting paragraph II-a.

2025-0981h

AMENDED ANALYSIS

Replace:

90. Increases dam registration fees and sewage disposal fees.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 7, 2025
2025-0814h
06/08

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 174, relative to the commissioner of the department of
- 2 administrative services waiving certain requirements that conflicts with or is contrary to state
- 3 objectives.

AMENDED ANALYSIS

Delete:

94. Allows the commissioner of the department of administrative services to waive certain requirements when they determine the requirement conflicts with or is contrary to state objectives.

Rep. Ebel, Merr. 7
March 6, 2025
2025-0808h
08/05

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 17-J:4 as inserted by section 175 of the bill by replacing it with the following:

2

3 17-J:4 Duties. The capital project overview committee shall review the status of capital [budget]
4 projects both during and between legislative sessions. Each state agency with capital [budget]
5 projects shall report to the department of administrative services, in the format the department of
6 administrative services prescribes, for the quarters ending September 30, December 31, March 31,
7 and June 30. The department of administrative services shall combine these reports and present the
8 summarized report to the capital project overview committee for review quarterly on the first of
9 November, February, May, and August. The department of administrative services, division of
10 public works design and construction shall, within 90 days of the approval of funding for any capital
11 [budget] project, submit a timeline or schedule for such project to the capital project overview
12 committee for review.

2025-0808h

AMENDED ANALYSIS

DELETE:

95. Expands the timeframe for the submission of certain reports by the capital project overview committee.

Rep. D. McGuire, Merr. 14
March 6, 2025
2025-0806h
08/09

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 184 with the following:

2

3 184 Appropriation; Cannon Mountain Tramway. 2023, 79:510 is repealed and reenacted to read
4 as follows:

5 79:510 Appropriation; Cannon Mountain Tramway. The sum of \$18,000,000 for the fiscal year
6 ending June 30, 2023, is hereby appropriated to the department of natural and cultural resources for
7 the maintenance and operation of the tramway at Cannon Mountain. The governor is authorized to
8 draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Any
9 remaining funds hereby appropriated shall lapse to the general fund on June 30, 2025.

10 185 Effective Date. Section 184 shall take effect June 30, 2025.

2025-0806h

AMENDED ANALYSIS

KEEP:

76. Appropriates funds for continued operation of the Cannon Mountain tramway.

Rep. D. McGuire, Merr. 14
March 7, 2025
2025-0820h
07/08

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 9:13-e, VI as inserted by section 186 of the bill by replacing it with the following:

2

3 VI. Notwithstanding any other provision of RSA 9:13-e, in the event of a general fund
4 operating budget deficit at the close of fiscal year 2025, as determined by the official audit performed
5 pursuant to RSA 21-I:8, II(a), the state comptroller shall notify the fiscal committee and the
6 governor of such deficit and request approval to transfer funds from the revenue stabilization
7 reserve account to eliminate such deficit.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 11, 2025
2025-0899h
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 187.

2025-0899h

AMENDED ANALYSIS

Deletes paragraph 63, which states that proceeds of the sale of the former Laconia state school campus shall be applied to any subsequent purchase at 1 Granite Place in Concord.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 188 with the following:

2

3 188 Department of Energy; Transfer of Funds. The department of energy shall transfer any
4 uncommitted moneys from the renewable energy fund, established in RSA 362-F:10, to the general
5 fund on July 1, 2025.

6 189 Electric Renewable Portfolio Standard; Renewable Energy Fund. Amend RSA 362-F:10, I to
7 read as follows:

8 I. There is hereby established a renewable energy fund. This nonlapsing special fund shall
9 be continually appropriated to the department of energy to be expended in accordance with this
10 section; provided that at the start of the period in which there is no adopted state operating budget,
11 the department of energy shall in a timely manner seek the approval of the fiscal committee of the
12 general court to continue using moneys from the renewable energy fund to support renewable energy
13 rebate and grant programs in order to ensure there are no interruptions to the programs. The state
14 treasurer shall invest the moneys deposited therein as provided by law. Income received on
15 investments made by the state treasurer shall also be credited to the fund. All payments to be made
16 under this section shall be deposited in the fund. Any remaining moneys paid into the fund under
17 paragraph II of this section[, excluding class II moneys, shall be used by the department of energy to
18 support thermal and electrical renewable energy initiatives and offshore wind initiatives, including
19 the office of offshore wind industry development and energy innovation. Class II moneys shall
20 primarily be used to support solar energy technologies in New Hampshire. All initiatives supported
21 out of these funds shall be subject to audit by the department of energy as deemed necessary] **that**
22 **exceed administration costs and funding for the office of offshore wind industry**
23 **development and energy innovation, as determined by the department, shall be credited to**
24 **the general fund in a timely manner, as determined by the commission.** All fund moneys
25 including those from class II may be used to administer this chapter, but all new employee positions
26 shall be approved by the fiscal committee of the general court. No new employees shall be hired by
27 the department of energy due to the inclusion of useful thermal energy in class I production.

28 190 2027 Prospective Change; Electric Renewable Portfolio Standard; Renewable Energy Fund.
29 Amend RSA 362-F:10, I to read as follows:

30 I. There is hereby established a renewable energy fund. This nonlapsing special fund shall
31 be continually appropriated to the department of energy to be expended in accordance with this
32 section; provided that at the start of the period in which there is no adopted state operating budget,

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 the department of energy shall, in a timely manner, seek the approval of the fiscal committee of the
2 general court to continue using moneys from the renewable energy fund to support renewable energy
3 rebate and grant programs in order to ensure there are no interruptions to the programs. The state
4 treasurer shall invest the moneys deposited therein as provided by law. Income received on
5 investments made by the state treasurer shall also be credited to the fund. All payments to be made
6 under this section shall be deposited in the fund. Any remaining moneys paid into the fund under
7 paragraph II of this section ~~[that are in excess of administration costs, funding for the office of~~
8 ~~offshore wind industry development and energy innovation, and incentive payments, shall be~~
9 ~~credited to the general fund, in a timely manner, as determined by the commission]~~ **that exceed**
10 **administration costs, funding for the office of offshore wind industry development and**
11 **energy innovation, and incentive payments as determined by the department, shall be**
12 **credited to all retail electric ratepayers in the state on a per-kilowatt-hour basis in a**
13 **timely manner, as determined by the commission.** All fund moneys including those from class II
14 may be used to administer this chapter, but all new employee positions shall be approved by the
15 fiscal committee of the general court. No new employees shall be hired by the department of energy
16 due to the inclusion of useful thermal energy in class I production.

17 191 Effective Date. Section 190 of this act shall take effect on July 1, 2027.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 192 with the following:

2

3 192 Barbering, Cosmetology, and Esthetics; Rulemaking Authority. Amend RSA 313-A:8, VI to
4 read as follows:

5 VI. The regulation of tanning facilities including:

6 (a) Sanitation and hygiene standards to be met and maintained by tanning facilities;

7 (b) Standards for approving the training curricula and programs used for training
8 tanning device operators;

9 (c) Registering tanning facilities;

10 (d) Standards for the inspection of tanning devices *upon application for initial*
11 *licensure*;

12 (e) Standards for the consumer consent form required under RSA 313-A:30, IV.

13

14 Amend RSA 313-A:19 as inserted by section 200 of the bill by replacing it with the following:

15

16 313-A:19 Shop Licensure.

17 I. It shall be a misdemeanor for any person, as owner, manager, or agent, to open, establish,
18 conduct, or maintain a [~~salon, barbershop, or mobile barbershop~~] **shop** without first having obtained
19 a shop license from the board. Application for such shop license shall be made to the [~~board~~] **office**
20 **of professional licensure and certification** in writing and shall state the name and address of
21 the owner of such shop, the shop's address or, in the case of a mobile barbershop, the business
22 mailing address of the owner, and such other information as may be required by the board **or office**
23 **of professional licensure and certification**. Licenses under this section shall be conspicuously
24 posted within the licensed establishment.

25 II. Any licensed barber, cosmetologist, manicurist, or esthetician shall, upon written
26 application accompanied by the required fees, receive a license to operate a salon, barbershop, or
27 mobile barbershop in this state, provided that the salon, barbershop, or mobile barbershop meets all
28 requirements established in the rules of the board, **including passing an inspection**.

29 III. In the event of a change of location of any licensed shop and upon notice thereof, the
30 [~~board~~] **office of professional licensure and certification** shall issue a transfer of licensure of
31 such shop to its new location, provided such new location meets the requirements of this section.
32 The board may [~~revoke~~] **take disciplinary action, in accordance with RSA 310, against** any

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 shop license upon a finding that such shop fails to comply with this chapter or the rules adopted by
2 the board, ***or has committed professional conduct as defined in RSA 310f***; ~~provided that,~~
3 ~~before any such certificate shall be revoked, the holder shall have notice thereof and be granted a~~
4 ~~proper hearing~~. ***Nothing in this section shall be construed to prevent the board from taking***
5 ***disciplinary action in accordance with RSA 310 against any licensee managing or working***
6 ***at a shop.***

7 IV. In addition to licenses issued under paragraph II, the board may issue a license to an
8 owner of a salon or barbershop who does not personally engage in cosmetology, barbering, or
9 esthetics, provided the salon or barbershop shall fulfill all requirements [set forth in the rules of the
10 board] ***for licensure*** and provided further that the owner has paid the required license fee for such
11 salon or barbershop and employs a licensed cosmetologist, barber, manicurist, or esthetician as
12 manager in the salon or barbershop. However, this section shall not authorize such owner to
13 practice cosmetology, barbering, manicuring, or esthetics unless the owner has a cosmetologist,
14 barber, or esthetician license.

15 V. ***Anyone holding a shop license may obtain a one-time Occupational Safety and***
16 ***Health Administration (OSHA) certificate that meets or exceeds 10 hours, or its equivalent,***
17 ***relative to health, safety, disinfection, and sanitation, in the professional service that is***
18 ***regulated by this chapter and is offered at the shop. The board may adopt rules pursuant***
19 ***to RSA 541-A as to what other one-time certification programs may be considered***
20 ***equivalent to an OSHA certificate that meets or exceeds 10 hours earned in barbering,***
21 ***cosmetology, esthetics, or manicuring.***

22
23 Amend RSA 313-A:19-a as inserted by section 201 of the bill by replacing it with the following:
24

25 313-A:19-a Operating a School.

26 I. Applicants for initial licensure as a school shall meet all requirements established in the
27 rules of the board, including passing an inspection.

28 II. Anyone holding a school license may obtain a one-time Occupational Safety and Health
29 Administration (OSHA) certificate that meets or exceeds 10 hours, or its equivalent, relative to
30 health, safety, disinfection, and sanitation in each professional service that is regulated by this
31 chapter and taught at the school. The board may adopt rules pursuant to RSA 541-A as to what
32 other one-time certification programs are the equivalent of an OSHA certificate that meets or
33 exceeds 10 hours earned in barbering, cosmetology, esthetics, or manicuring.

34 III. It shall be the obligation of any individual who opens, establishes, conducts, maintains,
35 or manages a school to ensure it maintains compliance with this chapter and board rules. Failure to
36 maintain compliance shall constitute conduct sufficient to support disciplinary proceedings initiated

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

1 pursuant to RSA 310. This provision shall not be construed to prevent the board from also taking
2 disciplinary action against any licensee working at such school.

3

4 Amend RSA 313-A:21, I and II as inserted by section 202 of the bill by replacing it with the
5 following:

6

7 I. The executive director of the office of professional licensure and certification or his or her
8 designees shall be authorized to enter and make reasonable examination and inspection of any shop
9 or school during business hours for the purpose of ascertaining whether or not the administrative
10 rules of the board and the provisions of this chapter are being observed. The executive director or
11 his or her designees shall file a report with the board of such findings with respect to each inspection
12 made. Any salaries and necessary expenses of employed inspectors shall be charged against the fees
13 and other moneys collected by the board.

14 II. Sanitary inspections of all shops and schools shall be made at the time of initial licensure
15 and biannually thereafter, unless a shop or school has obtained an Occupational Safety and Health
16 Administration (OSHA) certificate or its equivalent pursuant to RSA 313-A:19 or RSA 313-A:19-a.
17 Sanitary inspections may also be made for investigations conducted pursuant to RSA 310:9,
18 regardless of whether a shop or school has obtained a certificate.

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 entering into an agreement for payment, and prior to the placement of any child in that facility. To
2 be certified by the department, the program shall demonstrate compliance with staff training and
3 program requirements and offer an appropriate therapeutic milieu and culture centered in trauma-
4 informed care, in accordance with standards adopted by the department~~[, in consultation of the office~~
5 ~~of the child advocate]~~.

6 V. The department shall make monitoring visits at least twice per year, including at least
7 one unannounced visit, to all facilities where New Hampshire children are currently placed by the
8 state in residential treatment. The department shall continue to make annual certification or
9 technical assistance visits to all certified residential placement facilities; if a child is being placed at
10 a residential facility that did not currently have a New Hampshire child placed, the department
11 shall make a visit prior to the placement of that child unless a department visit has occurred within
12 the past 120 days. Clear and comprehensive records shall be maintained by the department on each
13 facility showing the dates and findings of each such visit. Such records shall be available to the
14 facility~~[and provided to the office of the child advocate]~~, as well as included in the paperwork for the
15 certification and/or re-certification process. If the facility is found not to be in compliance with the
16 statute, the rules adopted by the commissioner, or the contract, if applicable, a corrective action plan
17 shall be submitted to the department, and the department shall notify the licensing agency of that
18 facility~~[and the office of the child advocate]~~. Failure to submit an acceptable plan or a failure to
19 take the necessary corrective actions shall result in the immediate removal of all New Hampshire
20 children from that facility, and/or revocation of the certification.

21 5 Foster Care Children's Bill of Rights. Amend RSA 170-G:21, XIV to read as follows:

22 XIV. To be informed of the process for contacting the child protective services worker's
23 supervisor, or other department staff, **and** the guardian ad litem~~[, and the office of the child~~
24 ~~advocate]~~.

25 6 Claimant Eligibility; Compensation. Amend RSA 21-M:8-h, II to read as follows:

26 II. The claimant, guardian ad litem ~~[or child advocate]~~, or parent may file a claim for
27 compensation within 2 years of the crime, unless good cause is shown. A claimant who was the
28 victim of sexual abuse or human trafficking under subparagraph I(a)(3), or a guardian ad litem,
29 ~~[child advocate,]~~ or parent on behalf of such claimant, may file a claim at any time.

30 7 Oversight of Children in Care; Department Responsibilities. Amend RSA 169-F:7, II to read
31 as follows:

32 II. The department shall develop~~[, in consultation with the office of child advocate,]~~ a
33 standard operating procedure and form for monthly visits with children conducted by the
34 department, pursuant to RSA 169-F:5, I, to be completed during each monthly in-person visit.

35 8 Repeal. The following are repealed:

36 I. RSA 21-V, relative to the office of the child advocate.

37 II. RSA 132:41, III(l), relative to child fatality review committee.

Rep. D. McGuire, Merr. 14
March 18, 2025
2025-1099h
07/05

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Business and Economic Affairs; Division of Travel and Tourism Budget; Meals
2 and Rooms Tax Revenue; Suspension. The provisions of RSA 12-O:11-b, crediting a portion of meals
3 and rooms tax revenue to the division of travel and tourism, are hereby suspended for the biennium
4 ending June 30, 2027.

2025-1099h

AMENDED ANALYSIS

Add:

1. Suspends the portion of meals and rooms tax revenue credited to the department of business and economic affairs, division of travel and tourism for the biennium ending June 30, 2027.

Rep. D. McGuire, Merr. 14
March 7, 2025
2025-0824h
08/06

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following sections:

2

3 1 New Subparagraph; Termination of Tenancy; Expiration of Term. Amend RSA 540:2, II by
4 inserting after subparagraph (h) the following new subparagraph:

5 (i) For a lease or tenancy with an original term of 6 months or longer, or for a lease or
6 tenancy with a term of less than 6 months that has been renewed to a total period of 6 months or
7 longer, the lease or tenancy shall expire, provided that the landlord has given the tenant written
8 notice at least 60 days before the termination date of the lease term, stating that the lease will not
9 be renewed and the tenant must vacate the rental property at the end of the lease term.

10 2 Effective Date. This act shall take effect January 1, 2026.

AMENDED ANALYSIS

Insert:

1. This bill adds the expiration of the term of the lease or tenancy if over 6 months as grounds for an eviction.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 Public Health; Solid Waste Management Fund. RSA 149-R:4-6 are repealed and reenacted to
4 read as follows:

5 149-R:4 Purpose and Use of the Fund.

6 I. The fund shall be used to support the administration and implementation of the
7 department's solid waste technical assistance, planning, regulatory and permitting activities,
8 including, but not limited to, waste reduction and diversion technical assistance, reducing the
9 expense to municipalities of hazardous waste materials disposal and recycling, long term solid waste
10 management planning, education and outreach efforts, and administration of payments in
11 accordance with paragraphs II and III.

12 II. The fund shall be used to provide annual payments to New Hampshire municipalities,
13 for source reduction and recycling efforts, to offset payments made by the municipality associated
14 with the solid waste disposal surcharge established under RSA 149-R:5, based upon the tonnage of
15 solid waste for which the municipality was financially responsible for disposal at a New Hampshire
16 landfill, incinerator, or waste-to-energy facility. Administration of the payment program shall be in
17 accordance with procedures established by rulemaking under the authority of RSA 149-R:6, IV and
18 V. Such rulemaking shall specifically address the unique circumstances for municipalities that own
19 and operate a facility that is subject to RSA 149-R:5, or that are part of a solid waste district that
20 owns and operates such a facility, to ensure that the costs incurred by those municipalities are offset
21 consistent with this chapter.

22 III. The fund shall be used to provide matching grant funding to New Hampshire
23 municipalities, private entities, and businesses for projects that will provide a demonstrated,
24 significant improvement in waste diversion methods and contribute to a reduction of wastes,
25 including hazardous waste materials, requiring disposal, including a regional or municipal materials
26 recovery facility operated by a public or private entity, and other regional recycling efforts.

27 IV. The fund may be used to hire consultants or contractors, or to pay other necessary
28 expenses directly associated with approved activities in this chapter.

29 V. The department is authorized to solicit funds from any source, including the United
30 States Environmental Protection Agency and other federal agencies, gifts, donations of money,
31 grants, legislative appropriations, or any matching funds and incentives. Notwithstanding RSA 4:8

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1 and RSA 149:30, VI, the commissioner may accept and deposit such funds directly into the solid waste
2 management fund to be used for the purpose described in RSA 149-R:4.

3 149-R:5 Solid Waste Disposal Surcharge.

4 I. Beginning January 1, 2026, solid waste disposed of at a New Hampshire landfill,
5 incinerator, or waste-to-energy facility shall be subject to a surcharge at the rate of \$3.50 per ton.
6 Notwithstanding RSA 149-M:4, XXII, materials used as cover material at landfills shall not be
7 subject to the surcharge.

8 II. Such surcharge shall be paid quarterly to the department by each holder of a permit
9 issued pursuant to RSA 149-M for a New Hampshire landfill, incinerator, or waste-to-energy facility
10 for the solid waste disposed at such facility, on forms and with supporting documentation as
11 provided for in rulemaking conducted pursuant to RSA 149-R:6, I, II, and III.

12 III. The first payment of the surcharge shall be due to the department no later than April
13 30, 2026 and within 30 days of each quarter's end thereafter.

14 IV. The department shall deposit surcharges collected under this section into the fund.

15 V. Failure to pay surcharges within 30 days of the date due shall result in the assessment of
16 interest at a rate established by rule pursuant to RSA 149-R:6, VII. The commissioner may waive
17 all or any portion of interest for good cause. The department shall deposit interest collected under
18 this section into the fund.

19 149-R:6 Rulemaking. The commissioner shall adopt rules, after public hearing and pursuant to
20 RSA 541-A, relative to:

21 I. The time, amount, and manner of payment of solid waste disposal surcharges.

22 II. Required records to be kept by facility permit holders of the type and quantity of solid
23 waste disposed.

24 III. Certified reports required to be submitted with surcharge payments by facility permit
25 holders.

26 IV. The time, amount, and manner of payments to New Hampshire municipalities pursuant
27 to RSA 149-R:4, II.

28 V. Certified reports required to be submitted by municipalities requesting payments
29 pursuant to RSA 149-R:4, II.

30 VI. Administering matching grants pursuant to RSA 149-R:4, III.

31 VII. Establishment of the interest rate applied to late payments pursuant to RSA 149-R:5,
32 V.

33 149-R:7 Penalties and Other Enforcement.

34 I. Any person who violates any of the provision of this chapter or any rule adopted under
35 this chapter shall be subject to a civil penalty not to exceed \$25,000 for each violation. Each day a
36 surcharge is not paid after it is due in accordance with RSA 149-R:5, III shall be a separate violation.

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1 II. In addition to an action to recover unpaid surcharges and interest owed, any violation of
2 the provisions of this chapter or of any rule adopted under this chapter, may be enjoined by the
3 superior court upon application of the attorney general.

4 III. The provisions of RSA 7:15-a shall not apply to the collection of unpaid surcharges, and
5 all money collected under this section shall be deposited into the fund.

6 149-R:8 Biennial Report. The department shall include in its biennial report required under
7 RSA 149-M:29, II, information relative to the activities and finances of the solid waste management
8 fund.

2025-0954h

AMENDED ANALYSIS

Add:

1. Creates a solid waste disposal surcharge at landfills, incinerators, and waste-to-energy facilities and creates civil penalties for violations of solid waste management fund statutes.

Rep. D. McGuire, Merr. 14
Rep. Leishman, Hills. 33
March 23, 2025
2025-1286h
06/06

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1 1 Liquor Commission; Division of Enforcement and Licensing Renamed Division of Licensing.
2 Amend RSA 176:8 to read as follows:

3 176:8 Divisions and Directors. The commission shall have 3 divisions under the direction of
4 unclassified division directors. The directors shall be nominated by the commissioner for
5 appointment by the governor with the consent of the council and shall serve for terms of 4 years
6 dependent upon maintaining good behavior and competence. There shall be a division of marketing,
7 merchandising, and warehousing, a division of administration, and a division of ~~[enforcement and]~~
8 licensing. The director of the division of ~~[enforcement and]~~ licensing shall be subject to a background
9 check by the state police prior to appointment.

10 2 Liquor Commission; Liquor Investigator Renamed Liquor Specialist. Amend RSA 176:9 to
11 read as follows:

12 176:9 Liquor ~~[Investigator]~~ **License Specialists**; Training.

13 I. The commission may, subject to rules adopted by the director of personnel, employ and
14 dismiss liquor ~~[investigators]~~ **license specialists**. Liquor ~~[investigators]~~ **license specialists** shall,
15 under the direction of the commission, investigate any or all matters arising under this title.

16 II. ~~[Any new liquor investigator employed by the commission under this section after August~~
17 ~~13, 1985, shall, within 6 months of employment, satisfactorily complete a preparatory police training~~
18 ~~program as provided by RSA 106 L:6, unless he or she has already completed such a program.~~

19 ~~III.]~~ The commissioner, deputy commissioner, assistant, or liquor ~~[investigator]~~ **license**
20 **specialist**, may enter any place where liquor, beverages, tobacco products, e-cigarettes are sold or
21 manufactured, ~~[at any time]~~ **only during business hours**, and may examine any license or permit
22 issued or purported to have been issued under the terms of this title. They shall make complaints for
23 violations of this title.

24 3 Closing of State Stores; Enforcement and Licensing Division Renamed. Amend RSA 177:2, II
25 to read as follows:

26 II. In order to properly reflect the operating expenses of each state store, the commission
27 shall prepare annually an indirect cost allocation plan for all indirect operating expenses of the
28 commission. All such expenses of the commission, with the exception of the ~~[enforcement and]~~
29 licensing division operating expenses, shall be included in the plan and allocated to all state stores
30 on a consistent, rational basis. No later than 30 days following the closure of any state liquor store,

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 the commission shall submit a revised indirect cost allocation plan to the fiscal committee of the
2 general court and the governor and council for approval.

3 4 Liquor/Wine/Beverage Warehouse License; Division of Enforcement and Licensing Renamed.
4 Amend RSA 178:11, V to read as follows:

5 V. Liquor/wine/beverage warehouseurs shall submit a monthly report both to the liquor
6 commission [~~enforcement~~] and licensing division and the marketing, merchandising, and
7 warehousing division of the commission by the fifteenth day of the following month indicating the
8 quantity, type, size, and brands of all product received, stored, or shipped on their premises.

9 5 On-Premises Cocktail Lounge Licenses; Enforcement and Licensing Division Renamed.
10 Amend RSA 178:22,V(h)(12) to read as follows:

11 (12) Violations of subparagraph (**h**)(11) of this subparagraph shall be investigated by
12 the [~~enforcement~~] **licensing** division of the liquor commission and directed to the department of
13 justice for examination of issues unrelated to this title.

14 6 Fees; Expiration Dates; Enforcement and Licensing Division Renamed. Amend RSA 178:29,
15 VIII(b) to read as follows:

16 (b) After one year, a licensee may select the anniversary month in which to renew a
17 license. A licensee may change the anniversary renewal month of a license once by making a written
18 request to the director of [~~enforcement and~~] licensing. A licensee who changes the anniversary
19 renewal month of a license shall not change the anniversary renewal month for a period of 3 years
20 from the selected month. Nothing in this paragraph shall be construed to be contrary to the
21 provisions of RSA 178:3 or commission rules.

22 7 Transportation of Beverages and Wine; Liquor Investigators Renamed. Amend RSA 179:15, V
23 to read as follows:

24 V. Every person operating such a vehicle, when engaged in such transportation or delivery,
25 shall carry a copy of the license in the vehicle so operated, and shall carry such evidence as the
26 commission by rule may prescribe showing the origin and destination of the beverages and wines
27 being transported or delivered. Upon demand of any [~~law enforcement officer, investigator,~~] **liquor**
28 **license specialist** or employee of the commission, the person operating such vehicle shall produce
29 for inspection a copy of the license and the evidence required by this section. Failure to produce such
30 license or evidence shall constitute prima facie evidence of unlawful transportation. Except as
31 otherwise provided, beverages and wines may be transported within the state only by a railroad or
32 steamboat corporation or by a person regularly and lawfully conducting a general express or
33 trucking business, and in each case holding a valid carrier's license issued by the commission.
34 Nothing in this section shall prohibit individual retail licensees from arranging for the delivery of
35 wine products to a location central for the parties involved.

36 8 Retention of Invoices and Sale and Delivery Slips; Liquor Investigators Renamed. Amend
37 RSA 179:35 to read as follows:

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1 179:35 Retention of Invoices and Sale and Delivery Slips. All invoices, sales slips and delivery
2 slips, current and covering a period of 60 days prior to the current date pertaining to purchases of
3 beverages and liquor shall be retained by the licensee on the premises or be readily available for
4 examination by the commission or its liquor ~~[investigators]~~ **license specialists**.

5 9 Prosecutions; Liquor; January 1, 2026. RSA 179:59 is repealed and reenacted to read as
6 follows:

7 179:59 Prosecutions. The commission shall appoint liquor license specialists whose primary
8 function shall be the proper prosecution of this title. The liquor license specialists shall have
9 statewide jurisdiction, with reference to enforcement of all laws either in cooperation with, or
10 independently of, the officers of any county or town. The commission shall have the primary
11 responsibility for the enforcement of all liquor and beverage laws upon premises where liquor and
12 beverages are lawfully sold, stored, distributed, or manufactured. Any person violating the
13 provisions of any law may be prosecuted by the commission or any of its investigators as provided in
14 this section, or by county or city attorneys, or by sheriffs or their deputies, or by police officials of
15 towns.

16 10 Interference with Liquor Investigators; Renamed Liquor License Specialists. Amend RSA
17 179:60 to read as follows:

18 179:60 Interference With Liquor ~~[Investigators]~~ **License Specialists**. It shall be unlawful to
19 ~~[resist or attempt to resist arrest by a liquor investigator, or to]~~ obstruct[,] or to intimidate or
20 interfere with a liquor ~~[investigator]~~ **license specialist** in the performance of ~~[his]~~ **their** duty. Any
21 person who violates any of the provisions of this section shall be guilty of a misdemeanor.

22 11 Enforcement and Licensing Renamed. Amend RSA 21-J:14, V(d)(9) to read as follows:

23 (9) An officer or employee of the division of enforcement of the liquor commission,
24 pursuant to an agreement for exchange of information between the department and the division of
25 ~~[enforcement]~~ **licensing**, for the purposes of, and only to the extent necessary for, the
26 administration and enforcement of RSA 78:16. Officers or employees of the division of ~~[enforcement]~~
27 **licensing** having any confidential and privileged department information obtained from the
28 department pursuant to the exchange agreement authorized under this subparagraph shall be
29 subject to the provisions of this section.

30 12 Enforcement and Licensing Division Renamed. Amend RSA 179:13, V to read as follows:

31 V. Each wholesale distributor, brew pub licensee, or beverage manufacturer shall notify any
32 retailer reported to the commission pursuant to RSA 179:13, I who is delinquent in making payment
33 of accounts. Notification shall be delivered in writing to the licensee by a representative of the
34 wholesaler, brew pub licensee, or beverage manufacturer. Proof of notification shall be forwarded to
35 the commission, whose ~~[enforcement]~~ **licensing** division shall issue an administrative notice for a
36 violation of the provisions of RSA 179:13, I and shall forward a report of violation for administrative
37 action. Any license issued to any business violating the provisions of RSA 179:13, I may be

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1 suspended by the commission for nonpayment of accounts which are delinquent more than 15 days
2 from the date of the wholesale distributor's, brew pub licensee's, or beverage manufacturer's
3 notification, providing the requirements of this section have been met.
4 13 Effective Date. Section 9 of this act shall take effect January 1, 2026.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Participation by Members; Retirement System; Defined Contribution Plan. Amend the
2 introductory paragraph of RSA 100-A:3, I(a) to read as follows:

3 I.(a) Any person who becomes ~~an~~ **a political subdivision** employee, teacher, permanent
4 policeman, or permanent fireman after the date of establishment, **or who begins state employee**
5 **service before January 1, 2026** working in a position for an employer under this chapter as
6 determined by common law standards, shall become a member of the **defined benefit** retirement
7 system as a condition of employment. In addition, employees appointed to an unclassified position
8 with no fixed term on or after July 1, 2011, **and before January 1, 2026**, shall become members of
9 the **defined benefit** retirement system as a condition of employment if they are receiving benefits
10 from the retirement system. Any retirement benefit collected by such an unclassified employee shall
11 be suspended during the period of employment. Membership in the retirement system shall be
12 optional in the case of elected officials, officials appointed for fixed terms, employees appointed to an
13 unclassified position with no fixed term prior to July 1, 2011, or those employees of the general court
14 who are eligible for membership in the retirement system. ~~Other~~ Elected officials and officials
15 appointed for fixed terms shall, however, be eligible for membership in the retirement system only
16 under the following conditions:

17 2 Unfunded Accrued Liability; Group III Members. Amend RSA 100-A:16, II(e)(1) to read as
18 follows:

19 (e)(1) Immediately following the actuarial valuation prepared as of June 30 of each fiscal
20 year, the board shall have an actuary determine the amount of the unfunded accrued liability for
21 each member classification, proportionally reduced using sums dedicated as provided in RSA 21-I:95,
22 II, as the amount of the total liabilities of the state annuity accumulation fund on account of such
23 classification which is not dischargeable by the total of the funds in hand to the credit of the state
24 annuity accumulation fund on account of such classification, and the aforesaid normal contributions
25 to be made on account of the members in such classification during the remainder of their active
26 service. The amount so determined with respect to each member classification shall be known as the
27 "unfunded accrued liability" with respect to such classification. **The accrued liability**
28 **contribution percentage chargeable to a group III employer shall be 10.11 percent.**

29 3 New Subdivision; Group III; Retirement System Defined Contribution Plan. Amend RSA 100-
30 A by inserting after section 58 the following new subdivision:

31 Group III Retirement System Defined Contribution Plan

32 100-A:59 Definitions. In this subdivision:

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1 I. "Commission" means the deferred compensation commission under RSA 101-B.

2 II. "Member" means a person who is required to or elects to participate in the plan
3 established in this subdivision.

4 III. "Plan" means the group III defined contribution plan established for members. The
5 defined contribution retirement plan is a plan in which savings are accumulated in an individual
6 account for the exclusive benefit of the member or beneficiaries. The plan is established effective
7 January 1, 2026, at which time contributions by members begin.

8 100-A:60 Group III; Defined Contribution Plan Established. There is hereby established a
9 retirement benefit plan for members required to, or who voluntarily elect to, enroll in the plan, who
10 began service on or after January 1, 2026. The defined contribution retirement plan is intended to
11 qualify under 26 U.S.C. section 401(a) and section 414(d), the Internal Revenue Code, as a qualified
12 retirement plan established and maintained by the state for its employees. All qualifying
13 contributions shall be held and invested by the commission. All assets received by the plan shall be
14 held for the exclusive benefit of plan participants and their beneficiaries and applied solely as
15 provided by the plan. The commission shall determine the terms and provisions of the plan not
16 inconsistent with this subdivision, the Internal Revenue Code, or other applicable law and shall
17 provide for the plan's administration.

18 100-A:61 Membership. Any state employee other than a teacher, permanent policeman, or
19 permanent fireman, who was entered on the payroll on a full-time or eligible part-time basis on or
20 after January 1, 2026 shall as a condition of employment be a member of the group III defined
21 contribution plan established in this subdivision; except that membership shall be optional in the
22 case of elected officials, officials appointed for fixed terms, unclassified state employees, or those
23 employees of the general court who are eligible for membership in the retirement system.

24 100-A:62 Administration; Rulemaking.

25 I. The administrator of the plan shall be the executive director of the deferred compensation
26 plan, who shall have the assistance and services of the department of administrative services for all
27 duties and responsibilities under this subdivision. The department of administrative service may
28 employ and assign staff to the executive director and commission for the administration of the plan.

29 II. The executive director shall adopt rules, pursuant to RSA 541-A, relative to the
30 procedure for administration of the investment options of members and beneficiaries, benefit
31 distributions, and forms necessary for the administration of this subdivision.

32 100-A:63 Administration of Plan. The commission may contract with a third-party
33 administrator for the plan for the administration of assets accumulated under each participant's
34 account.

35 100-A:64 Powers of the Commission. The commission, in addition to its powers and duties set
36 forth in this subdivision and RSA 101-B, shall have the following powers and duties to establish the
37 plan and trust and administer the provisions of this subdivision:

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1 I. The commission may commingle or pool assets with the assets of other persons or entities.

2 II. The commission shall pay all administrative fees, costs, and expenses of managing,
3 investing and administering the plan, and the individual investment accounts from the balance of
4 such individual investment accounts except as otherwise provided under this subdivision or as the
5 legislature otherwise provides by appropriation.

6 III. The commission shall have the power to change the terms of the plan as may be
7 necessary to maintain the tax-qualified status of the plan.

8 IV. The commission may establish a process for election to participate in the plan by those
9 employees eligible to do so for whom participation is not mandatory.

10 V. The commission may allow an inactive participant to maintain the participant's
11 individual investment account within the plan.

12 VI. The commission shall ensure that participants are provided with educational materials
13 about investment options and choices.

14 100-A:65 Contributions by Member. The member participating under this subdivision shall
15 contribute 7 percent of earnable compensation to the plan.

16 100-A:66 Limitations on Contributions. Notwithstanding any other provisions of this plan, the
17 annual total member contributions to each individual's account under this plan, including any
18 additional voluntary contributions under RSA 101-B, may not exceed, for any limitation year, the
19 amount permitted under 26 U.S.C. section 415 at any time. If the amount of a member's defined
20 contribution plan contributions exceeds the limitation of 26 U.S.C. section 415(c) for any limitation
21 year, the administrator shall take any necessary remedial action to correct an excess contribution.

22 100-A:67 Contributions by Employer. Employers under the plan shall contribute an amount
23 equal to 2.42 percent of a member's earnable compensation for deposit in the member's individual
24 account.

25 100-A:68 Investment of Individual Accounts.

26 I. A member's individual account shall be invested as authorized in RSA 101-B.

27 II. Except to the extent clearly set out in the terms of the investment plans offered by the
28 employer to the employee, the employer is not liable to the participant for investment losses if the
29 prudent investment standard has been met.

30 III. The employer, administrator, state, or commission, or a person or entity who is
31 otherwise a fiduciary, is not liable for any participant's investment loss that results from the
32 participant's directing the investment of plan assets allocated to the participant's account.

33 100-A:69 Vesting. Employee contributions and investment return attributable to contributions
34 shall be 100 percent vested as of the date of contribution or accrual. Any contribution by the
35 employer shall be 100 percent vested after 2 years of service. The 2 years of service need not be
36 continuous.

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1 100-A:70 Withdrawal of Funds. Distributions from an account of a member shall be permitted
2 in the following circumstances, subject to applicable rules and limitations under federal regulations:

3 I. Termination of employment.

4 II. Retirement.

5 III. Upon turning age 59½ and still employed as limited by federal regulations.

6 IV. If the member becomes disabled.

7 V. If the member dies.

8 VI. Financial hardship as defined in applicable federal regulations.

9 VII. Required distributions.

10 100-A:71 Required Distributions. All payments under this subdivision shall start and be made
11 in compliance with the minimum distribution requirements and incidental death benefit rules of
12 Internal Revenue Code section 401(a)(9). The commission shall take any action and make any
13 distributions it may determine are necessary to comply with those requirements.

14 100-A:72 Health Insurance Group Insurance Inclusion. Any retired member and his or her
15 beneficiaries may participate in the retiree group insurance programs authorized by RSA 21-I:26
16 through RSA 21-I:36 at his or her own expense unless otherwise provided.

17 4 Medical and Surgical Benefits. Amend the introductory paragraph of RSA 21-I:30, VI to read
18 as follows:

19 VI. For the purposes of this section, "retired employee" means each group I *or group III*
20 state employee who:

21 5 Medical or Surgical Benefits. Amend RSA 21-I:30, VIII to read as follows:

22 VIII. Any vested deferred state retiree may receive medical and surgical benefits under this
23 section if the vested deferred state retiree is eligible. To be eligible, a group I *or group III* vested
24 deferred state retiree shall have at least 10 years of creditable service with the state if the
25 employee's service began prior to July 1, 2003, or 20 years of creditable service with the state if the
26 employee's service began on or after July 1, 2003, and a group II vested deferred state retiree shall
27 have at least 20 years of creditable service with the state if the employee's service with the state
28 began on or after July 1, 2010. In addition, if the vested deferred state retiree is a member of group I
29 *or group III*, such retiree shall be at least 60 years of age to be eligible. If the vested deferred state
30 retiree is a member of group II who is in vested status before January 1, 2012, such retiree shall not
31 be eligible until 20 years from the date of becoming a member of group II and shall be at least 45
32 years of age, and any group II member who commenced service on or after July 1, 2011 shall not be
33 eligible until 25 years from the date of becoming a member of group II and shall be at least 52.5
34 years of age, and group II members who have not attained vested status prior to January 1, 2012
35 shall be as provided in the transition provisions in RSA 100-A:5, II(d).

36 6 Medical and Surgical Benefits. Amend RSA 21-I:30, XI to read as follows:

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1 XI. A state employee who commences service on or after July 1, 2011 and who is eligible for
2 benefits under this section shall not receive such benefit until attaining age 52.5 if the state
3 employee retired from group II service with the state or attaining age 65 if the state employee
4 retired from group I **or group III** service with the state.

5 7 Additional Medical and Surgical Benefits. Amend RSA 21-I:30-a, I and II to read as follows:

6 I. The state shall pay a premium for permanent group hospitalization, hospital medical care,
7 surgical care, and other medical and surgical benefits for the surviving spouse and dependent
8 children of a deceased group I, ~~or~~ group II, **or group III** state employee or retirement system
9 member who dies as the natural and proximate result of injuries suffered while in the performance
10 of duty, provided that:

11 (a) Any such child shall qualify as a dependent under the provisions of RSA 21-I:26-36
12 and be under 18 years of age, or if a full-time student, be under 26 years of age.

13 (b) Any such surviving spouse shall cease to be qualified for medical and surgical
14 benefits under this section upon the remarriage of the surviving spouse.

15 (c) No surviving spouse or dependent children shall be qualified or continue to be
16 qualified for medical and surgical benefits under this section while receiving medical insurance or
17 health care benefits from any other employer-sponsored plan.

18 (d) The state shall pay the premium for supplemental medical and surgical benefits
19 under this section for any such child who qualifies as a dependent under the provisions of RSA 21-
20 I:26-36 and who is eligible for medicare benefits.

21 II. In the case of the surviving spouse and dependent children of a group I, ~~or~~ group II, **or**
22 **group III** state employee or retirement system member who are eligible for medical and surgical
23 benefits under this section and also under the provisions of RSA 100-A:50-55, the state shall pay the
24 difference between the amount paid under RSA 100-A:52 and the premium paid under paragraph I.

25 8 Initial Funding; Appropriation. All initial fees, costs and expenses of establishing and
26 administering the plan and investing the assets of the plan under RSA 100-A:59 through 100-A:72
27 shall be borne by the state general fund until July 1, 2026, after which they will be borne by the
28 participants and paid from assessments against the balances of the individual investment accounts
29 as established by the commission. The governor is authorized to draw a warrant for the sum
30 necessary for such administration out of any money in the treasury not otherwise appropriated.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 Public Health; Use of Cannabis for Therapeutic Purposes; Definitions; Alternative Treatment
4 Center. Amend RSA 126-X:1, I to read as follows:

5 I. "Alternative treatment center" means a **domestic business corporation organized**
6 **under RSA 293-A, a domestic limited liability company organized under RSA 304-C, or a**
7 not-for-profit [entity] **voluntary corporation organized under RSA 292 that is** registered under
8 RSA 126-X:7 **and** that acquires, possesses, cultivates, manufactures, delivers, transfers, transports,
9 sells, supplies, and dispenses cannabis, and related supplies and educational materials, to qualifying
10 patients, designated caregivers, other alternative treatment centers, and visiting qualifying patients.

11 2 Public Health; Use of Cannabis for Therapeutic Purposes; Departmental Administration;
12 Alternative Treatment Centers; Application Form. Amend RSA 126-X:7, IV(a)(4) to read as follows:

13 (4) The name, address, and date of birth of each principal officer and board member
14 of the alternative treatment center. The board of directors **or board of managers, as applicable,**
15 for the [nonprofit] **alternative treatment center** shall include at least one physician, advance
16 practice registered nurse, or pharmacist licensed to practice in New Hampshire and at least one
17 patient qualified to register as a qualifying patient. The majority of board members **or managers,**
18 **as applicable,** shall be New Hampshire residents. A medical professional listed in this
19 subparagraph may be a member of the alternative treatment center board **of directors or**
20 **managers, as applicable,** but shall not maintain an ownership interest in the center.

21 3 Public Health; Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers;
22 Requirements. Amend RSA 126-X:8, I to read as follows:

23 I. An alternative treatment center [shall] **may** be operated on a **for-profit or** not-for-profit
24 basis for the benefit of its patients. An alternative treatment center need not be recognized as a tax-
25 exempt organization by the Internal Revenue Service.

26 4 New Paragraphs; Public Health; Use of Cannabis for Therapeutic Purposes; Alternative
27 Treatment Centers; Requirements. Amend RSA 126-X:8 by inserting after paragraph XVIII the
28 following new paragraphs:

29 XIX. Except as otherwise provided in this chapter, an alternative treatment center shall be
30 subject to RSA 293-A if organized as a domestic business corporation, RSA 304-C if organized as a
31 domestic limited liability company, and RSA 292 if organized as a voluntary corporation.

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1 XX. An alternative treatment center organized as a voluntary corporation under RSA 292
2 may convert from a voluntary corporation under RSA 292 to either a domestic business corporation
3 organized under RSA 293-A or a limited liability company organized under RSA 304-C in any of the
4 following ways:

5 (a) By adopting a plan of entity conversion in accordance with RSA 293-A or RSA 304-C,
6 as applicable, that includes a provision prohibiting the sale of memberships or shares to a foreign
7 corporation for a period of 3 years, provided that each such conversion shall be authorized by a vote
8 of 2/3 of the members of the board of directors at a meeting duly called for the purpose or by
9 unanimous written consent.

10 (b) By adopting a plan of merger in accordance with RSA 293-A that includes a
11 provision prohibiting the sale of memberships or shares to a foreign corporation for a period of 3
12 years, for which the domestic business corporation shall be the surviving entity, provided that, such
13 merger shall be authorized by a vote of 2/3 of the members of the board of directors of the alternative
14 treatment center at a meeting duly called for the purpose or by unanimous written consent.

15 (c) By adopting a plan of merger in accordance with RSA 304-C that includes a provision
16 prohibiting the sale of memberships or shares to a foreign corporation for a period of 3 years, for
17 which the domestic limited liability company shall be the surviving entity, provided that, such
18 merger shall be authorized by a vote of 2/3 of the members of the board of directors at a meeting duly
19 called for the purpose or by unanimous written consent.

20 XXI. Articles of entity conversion or articles of merger, as applicable, shall be signed and
21 submitted to the secretary of state pursuant to RSA 293-A or RSA 304-C, as applicable, and the
22 secretary of state shall approve all such filings submitted pursuant to this section.

23 XXII. The secretary of state shall certify such articles of entity conversion or articles of
24 merger and shall provide them to the department. Upon receipt, the department shall update the
25 existing licenses held by the converted or merged alternative treatment center.

26 XXIII. For the purposes of converting or merging an alternative treatment center pursuant
27 to this section, notwithstanding any provision in the articles of agreement or alternative treatment
28 center license applications to the contrary, the members of an alternative treatment center's board of
29 directors may determine that a plan of entity conversion or merger is consistent with its corporate
30 charter, and such voluntary corporation may surrender its articles of agreement in connection with
31 the plan of entity conversion or merger.

32 5 Voluntary Corporations and Associations; Powers of Corporations; Change of Name;
33 Amending Articles; Conversion and Merger. Amend RSA 292:7 to read as follows:

34 292:7 Change of Name; Amending Articles.

35 I. Any corporation now or hereafter organized or registered in accordance with the
36 provisions of this chapter, and any existing corporation which may have been so organized or
37 registered, may change its name, increase or decrease its capital stock or membership certificates,

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

1 merge with or acquire any other corporation formed pursuant to this chapter, or amend its articles of
2 agreement, by a majority vote of such corporation's board of directors or trustees, at a meeting duly
3 called for that purpose, and by recording a certified copy of such vote in the office of the secretary of
4 state and in the office of the clerk of the town or city in this state which is its principal place of
5 business. In the case of a foreign nonprofit corporation registered in New Hampshire, a copy of the
6 amendment or plan of merger, certified by the proper officer of the state of incorporation, shall be
7 filed with the secretary of state, together with the fee provided in RSA 292:5. The surviving
8 corporation in a merger shall continue to have all the authority and powers vested in the merging
9 corporations, including any powers previously conferred upon them by the legislature.

10 ***II. An alternative treatment center registered pursuant to RSA 126-X and***
11 ***organized under this chapter may, pursuant to RSA 126-X:8, XX, convert to either a***
12 ***domestic corporation organized under RSA 293-A or a limited liability company organized***
13 ***under to RSA 304-C, and may merge with a domestic business corporation organized under***
14 ***RSA 293-A or a limited liability company organized under RSA 304-C.***

15 6 New SubParagraph; New Hampshire Business Corporation Act; Domestication and
16 Conversion; Entity Conversion Authorized. Amend RSA 293-A:9.50 by inserting after paragraph (f)
17 the following new subparagraph:

18 (g) Alternative treatment centers registered pursuant to RSA 126-X and organized
19 pursuant to RSA 292 may become a domestic corporation pursuant to a plan of conversion in
20 accordance with RSA 126-X:8, XX and this subdivision. The alternative treatment center shall be
21 deemed to be a domestic unincorporated entity for purposes of applying RSA 293-A:9.50 through
22 RSA 293-A:9.56, except that approval of the conversion shall be as outlined in RSA 126-X:8, XX.

23 7 Limited Liability Companies; Statutory Conversions; Statutory Conversions of Other
24 Business Entities to Limited Liability Companies. Amend RSA 304-C:149, I to read as follows:

25 I. Any other business entity, ***including alternative treatment centers pursuant to RSA***
26 ***126-X:8, XX,*** may make a statutory conversion of its business organization form to the limited
27 liability company business organization form under this act by complying with the requirements of
28 this section and with applicable law governing the other business entity. ***Approval of a***
29 ***conversion of an alternative treatment center pursuant to this paragraph shall be as***
30 ***outlined in RSA 126-X:8, XX.***

31 8 New Paragraph; Limited Liability Companies; Statutory Conversions; Statutory Conversions
32 of Other Business Entities to Limited Liability Companies; Approvals of Statutory Conversion.
33 Amend RSA 304-C:149 by inserting after paragraph VIII the following new paragraph:

34 IX. In the case of the conversion of an alternative treatment center registered under RSA
35 126-X and organized pursuant to RSA 292, such conversion shall be approved by the board of
36 directors in accordance with RSA 126-X:8, XX.

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Natural and Cultural Resources; Division of Parks and Recreation; Bureau of
2 Trails; Grant-in-Aid. For the biennium ending June 30, 2027, and notwithstanding any provision of
3 law or administrative rule to the contrary, the limitations on percentages of grant-in-aid
4 administered by the department of natural and cultural resources, division of parks and recreation,
5 bureau of trails, for the development and maintenance of OHRV trails on private, municipal, state,
6 or federal lands shall be as follows:

7 I. For the grant period of June 1, 2025, to May 31, 2026:

- 8 (a) Eighty percent of the cost of renting equipment required to complete a project.
9 (b) Eighty percent of the cost of purchasing trail maintenance equipment.
10 (c) Eighty percent of the cost of reconditioning trail grading equipment.
11 (d) Eighty percent of the cost of operations for summer trail grading.

12 II. For the grant period of June 1, 2026, to June 30, 2027:

- 13 (a) Eighty percent of the cost of renting equipment required to complete a project.
14 (b) Eighty percent of the cost of purchasing trail maintenance equipment.
15 (c) Eighty percent of the cost of reconditioning trail grading equipment.
16 (d) Eighty percent of the cost of operations for summer trail grading.

Rep. D. McGuire, Merr. 14
March 20, 2025
2025-1161h
07/05

Amendment to HB 2-FN-A-LOCAL

1 1 Treasury Department; Transfer of Funds. Notwithstanding any provision of RSA 195-H:12 to
2 the contrary, the state treasury shall transfer any uncommitted moneys from the governor's
3 scholarship fund, established in RSA 195-H:12, to the general fund on July 1, 2025.

2025-1161h

AMENDED ANALYSIS

Add:

I. Transfers any uncommitted moneys from the governor's scholarship fund to the general fund.

Rep. D. McGuire, Merr. 14
March 20, 2025
2025-1159h
06/02

Amendment to HB 2-FN-A-LOCAL

1 1 Boat Fee Decals. Amend RSA 270-E:5-a, II(a) to read as follows:

2 (a) [~~\$9.50~~] **\$12.50** for each decal specified in paragraph I. The fees collected under this
3 subparagraph shall be paid into the lake restoration and preservation fund established under RSA
4 487:25.

2025-1159h

AMENDED ANALYSIS

Add:

1. Increases the boat decal fee.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Water Management and Protection; Dams, Mills, and Flowage; Annual Registration Fee.
2 Amend RSA 482:8-a to read as follows:

3 482:8-a Annual Registration Fee. Annual registration fees for dams shall be payable to the
4 department on January 1 of each calendar year. Yearly dam registration fees shall be based on
5 classification as follows: Low hazard potential = [~~\$400~~] **\$800**; Significant hazard potential = [~~\$750~~]
6 **\$1,500**; High hazard potential = [~~\$1,500~~] **\$3,000**. If the hazard classification designated by the
7 Federal Energy Regulatory Commission for a dam differs from the classification designated by the
8 department, the annual dam registration fees shall be based on the classification designated by the
9 Federal Energy Regulatory Commission except that a dam which is classified as a non-menace dam
10 by the department shall be exempt from the annual dam registration fee for as long as the dam is
11 classified by the department as a non-menace dam. Revenues from this annual registration are to be
12 collected by the department and deposited in the dam maintenance fund established in RSA 482:55
13 to be used for the inspection of dams.

14 2 Water Management and Protection; Dams, Mills, and Flowage; Preliminary Filing of
15 Information. Amend RSA 482:9, II(a)-(d) to read as follows:

- 16 (a) Non-hazard potential dam [~~\$2,000~~] **\$4,000**
17 (b) Low hazard potential dam [~~\$3,000~~] **\$6,000**
18 (c) Significant hazard potential dam [~~\$4,000~~] **\$8,000**
19 (d) High hazard potential dam [~~\$4,000~~] **\$8,000**

2025-1168h

AMENDED ANALYSIS

Add:

- I. Increases annual registration fees and application filing fees for various dams.

Rep. D. McGuire, Merr. 14
March 20, 2025
2025-1197h
08/11

Amendment to HB 2-FN-A-LOCAL

1 1 Hazardous Waste Generator Self-Certification. Amend RSA 147-A:5, IV(b) to read as follows:
2 (b) Each hazardous waste generator that generates less than 220 pounds/100 kilograms
3 of hazardous waste per month shall pay non-refundable fees at a rate of [~~\$60~~] **\$90** per year for the
4 period of [~~January 1, 2004 to June 30, 2007~~] **July 1, 2007 to June 30, 2025**, and at a rate of [~~\$90~~]
5 **\$140** per year beginning July 1, [~~2007~~] **2025**, to cover department expenses for conducting the self-
6 certification program and hiring of program staff. Total fees due for each year shall be submitted
7 with the self-certification declaration form required under subparagraph (a).

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 20, 2025
2025-1192h
07/11

Amendment to HB 2-FN-A-LOCAL

1 1 Public Health; Hazardous Waste Cleanup Fund; Automotive Oil Fee. Amend RSA 147-B:12, I
2 to read as follows:

3 I. A fee of [~~\$.02~~] **\$0.05** per gallon of automotive oil shall be assessed at the time of import to
4 this state. Persons licensed under RSA 146-A:11-b, II shall be liable for payment of this additional
5 fee which shall be collected and enforced by the department of safety in the manner described in
6 RSA 146-A:11-b. The department of environmental services may waive all or any portion of
7 penalties or interest for good cause. All fee revenues shall be deposited in the hazardous waste
8 cleanup fund in accordance with RSA 147-B:6, I-d.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 20, 2025
2025-1209h
07/08

Amendment to HB 2-FN-A-LOCAL

1 1 Public Health; Hazardous Waste Cleanup Fund; Hazardous Waste Cleanup Fund Fees.
2 Amend RSA 147-B:8, I to read as follows:
3 I. Each hazardous waste generator that generates in a 3-month period 660 pounds or more
4 of unrecycled hazardous waste shall pay a quarterly fee of [~~\$0.06~~] **\$0.12** per pound or a minimum of
5 \$100, to the department.

UNAPPROVED

Rep. D. McGuire, Merr. 14
March 21, 2025
2025-1244h
08/09

Amendment to HB 2-FN-A-LOCAL

1 1 Certified Hazardous Waste Coordinator Program. Amend RSA 147-A:5, III(b) to read as
2 follows:

3 (b) Each application for initial or renewal of a hazardous waste coordinators certification
4 shall be accompanied by a non-refundable fee of [~~\$125~~] **\$225** per year to cover department expenses
5 for conducting the certification program.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Agriculture; Horticulture and Animal Husbandry; Insect Pests and Plant Diseases;
2 Registration Certificates and Permits. Amend RSA 430:33, II to read as follows:

3 II. No person, other than a commercial applicator, shall apply pesticides in this state
4 without first obtaining a written permit from the division except as provided in RSA 430:46. An
5 annual application for a permit with a fee of [~~\$20~~] **\$60** shall be collected by the division for each
6 permit, except that no fee shall be collected from any nonprofit entity or from any governmental
7 entity. The division shall require each applicant for a permit to demonstrate, by examination or
8 other procedure prescribed by the board in rules, the applicant's competence and ability to use
9 pesticides in accordance with standards of the board. Permit holders shall maintain routine
10 operational records pursuant to rules of the board, which records shall be open to inspection at
11 reasonable times by the division or its agents. Operational records for the preceding calendar year
12 shall be submitted to the division by an applicant for renewal of a permit. Upon submission of such
13 records and satisfaction of such other conditions as the board may by rule impose, the division shall
14 renew a permit.

15 2 Agriculture; Horticulture and Animal Husbandry; Insect Pests and Plant Diseases;
16 Application for Registration and Permits. Amend RSA 430:34, III to read as follows:

17 III. Each application for initial examination of a commercial or private applicator shall be
18 accompanied by an examination fee of [~~\$5~~] **\$15** for each category or commodity group in which such
19 examination is requested. When an applicator has been examined by the division and found not
20 qualified, the applicant shall be re-examined at a subsequent date in accordance with rules adopted
21 by the board, provided that each application for re-examination shall be accompanied by a re-
22 examination fee of [~~\$5~~] **\$15** for each category or commodity group in which re-examination is
23 requested. A separate application and re-examination fee shall be filed by the applicant each time a
24 re-examination is requested.

25 3 Agriculture; Horticulture and Animal Husbandry; Insect Pests and Plant Diseases; Pesticide
26 Dealer License. Amend RSA 430:35, II and III to read as follows:

27 II. Application for a license shall be accompanied by a [~~\$20~~] **\$60** annual license fee. Dealer
28 applications for renewal received beyond the December 31 deadline shall be subject to a \$10 late
29 registration fee. Application for a license shall be on a form prescribed by the division and shall
30 include the full name of the person applying for such license. If such applicant is an individual,
31 receiver, trustee, firm, partnership, association or corporation, the full name of each member of the
32 firm or partnership or the names of the officers of the association or corporation shall be given on the

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 application. Such application shall further state the principal business address of the applicant in
2 the state and elsewhere and the name of a person domiciled in this state authorized to receive and
3 accept service of summons of legal notices of all kinds for the applicant, and any other necessary
4 information prescribed by the division; provided that the provisions of this section shall not apply to
5 a pesticide applicator who sells pesticides only as an integral part of his pesticide application service
6 when such pesticides are dispensed only through apparatuses used for such pesticide application;
7 provided, further, that the provisions of this section shall not apply to any federal, state, or county
8 agency which provides pesticides for their own programs.

9 III. Each applicant shall satisfy the division as to his knowledge of the laws and rules
10 governing the use and sale of pesticides and his responsibility in carrying on the business of a
11 pesticide dealer through examination. In addition, each employee or agent of a pesticide dealer who
12 sells or recommends restricted-use pesticides or state restricted-use pesticides shall obtain a
13 pesticide dealer license. Each application for initial examination for a dealer license shall be
14 accompanied by an examination fee of [~~\$5~~] **\$15**. When an applicant has been examined by the
15 division and found not qualified, the applicant shall be re-examined at a subsequent date in
16 accordance with rules adopted by the board, provided that each application for re-examination shall
17 be accompanied by a fee of [~~\$5~~] **\$15**.

18 4 Agriculture; Horticulture and Animal Husbandry; Insect Pests and Plant Diseases; Statement
19 Required. Amend RSA 430:38, III to read as follows:

20 III.(a) The registrant shall pay an annual fee **of at least \$160** for each pesticide registered
21 as follows:

- 22 (1) A restricted use pesticide.
- 23 (2) A general use pesticide, other than a specialty/household pesticide.
- 24 (3) A specialty/household pesticide.

25 (b) The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the amount
26 of the fees charged under subparagraph (a). [~~Until such rules are adopted, the fees under~~
27 ~~subparagraph (a) shall be the same as the fees which were in effect on June 30, 2015.~~]

Amendment to HB 2-FN-A-LOCAL

1 1 Agriculture; Horticulture and Animal Husbandry; Soil and Plant Additives; Registration.
2 Amend RSA 431:4, I to read as follows:

3 I. Each brand and grade of fertilizer shall be registered in the name of that person whose
4 name appears upon the label before being distributed in this state. The application for registration
5 shall be submitted to the commissioner on a form furnished by the commissioner and shall be
6 accompanied by a fee of [~~\$75~~] **\$128** per grade of each brand sold.

7 2 Agriculture; Horticulture and Animal Husbandry; Soil and Plant Additives; Registration.
8 Amend RSA 431:27, I to read as follows:

9 I. Each separately identified product shall be registered before being distributed in this
10 state. The application for registration shall be submitted to the commissioner on a form furnished or
11 approved by the commissioner and shall be accompanied by a fee of [~~\$50~~] **\$100** per product. The fees
12 collected under this section shall be deposited with the state treasurer into the agricultural products
13 regulatory fund. Upon approval by the commissioner, a copy of the registration shall be furnished to
14 the applicant. All registrations expire on January 1 of the following year.

15 3 Agriculture; Horticulture and Animal Husbandry; Horticultural Growing Media; Registration
16 and Inspection Fees; Fund Established. Amend RSA 433-A:6 to read as follows:

17 433-A:6 Registration and Inspection Fees; Fund Established. The commissioner shall collect a
18 [~~\$50~~] **\$96** annual registration and inspection fee for each product registered. The fees collected
19 under this section shall be deposited with the state treasurer into the agricultural products
20 regulatory fund established in RSA 435:20, IV. Moneys from the fund shall be used to offset costs
21 associated with registration and inspection of horticultural growing media.

22 4 Agriculture; Horticulture and Animal Husbandry; Animal Care, Breeding and Feed. Amend
23 RSA 435:20, II and III to read as follows:

24 II. No person shall distribute in this state a commercial feed, except a customer-formula
25 feed, which has not been registered pursuant to the provisions of this section. Applications for
26 registration, accompanied by a [~~\$75~~] **\$120** per-product registration fee, shall be submitted in a
27 manner prescribed by the commissioner. Upon approval by the commissioner, a registration shall be
28 issued to the applicant. All registrations shall expire on December 31 of each year.

29 III. The commissioner may refuse to register any commercial feed not in compliance with
30 the provisions of this subdivision and to cancel any registration subsequently found not to be in
31 compliance with any provision of this subdivision; provided that upon the refusal of registration, the
32 [~~\$75~~] **\$120** registration fee shall be returned to the applicant; and provided further that no

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 registration shall be refused or [~~cancelled~~] *canceled* unless the applicant or registrant has been
2 given an opportunity to appear at a hearing before the commissioner and to amend his or her
3 application in order to comply with the requirements of this subdivision.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Agriculture; Horticulture and Animal Husbandry; Standards for Farm Products; Official
2 Grades and Standards. Amend RSA 426:1 to read as follows:

3 426:1 Official Grades and Standards. The commissioner of agriculture, markets, and food,
4 whenever, in the commissioner's opinion, the public good so requires, may adopt rules, pursuant to
5 RSA 541-A, establishing official grades and standards for farm products which are produced within
6 the state for purposes of sale. ***Fees for maple product permits shall not be less than \$33 and***
7 ***other product permits shall not be less than \$13.***

8 2 Agriculture; Horticulture and Animal Husbandry; Soil and Plant Additives; Inspection Fees
9 and Tonnage Reports. Amend RSA 431:6, I to read as follows:

10 I. There shall be paid to the commissioner for all fertilizers distributed in this state to
11 nonregistrants an inspection fee ***of at least \$0.37*** on each ton of fertilizer sold ***with a minimum fee***
12 ***of at least \$9 as*** [~~in a manner and at a fee~~] prescribed by the commissioner by rules; provided, that
13 sales or exchanges between importers, manufacturers, distributors, or registrants are exempted.

14 3 Agriculture; Horticulture and Animal Husbandry; New Hampshire Seed Law; Duties and
15 Authority of Commissioner; Rulemaking. Amend RSA 433:7, III(l)-(m) to read as follows:

16 (l) Seed labeling license standards and procedures, including, but not limited to,
17 application forms [~~and fees~~].

18 ***(m) Establish licensing fee of not less than \$94 per company.***

19 [~~(m)~~] ***(n)*** The enforcement of this subdivision.

Amendment to HB 2-FN-A-LOCAL

1 1 Weights and Measures Fees. Amend RSA 438:10-a to read as follows:
2 438:10-a Fees for Licensing Commercial Devices.

3 The following annual device license fees shall be charged for the following categories:

4 I. Scales 100 pounds or less, other than precision scales, [~~\$18~~] **\$35** each;

5 II. Scales over 100 pounds to 2,000 pounds, [~~\$27~~] **\$50** each;

6 III. Scales over 2,000 pounds to 5,000 pounds, [~~\$54~~] **\$100** each;

7 IV. Non-vehicle scales over 5,000 pounds, [~~\$90~~] **\$165** each;

8 V. Vehicle scales, [~~\$180~~] **\$330** each;

9 VI. Lift truck/forklifts, on board weighing systems/scales, [~~\$90~~] **\$165** each;

10 VII. On board weighing systems/scales, refuse or recyclable materials collection trucks, [~~\$90~~]
11 **\$165** each;

12 VIII. Precision scales, [~~\$36~~] **\$65** each;

13 IX. Retail motor fuel dispensers, except liquefied petroleum gas and natural gas
14 dispensers, [~~\$18~~] **\$35** per meter;

15 X. Liquefied petroleum gas retail motor fuel dispensers, [~~\$54~~] **\$100** per meter;

16 XI. Natural gas retail motor fuel dispensers, [~~\$54~~] **\$100** per meter;

17 XII. Liquid vehicle tank meters, except liquefied petroleum gas and natural gas meters,
18 [~~\$54~~] **\$100** per meter;

19 XIII. Liquid bulk storage meters, [~~\$90~~] **\$165** per meter;

20 XIV. Liquefied gas meters, [~~\$90~~] **\$165** per meter;

21 XV. Taxi meters, [~~\$27~~] **\$50** per meter; and

22 XVI. Linear and cordage measures, [~~\$18~~] **\$35** per meter.

23 2 New Section; Weights and Measures; Registered Service Agencies. Amend RSA 438 by
24 inserting after section 438:14-a the following new section:

25 438:14-b Registered Service Agencies. Registered service agencies that employ a service
26 technician who is registered with the division of weights and measures to test, adjust, repair, certify,
27 reject, add, remove, or replace a commercial weighing or measuring device, shall pay an annual
28 registration fee of \$250, to be collected by the division.

Amendment to HB 2-FN-A-LOCAL

1 1 Court Fees and Fines; Equitable Fee Schedule; Credit Card Service Charge. Amend RSA
2 490:26-a to read as follows:

3 490:26-a Court Fees and Fines; Credit Card Payments.

4 I. The supreme court shall establish by rule an equitable fee schedule for all courts in the
5 state.

6 II. ~~[(a) Except as provided in subparagraph (b), a \$25 surcharge shall be added to each civil
7 filing fee for all courts. This surcharge shall be deposited in the general fund.~~

8 ~~(b) The following shall be exempt from the surcharge under subparagraph (a):~~

9 ~~(1) Actions relating to children under RSA 169-B, RSA 169-C, and RSA 169-D.~~

10 ~~(2) Domestic violence actions under RSA 173-B.~~

11 ~~(3) Small claims actions under RSA 503.~~

12 ~~(4) Landlord/tenant actions under RSA 540, RSA 540-A, RSA 540-B, and RSA 540-C.~~

13 ~~(5) Stalking actions under RSA 633:3-a~~

14 ~~H-a.]~~ The supreme court may establish by rule an equitable fee of not less than \$25 to be
15 added to a fine whenever a court extends the time for the payment of the fine. An equitable fee
16 assessed by a court under this paragraph shall be paid prior to or simultaneously with the payment
17 of the fine.

18 III. **(a)** All court fees, surcharges, and fines paid into any court may be paid by credit card in
19 lieu of cash payment.

20 **(b)** *Notwithstanding any other provision of law, the supreme court may, in*
21 *establishing a fee schedule, establish a service charge for the acceptance of a credit card,*
22 *debit card, or such other means of electronic payment.*

2025-1158h

AMENDED ANALYSIS

ADD:

1. Eliminates mandatory surcharges for civil case filings and allows the supreme court to establish rules regarding equitable fee schedules for imposed fines and service charges on credit card payments.

Rep. D. McGuire, Merr. 14
March 20, 2025
2025-1183h
06/09

Amendment to HB 2-FN-A-LOCAL

1 1 Powers and Duties of the Hampton Beach Commission. Amend the introductory paragraph to
2 RSA 216-J:3 to read as follows:

3 ***Subject to available funds***, the Hampton Beach area commission shall:

4 2 Hampton Beach Master Plan Fund. Amend RSA 216-J:5 to read as follows:

5 216-J:5 Hampton Beach Master Plan Fund. There is hereby established in the office of the state
6 treasurer a fund to be known as the Hampton Beach master plan fund which shall be kept separate
7 and distinct from all other funds and shall be continually appropriated to the commission. Such
8 fund shall be the depository of all gifts, grants, or donations made to the commission pursuant to
9 RSA 216-J:4. Implementation expenses, the expenses of the commission, its commissioners, ~~and~~
10 any employees of the commission, ***and operations and initiatives of the commission***, shall be
11 paid from such fund. Any moneys in such fund shall not lapse into the general fund of the state.

AMENDED ANALYSIS

Add:

1. Includes operations and initiatives of the Hampton Beach commission as permissible expenses to be paid from the Hampton Beach master plan fund.

Rep. D. McGuire, Merr. 14
March 20, 2025
2025-1204h
07/08

Amendment to HB 2-FN-A-LOCAL

1 1 Per Diem; Public Employee Labor Relations Board. Amend RSA 273-A:2, VII to read as
2 follows:

3 VII. The members of the public employee labor relations board shall be paid [~~\$50~~] **\$250** a
4 day and their necessary expenses while actually engaged in the performance of their duties.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 New Hampshire Energy Policy. RSA 378:37 is repealed and reenacted to read as follows:
2 378:37 New Hampshire Energy Policy.

3 It is the policy of the sovereign state of New Hampshire and purpose of this chapter, to promote
4 affordable, reliable, diverse, and secure energy resources for the health, safety, and welfare of its
5 citizens.

6 I. New Hampshire shall promote the development of resources to achieve the purpose of this
7 chapter, fostering a range of technology types, including reliable, on-demand, and firm resources,
8 while allowing for customer choice.

9 II. New Hampshire shall promote the development of resources, tools, and infrastructure to
10 enhance the state's ability to ensure the state's energy independence by removing regulatory
11 barriers to innovation to ensure that the state can procure affordable, reliable, and secure energy
12 resources, consistent with RSA 362-F.

13 III. New Hampshire shall allow market forces and market-based mechanisms to drive
14 prudent use of energy resources. Government intervention to economically advantage one
15 technology over another shall be time-limited, narrow, and necessary to achieve a specific policy
16 goal.

17 IV. New Hampshire shall pursue energy conservation and efficiency according to market
18 principles, focusing on market transformation, and in accordance with cost-effective fiscal strategies
19 as authorized by the legislature, and consistent with RSA 374-F.

20 V. New Hampshire shall maintain an environment that allows for accurate market signals
21 while balancing affordable consumer prices, price stability, energy reliability, public health and
22 safety, and the financial stability of utilities and energy suppliers.

23 VI. State regulatory processes shall balance economic costs with the level of review
24 necessary to ensure protection of the state's various interests, and where federal action is required,
25 New Hampshire will collaborate to encourage expedited federal review and action.

AMENDED ANALYSIS

Add:

1. Revises the state energy policy to promote affordable, reliable, diverse, and secure energy resources for the health, safety, and welfare of its citizens.

Rep. Ebel, Merr. 7
March 23, 2025
2025-1287h
07/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 New Section; Department of Justice; Approval of Settlement Agreement in Michael Gilpatrick
4 v. N.H. D.H.H.S, et al. Insert the following new section:

5 Pursuant to RSA 14:35-b, the settlement agreement executed by the department of justice in the
6 case of *Michael Gilpatrick v. N.H. D.H.H.S, et al.*, Docket No. 217-2021-CV-00479, including the
7 payment of \$10,000,000 to plaintiff Michael Gilpatrick and all other terms of the settlement
8 agreement dated March 5, 2025, is hereby approved, and the sum of \$10,000,000 is hereby
9 appropriated for the purpose of fulfilling the state's obligations under the settlement agreement.
10 The payment of \$10,000,000 to plaintiff Michael Gilpatrick shall be made pursuant to the processes
11 established by the department of justice and department of administrative services pursuant to RSA
12 99-D:2, RSA 541-B, and the terms of the settlement agreement.

2025-1287h

AMENDED ANALYSIS

Sets aside \$10 million pursuant to the state's settlement agreement with plaintiff Michael Gilpatrick in Michael Gilpatrick v. N.H. D.H.H.S, et al.

Rep. D. McGuire, Merr. 14
March 24, 2025
2025-1313h
11/05

Amendment to HB 2-FN-A-LOCAL

1 1 Youth Development Center Claims Administration and Settlement Fund; Attorney's Fees;
2 Periodic Payment. Amend RSA 21-M:11-a, XV to read as follows:

3 XV. The administrator may approve all fees and costs of attorneys who represent claimants
4 in proceedings before the administrator. The administrator shall not approve any request of an
5 attorney for fees or costs which are not reasonable. The administrator shall not approve an
6 attorney's fee in excess of 33.33 percent of the amount of the award. All costs and attorney's fees
7 paid to a claimant's attorney shall be paid from the amount awarded to the claimant. *Whenever the*
8 *administrator determines that a claim shall be paid in periodic payments pursuant to*
9 *subparagraph XII(a), the administrator shall require that any attorney's fee approved*
10 *under this paragraph be paid in equal installments and over the same number of years as*
11 *the periodic payment schedule that is applicable to the amount awarded to the claimant.*
12 *The administrator shall add an interest assessment of 5 percent of the remaining unpaid*
13 *amount of the fee per annum for each year of repayment, which shall be compounded*
14 *annually.*

Rep. D. McGuire, Merr. 14
March 24, 2025
2025-1335h
09/05

Amendment to HB 2-FN-A-LOCAL

1 1 Youth Development Center Settlement Fund; Appropriations.

2 The sum of \$10,000,000 for fiscal year ending June 30, 2026, and \$10,000,000 for fiscal year
3 ending June 30, 2027, is hereby appropriated to the youth development center YDC settlement fund
4 established in RSA 21-M:11-a, II. The governor is authorized to draw a warrant for said sum out of
5 any money in the treasury not otherwise appropriated.

2025-1335h

AMENDED ANALYSIS

ADD:

1. Makes appropriations to the youth development center settlement fund.

Amendment to HB 2-FN-A-LOCAL

1 1 New Subparagraph; Waste Management Rules. Amend RSA 149-M:7 by inserting after
2 paragraph XV the following new paragraph:

3 XV-a. Relative to the safe management of solid waste. Such rules shall promote the
4 hierarchy established under RSA 149-M:3, and shall develop and enforce siting, design, operation,
5 and closure requirements.

6 2 New Paragraphs; Groundwater Protection. Amend RSA 149-M:9 by inserting after paragraph
7 XV the following new paragraphs:

8 XVI. No permit shall be issued by any division of the department for the siting of a new
9 landfill if any part of the actual solid waste disposal area is proposed to be located sufficiently close
10 to any existing drinking water well, perennial river, lake, or coastal water of New Hampshire, as
11 defined in RSA 483-B:4, XVI, such that groundwater on the landfill site would be able to reach the
12 water body within 5 years of migrating off-site due to any leak, spill, or other failure.

13 XVII.(a) The department shall establish a site-specific setback distance for any proposed
14 new landfill from any drinking water wells, perennial river, lake, or coastal water of New
15 Hampshire, as defined in RSA 483-B:4, XVI. The setback distance shall be sufficient to prevent any
16 contaminated groundwater at any part of the landfill footprint or leachate storage or piping
17 infrastructure from reaching any existing drinking water wells, perennial river, lake, or coastal
18 water of New Hampshire within 5 years. The setback distance shall be calculated as follows:

19 (1) The applicant shall hire a hydrogeologist who has never worked with or been
20 contracted through a third party with any applicant's current or previous projects, at the applicant's
21 expense, to estimate based upon adequate and representative on-site field testing of both the landfill
22 footprint and leachate storage or piping infrastructure, the estimated velocity of groundwater in both
23 surficial geological deposits and bedrock. The velocity shall be estimated by calculating the 95th
24 percentile upper confidence limit of the mean measured rate, using the formula recommended by the
25 United States Environmental Protection Agency at EPA 600-R-97/006.

26 (2) The 5-year distance-of-travel estimate shall be calculated by multiplying the
27 velocity, in units of feet per year, by 5.

28 (3) The setback from any existing drinking water well, perennial river, lake, or
29 coastal water of New Hampshire shall be the greater of the 5-year distance-of-travel estimate
30 calculated in subparagraph (2) or 1,500 feet.

Amendment to HB 2-FN-A-LOCAL
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1 (b) No permit shall be issued by any division of the department for the siting of a new
2 landfill that fails to conform to the setback distance as calculated using the method set forth in
3 subparagraph (a).

4 (c) In this section, "new landfill" excludes any expansion or modification of any landfill
5 facilities on any site where, as of January 1, 2025, a RCRA Subtitle D landfill exists that has
6 received all permits necessary to operate at present and is currently operating under such permits at
7 the time it files an application to expand.

8 (d) In this section, "site" means a single parcel or adjacent parcels, owned in its entirety
9 by a landfill operator or its affiliates as of January 1, 2025, including a site where one or more public
10 utility easements traverse the site.

11 XVIII. The department shall not issue a permit for a new landfill or landfill expansion
12 unless the applicant conducts subsurface investigations in sufficient numbers and locations to
13 properly describe the surficial stratigraphy and the bedrock beneath and adjacent to the proposed
14 solid waste boundary, at least to the depth of any aquifers currently used to provide drinking water
15 to residents. Pump tests shall be conducted at selected locations as needed to evaluate aquifer yield
16 and connectivity of bedrock fractures using the department's database of the location and depth of
17 private drinking water wells.

18 XIX. All landfill facilities shall have at least one employee or contracted personnel at the site
19 24 hours a day, 365 days per year, beginning from the date the landfill begins accepting waste and
20 continuing until final closure.

21 XX. No permit shall be granted for a landfill unless undisturbed in-situ soils for 20 feet
22 immediately beneath the footprint and underneath all leachate storage and transfer infrastructure
23 have a maximum saturated hydraulic conductivity of 1×10^{-4} centimeters per second(cm/sec) or
24 less. If the above in-situ soils do not meet the maximum hydraulic conductivity criterion of 1×10^{-4}
25 cm/sec, no amount of imported soil can overcome such deficiency, and the tract shall be deemed
26 impermissible for use as a landfill.

27 XXI. No permit shall be granted for a landfill unless the subgrade below the liner consists of
28 soil with a saturated hydraulic conductivity of 1×10^{-4} cm/sec or less.

29 XXII. All references to number-year storm events regarding solid waste landfill permitting
30 requirements in relation to design, maintenance, leachate management, etc., shall have the value of
31 a 100-year storm with a 50 percent margin of safety.

32 XXIII. The department shall incorporate the "Ford Act" found at 40 C.F.R. 258 into landfill
33 permitting requirements, specifically the provision limiting the construction or establishment of
34 municipal solid waste landfills within 6 miles of certain smaller public airports.

35 3 Permit Denial. Amend the introductory paragraph of RSA 149-M:9, IX to read as follows:

36 IX. The department [~~may~~] **shall** deny a permit application under this section to a person if
37 any of the following applies:

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

1 4 Rulemaking. The introductory paragraph of RSA 149-M:7 is repealed and reenacted to read
2 as follows:

3 The commissioner shall have the responsibility and authority to adopt rules, under RSA 541-A,
4 that are necessary to protect the public health and the environment with an ample margin of safety
5 relative to this chapter, including rules relative to:

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Adequate Representation for Indigent Defendants in Criminal Cases; Determination of
2 Financial Ability. Amend RSA 604-A:2-c to read as follows:

3 604-A:2-c Determination of Financial Ability. The determination of a defendant's financial
4 ability to obtain counsel shall be made by comparing the defendant's assets and incomes with the
5 minimum cost of obtaining qualified private counsel. The defendant's assets shall include all real
6 and personal property owned in any manner by the defendant, excluding only those assets which are
7 exempt from attachment and execution under RSA 511:2. The defendant's income shall include all
8 income, whether earned or not, from any source, unless exempt from attachment under any state or
9 federal law, and shall be reduced only by the amount of expenses which are reasonably necessary for
10 the maintenance of the defendant and his dependents. In determining a defendant's financial ability
11 to obtain counsel, the rules adopted by the commissioner under RSA 604-A:10, IV, shall contain a
12 method for considering the defendant's ability to borrow some or all of the necessary funds. ~~[The~~
13 ~~rules shall also consider the possibility of the defendant paying his counsel fees in periodic~~
14 ~~installments.]~~

15 2 Adequate Representation for Indigent Defendants in Criminal Cases; Appointment of Counsel
16 for Nonpayment or Nonperformance; Cross-Reference Deleted. Amend RSA 604-A:2-f, IV to read as
17 follows:

18 IV. When the court appoints counsel to represent a defendant in a proceeding under this
19 section, the court shall grant the defendant relief from the obligation to repay the state for appointed
20 counsel fees ~~[under RSA 604-A:9, I(b),]~~ if the court determines that the defendant is financially
21 unable to repay.

22 3 Adequate Representation for Indigent Defendants in Criminal Cases; Commissioner of
23 Administrative Services. Amend RSA 604-A:10, IV to read as follows:

24 IV. The commissioner of administrative services shall, with the approval of the attorney
25 general, adopt rules pursuant to RSA 541-A, governing determinations of eligibility for payment of
26 indigent defense expenditures~~[-, determinations of repayment schedules, financial and credit~~
27 ~~investigations,]~~ and any other matters the commissioner deems necessary or advisable for the
28 performance of duties under this chapter.

29 4 Directive; Department of Administrative Services. Upon the effective date of this act, the
30 director of the department of administrative services shall immediately cease all active collection
31 efforts related to any money owed under RSA 604-A:9. The director shall wind down all aspects of

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 the program within a reasonable timeframe, and once the program is ended, the director shall have
2 all records related to payment of money owed under RSA 604-A:9 destroyed.

3 5 Repeal. The following are repealed:

4 I. RSA 604-A:2-a, relative to additional inquiry regarding appointed counsel for indigent
5 criminal defendants.

6 II. RSA 604-A:2-d, relative to partial liability regarding appointed counsel for indigent
7 criminal defendants.

8 III. RSA 604-A:9, relative to repayment regarding appointed counsel for indigent criminal
9 defendants.

10 6 Effective Date. This act shall take effect upon its passage.

Amendment to HB 2-FN-A-LOCAL
- Page 2 -

1 VI. The right to know ombudsman shall continue to independently exercise the jurisdiction
2 conferred upon it pursuant to RSA 91-A:7-a. The New Hampshire administrative rules Rko 100-300
3 shall remain in full force and effect.

4 2 Definitions; Public Employee Labor Relations; Per Diem. Amend RSA 273-A:2, VII to read as
5 follows:

6 VII. The members of the public employee labor relations board shall be paid [~~\$50~~] **\$250** a
7 day and their necessary expenses while actually engaged in the performance of their duties.

8 3 Office of Right-to-Know Ombudsman. Amend the introductory paragraph of RSA 91-A:7-a to
9 read as follows:

10 There is hereby established the office of the right-to-know ombudsman to be administratively
11 attached to the [~~department of state under RSA 21-G:10~~] **office of state and public sector labor**
12 **relations under RSA 273-E. The right-to-know ombudsman shall be paid a stipend of \$200**
13 **in each biweekly state payroll cycle for such work performed outside of scheduled sessions.**
14 **The right-to-know ombudsman shall also be paid \$400 for each day devoted to the work of**
15 **the office and shall be reimbursed for travel, professional development, and other business-**
16 **related expenses. The right-to-know ombudsman shall be paid \$50 per hour for time spent**
17 **on the drafting of final decisions.** The ombudsman shall be appointed by the governor and
18 council and shall have the following minimum qualifications:

19 4 Repeal. The following are repealed:

20 I. 2022, 250:5, relative to the right-to-know ombudsman.

21 II. 2022, 250:6, relative to repealing certain provisions relative to the right-to-know
22 ombudsman.

23 III. 2022, 250:7, relative to the effective date of the repeal of certain provisions of the right to
24 know ombudsman.

25 5 Effective Date. Section 4 of this act shall take effect June 30, 2025.

Amendment to HB 2-FN-A-LOCAL

1 1 Electric Renewable Energy Classes. Amend RSA 362-F:4, I(a) to read as follows:

2 (a) Wind energy, ***except that mandated by government procurements.***

3 2 Electric Renewable Energy Classes. RSA 362-F:4, I(h) is repealed and reenacted to read as
4 follows:

5 (h) Solar energy if the solar energy produces electricity.

6 3 Minimum Electric Renewable Portfolio Standards. Amend RSA 362-F:3 to read as follows:

7 362-F:3 Minimum Electric Renewable Portfolio Standards. For each year specified in the table
8 below, each provider of electricity shall obtain and retire certificates sufficient in number and class
9 type to meet or exceed the following percentages of total megawatt-hours of electricity supplied by
10 the provider to its end-use customers that year, except to the extent that the provider makes
11 payments to the renewable energy fund under RSA 362-F:10, II:

	2008	2009	2010	2011	2012	2013	2014	2015	2025 and thereafter
12 Class I	0.0%	0.5%	1%	2%	3%	3.8%	5%	6%	15% (*)
13 Class II	0.0%	0.0%	0.04%	0.08%	0.15%	0.2%	0.3%	0.3%	0.7%
14 Class III	3.5%	4.5%	5.5%	6.5%	1.4%	1.5%	3.0%	8.0%	8.0%
15 Class IV	0.5%	1%	1%	1%	1%	1.3%	1.4%	1.5%	1.5%

16 *Class I increases an additional 0.9 percent per year from 2015 through 2025. A set percentage of
17 the class I totals shall be satisfied annually by the acquisition of renewable energy certificates from
18 qualifying renewable energy technologies producing useful thermal energy as defined in RSA 362-
19 F:2, XV-a. The set percentage shall be 0.4 percent in 2014, 0.6 percent in 2015, 0.8 percent in 2016,
20 and increased annually by 0.2 percent per year from 2017 through 2023, ***and then reduce to 1.7***
21 ***percent beginning on August 1, 2027***, after which it shall remain unchanged. ~~Class II shall~~
22 ~~increase to 0.5 percent beginning in 2018, 0.6 percent beginning in 2019, and 0.7 percent beginning~~
23 ~~in 2020, otherwise] Classes ~~II-IV~~ ***III and IV*** shall remain at the same percentages from 2015
24 through 2025 except as provided in RSA 362-F:4, V-VI.~~

25
26 4 Electric Renewable Energy Classes. Amend RSA 362-F:4, V to read as follows:

27 V. For good cause, and after notice and hearing, the department of energy may accelerate or
28 delay by up to one year, any given year's incremental increase in class I ~~or II~~ renewable portfolio
29 standards requirement under RSA 362-F:3.

30 5 Electric Renewable Portfolio Standard; Definitions. Amend RSA 362-F:2, XV to read as
31 follows:

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- Page 2 -

1 XV. "Renewable energy source," "renewable source," or "source" means a class I, ~~II,~~ III, or
2 IV source of electricity or a class I source of useful thermal energy. An electrical generating facility,
3 while selling its electrical output at long-term rates established before January 1, 2007, by orders of
4 the commission under RSA 362-A:4, shall not be considered a renewable source.

5 6 Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

6 I. There is hereby established a renewable energy fund. This nonlapsing special fund shall
7 be continually appropriated to the department of energy to be expended in accordance with this
8 section; provided that at the start of the period in which there is no adopted state operating budget,
9 the department of energy shall in a timely manner seek the approval of the fiscal committee of the
10 general court to continue using moneys from the renewable energy fund to support renewable energy
11 rebate and grant programs in order to ensure there are no interruptions to the programs. The state
12 treasurer shall invest the moneys deposited therein as provided by law. Income received on
13 investments made by the state treasurer shall also be credited to the fund. All payments to be made
14 under this section shall be deposited in the fund. Any remaining moneys paid into the fund under
15 paragraph II of this section ~~[excluding class II moneys,]~~ shall be used by the department of energy
16 to support thermal and electrical renewable energy initiatives and offshore wind initiatives,
17 including the office of offshore wind industry development and energy innovation. ~~[Class II moneys~~
18 ~~shall primarily be used to support solar energy technologies in New Hampshire.]~~ All initiatives
19 supported out of these funds shall be subject to audit by the department of energy as deemed
20 necessary. All fund moneys ~~[including those from class II]~~ may be used to administer this chapter,
21 but all new employee positions shall be approved by the fiscal committee of the general court. No
22 new employees shall be hired by the department of energy due to the inclusion of useful thermal
23 energy in class I production.

24 7 Renewable Energy Fund. RSA 362-F:10, III is repealed and reenacted to read as follows:

25 III. Beginning July 1, 2027, these rates shall be fixed at the following levels:

26 (a) Class I - \$42, except for that portion of the class electric renewable portfolio
27 standards to be met by qualifying renewable energy technologies producing useful thermal energy
28 under RSA 362-F:3, which shall be \$30.

29 (b) Class III - \$42.

30 (c) Class IV - \$37.

31 8 Renewable Energy Certificates. Amend RSA 362-F:6, II-a to read as follows:

32 II-a. The department of energy shall establish a methodology to estimate the total yearly
33 production for customer-sited sources that are net metered under RSA 362-A:9 and for which class I
34 ~~[or II]~~ certificates are not issued. For purposes of estimation, the department of energy shall use a
35 capacity factor rating of 20 percent for each class I installation. ~~[The department of energy shall~~
36 ~~separately estimate class II output using a capacity factor rating equal to the annual PV Energy~~
37 ~~Forecast issued by the Distributed Generation Working Group under ISO New England, or its~~

Amendment to HB 2-FN-A-LOCAL
- Page 3 -

1 ~~successor.]~~ Providers of electricity required to obtain and retire certificates under RSA 362-F:3 shall
2 receive an annual credit for such production according to its class. By February 28 of each year, the
3 department of energy shall compute and make public credit percentages that are equal to the
4 estimated production for the prior calendar year in each class divided by the total amount of
5 electricity supplied by providers of electricity to end-use customers in the prior calendar year, with
6 the result converted to a percentage. Each provider may then, at the time of its annual report filing
7 under RSA 362-F:8, claim a class I ~~[and a class II]~~ certificate credit equal to the credit percentage
8 times the total megawatt-hours of electricity supplied by the provider to its end-use customers the
9 prior calendar year.

10 9 Repeal. The following are repealed:

11 I. RSA 362-F:4, I(h), relative to class II sources.

12 II. RSA 362-F:4, II, relative to class II renewable energy.

13 III. RSA 362-F:15, I, relative to class II increases.

14 10 Effective Date. This act shall take effect July 1, 2027.

Amendment to HB 2-FN-A-LOCAL

1 1 Town Property; Authority of Select Board. Amend RSA 41:11-a to read as follows:
2 41:11-a Town Property.

3 I. The ~~[selectmen]~~ **select board** shall have authority to manage all real property owned by
4 the town and to regulate its use, unless such management and regulation is delegated to other public
5 officers by vote of the town, or is governed by other statutes, including but not limited to RSA 31:112,
6 RSA 35-B, RSA 36-A:4, and RSA 202-A:6.

7 II. The authority under paragraph I shall include the power to rent or lease such property
8 during periods not needed for public use, provided, however, that any rental or lease agreement for a
9 period of more than one year shall not be valid unless ratified by vote of the town.

10 III. Notwithstanding paragraph II, the legislative body may vote to ~~[authorize the board of~~
11 ~~selectmen]~~ **grant the select board the authority** to rent or lease any municipal property for a term
12 of up to 5 years ~~[without further vote or ratification of the town]~~. Once adopted, this authority shall
13 remain in effect until specifically rescinded by the legislative body at any duly warned meeting,
14 ~~[provided that the term of any lease entered into prior to the rescission shall remain in effect]~~
15 **however, such rescission shall not terminate any existing leases.**

16 IV. **The governing body may choose to send to the planning board a list of real**
17 **property owned by the town and managed by the select board that is in their judgment**
18 **appropriate for development for residential use. No property acquired under tax deed**
19 **pursuant to RSA 80 shall be added to this list.**

20 2 New Paragraph; Duties of the Planning Board. Amend RSA 674:1 by inserting after
21 paragraph VI the following new paragraph:

22 VII. The planning board may vote to designate any property recommended to it as
23 appropriate for development as a residential use by the select board pursuant to RSA 41:11-a, IV, as
24 appropriate for development for residential use and forward a description of said property to the
25 office of planning and development pursuant to RSA 12-O:55, VIII.

26 3 New Paragraph; Data and Information Services; Descriptions of Property to be Compiled.
27 Amend RSA 12-O:55 by inserting after paragraph VII the following new paragraph:

28 VIII. Pursuant to RSA 674:1, VII, compile descriptions of municipally and county-owned
29 property determined to be appropriate for residential development by the select board as a
30 residential use into a publicly available list of properties available for grant or loan funding
31 pursuant to RSA 12-O:72-a.

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1 4 New Section; Partners in Housing Program. Amend RSA 12-O by inserting after section 72
2 the following new section:

3 12-O:72-a Partners in Housing Program. The department shall establish a program, known as
4 the partners in housing program, for the purpose of building workforce housing. Properties
5 identified on the list created pursuant to RSA 674:1, VII shall be given priority for program funding.
6 Available funding may be made by the department to housing developers to whom a municipality or
7 county, pursuant to RSA 28:8-c, transfers ownership of the municipally or county-owned property for
8 the purpose of residential development where at least 20 percent of the housing units to be
9 developed will be affordable for a period of at least 20 years. The department shall adopt rules
10 pursuant to RSA 541-A to implement the provisions of this section no later than December 1, 2026.

11 5 New Paragraphs; Power to Review Site Plans. Amend RSA 674:43 by inserting after
12 paragraph V the following new paragraphs:

13 VI. If the planning board has submitted a property description to the office of planning and
14 development, then the local governing body may further vote to authorize that properties in the
15 municipality on the list generated pursuant to RSA 12-O:55, VIII qualify for expedited review and
16 approval pursuant to RSA 676:4, III.

17 VII. If the local legislative body of a municipality has by ordinance or resolution authorized
18 minor site plan review pursuant to RSA 674:43, III, then all solely residential development projects
19 proposing to construct workforce housing, as defined in RSA 674:58, IV, that are included on the list
20 generated pursuant to RSA 12-O:55, VIII, may also qualify for expedited review and approval
21 pursuant to RSA 676:4, III.

22 VIII. The local legislative body of a municipality may by ordinance or resolution adopt
23 pattern zoning regulations to accelerate the construction of infill housing in neighborhoods. To meet
24 the definition of infill housing, projects must be new residential development constructed on vacant
25 lots interspersed among lots with existing, non-vacant development. Pattern zoning provides
26 permit-ready designs with appropriate zoning and regulations to speed the process of building high
27 quality infill housing that is compatible with existing homes in the neighborhood.

28 6 Housing Champion Designation and Grant Program Fund; Compilation of Property. Amend
29 RSA 12-O:74 to read as follows:

30 12-O:74 New Hampshire Housing Champion Designation and Grant Program Fund. There is
31 hereby established in the state treasury the New Hampshire housing champion designation and
32 grant program fund, for the purpose of funding the grant programs established in RSA 12-O:72
33 and[.] RSA 12-O:73, ***and the compilation of municipally and county-owned property***
34 ***determined to be appropriate for residential development pursuant to RSA 12-O:72-a and***
35 ***674:1, VII.*** The fund shall be non-lapsing and shall be continually appropriated to the department.

36 7 Effective Date. Sections 1-6 of this act shall take effect June 30, 2025.

Rep. D. McGuire, Merr. 14
March 24, 2025
2025-1337h
05/09

Amendment to HB 2-FN-A-LOCAL

1 1 Magistrates; Permitted to Continue Duties. Notwithstanding any other law to the contrary,
2 any magistrate appointed to that position before January 31, 2025 pursuant to RSA 491-B:1 as that
3 law existed on January 31, 2025, may continue to exercise the duties of the magistrate, as provided
4 by RSA 491-B:2 as that law existed on January 31, 2025, except no magistrate shall conduct bail
5 hearings or make bail determinations. Any magistrate so appointed may continue to exercise those
6 duties until the end of any term commenced before January 31, 2025, or the end of their employment
7 with the judicial branch, whichever is earlier, but in no event later than January 1, 2030.

2025-1337h

AMENDED ANALYSIS

ADD:

1. Allows any magistrate appointed before January 31, 2025, to continue to exercise the duties of a magistrate until the end of their term of employment, but no later than January 1, 2030, provided that such magistrate shall not conduct bail hearings or make bail determinations.

Rep. D. McGuire, Merr. 14
March 24, 2025
2025-1334h
09/05

Amendment to HB 2-FN-A-LOCAL

1 1 Sununu Youth Services Center; Possession and Relinquishment. Amend 2023, 2:4 to read as
2 follows:

3 2:4 Possession and Relinquishment of the Sununu Youth Services Center (SYSC). As of the date
4 of the opening of the youth development center set forth in section 2 of this act, and notwithstanding
5 RSA 4:40, the department of administrative services shall take possession of the entire property
6 currently housing the SYSC on South River Road in Manchester, New Hampshire. The department
7 shall relinquish the property and any revenues received shall be deposited in the general fund.
8 ***Until such time the property is relinquished, the department shall request an***
9 ***appropriation, subject to the approval from the fiscal committee and the governor and***
10 ***executive council, funds necessary to maintain the property. The governor shall draw a***
11 ***warrant from funds not otherwise appropriated.*** The department shall consult with the city of
12 Manchester, the New Hampshire department of business and economic affairs, and other
13 organizations, as appropriate, prior to any sale of the property. In relinquishing the property, the
14 return of the property to an entity that will enhance the tax and business tax rolls of the city of
15 Manchester and the state of New Hampshire shall be a high priority. Any relinquishment of the
16 SYSC shall be approved by the governor and council.

2025-1334h

AMENDED ANALYSIS

ADD:

1. Adds a requirement that until the Sununu Youth Services Center is relinquished, the department of administrative services shall request an appropriation, subject to the approval from the fiscal committee and the governor and executive council, funds necessary to maintain the property.

Rep. D. McGuire, Merr. 14
March 24, 2025
2025-1344h
09/05

Amendment to HB 2-FN-A-LOCAL

- 1 1 Repeal. The following are repealed:
- 2 I. RSA 21-I:108, II, relative to outreach and marketing of the Granite state paid family leave
- 3 plan.
- 4 II. RSA 282-B:6, II relative to outreach and marketing of the Granite state paid family leave
- 5 plan.
- 6 2 Effective Date. This act shall take effect 60 days after its passage.

2025-1344h

AMENDED ANALYSIS

ADD:

1. Repeals the requirement that the state engage in certain outreach and marketing activities to increase awareness of the Granite State paid family leave plan.

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Natural and Cultural Resources; Division of Arts; Removed. Amend RSA 12-
2 A:1 to read as follows:

3 12-A:1 Establishment. There shall be a department of natural and cultural resources under the
4 executive direction of a commissioner of natural and cultural resources, consisting of a division of
5 forests and lands, a division of parks and recreation, a division of libraries, ~~[a division of arts,]~~ and a
6 division of historical resources, which shall also be known as the state historic preservation office.
7 The department's purpose shall be to ensure the efficient coordinated function of the ~~[5] 4~~ divisions,
8 whereby the interests of protection and responsible management of natural and cultural resources,
9 public enjoyment of state parks and forests, the state library, arts, film and digital media, and
10 historic resources are each held to be of integral importance in the overall functioning of the
11 department. All functions of the former department of cultural resources are hereby transferred, as
12 of July 1, 2017, to the department of natural and cultural resources.

13 2 Powers and Duties of Department of Natural and Cultural Resources; State Library and Arts
14 Removed. Amend RSA 12-A:1-c to read as follows:

15 12-A:1-c Powers and Duties of Department of Natural and Cultural Resources.

16 I. The department of natural and cultural resources shall be responsible for the following
17 general functions:

18 (a) Providing information services to state government.

19 (b) Developing strategies for the conservation, management, and protection of the state's
20 forests and lands and the promotion of the state's parks and recreation resources.

21 (c) Developing and coordinating a statewide library service network.

22 (d) ~~[Stimulating and encouraging public interest and participation in the study and
23 presentation of the performing and fine arts.]~~

24 ~~(e)]~~ Sponsoring state historic preservation activities.

25 ~~[(f) [Repealed.]]~~

26 II. The commissioner shall assign, with the approval of the advisory commission, such duties
27 and functions to the ~~[5] 4~~ divisions of the department, as in his or her discretion will best effectuate
28 the purposes, powers, and duties set forth in this section and as otherwise provided by statute.

29 3 New Hampshire Commission on Native American Affairs Established. Amend RSA 12-A;14-a,
30 II to read as follows:

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- Page 2 -

1 II. The commission shall consist of 15 members who derive from geographically diverse
2 areas of the state and are representative of the diverse groups, organizations, and individuals
3 knowledgeable about Native American history, culture, and affairs as follows:

4 (a) The director or designee of the division of travel and tourism development,
5 department of business and economic affairs.

6 (b) The director or designee of the Native American Program at Dartmouth College.

7 (c) An archaeologist appointed by the director of the division of historical resources.

8 (d) ~~[The director or designee of the state council on the arts.~~

9 ~~(e) Eleven]~~ **Twelve** members from the public at large, who shall be representatives from
10 the Native American community, appointed by the governor from recommendations prepared by the
11 director of the division of historical resources. All interested individuals shall submit a letter to the
12 director of the division of historical resources stating why they wish to be considered and their
13 qualifications accompanied by 3 letters of recommendation.

14 4 Repeal. The following are repealed:

15 I. RSA 19-A, relative to the council on the arts.

16 II. RSA 21-K:6, relative to the division of the arts.

17 III. RSA 6:12,I(b)(103), relative to the state art fund.

18 IV. RSA 12-A:2-k, IV, relative to the administration of the division of the arts.

Rep. D. McGuire, Merr. 14
March 25, 2025
2025-1379h
07/05

Amendment to HB 2-FN-A-LOCAL

1 1 Tax on Meals and Rooms; Disposition of Revenue; Suspension of Deposits Into the Meals and
2 Rooms Municipal Revenue Fund. RSA 78-A:26, III, relative to tax revenue deposited into the meals
3 and rooms municipal revenue fund for distribution to cities, towns and unincorporated places, shall
4 be suspended for the biennium ending June 30, 2027.

2025-1379h

AMENDED ANALYSIS

ADD:

1. Suspends deposits into the meals and rooms municipal revenue fund for the biennium ending June 30, 2027.

Rep. D. McGuire, Merr. 14
Rep. Sweeney, Rock. 25
March 20, 2025
2025-1292h
06/02

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Transportation; Sale of Rest Areas and Welcome Centers. To the extent
2 permitted by federal law, the department of transportation shall sell or lease, for commercial use
3 only, non-turnpike rest areas and welcome centers by July 1, 2026, unless such facilities are leased
4 by an entity or organization that agrees to assume any and all costs associated with the operation
5 and maintenance of such rest areas or welcome centers.

2025-1292h

AMENDED ANALYSIS

Add:

1. Requires the department of transportation to sell or lease certain rest areas and welcome centers to private entities by July 1, 2026.

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1 (I) Commercial class actions.

2 (J) Commercial bank transactions.

3 (K) Actions relating to the internal affairs or governance; dissolution or
4 liquidation rights obligations between and among owners, including shareholders, partners, or
5 members; or liability or indemnity of managers, including officers, directors, managers, trustees, or
6 members or partners functioning as managers, of corporations, partnerships, limited partnerships,
7 limited liability companies or partnerships, professional associations, business trusts, joint ventures,
8 or other business enterprises.

9 (L) Business insolvencies and receiverships.

10 (M) Other complex disputes of a business or commercial nature.

11 (b) Appeals from decisions of local land use boards, including, but not limited to
12 decisions of municipal planning boards, zoning boards, historic district commissions, and
13 conservation commissions. All appeals to superior court filed pursuant to RSA 677 and all
14 proceedings for such appeals, shall be assigned to the commercial court docket. The jurisdiction of
15 this docket shall not include appeals of decisions by state agencies.

16 (c) Any case formerly under the jurisdiction of the board of tax and land appeals, or any
17 case where the principal claim or claims arise from or involve:

18 (1) Questions of taxation brought by a taxpayer.

19 (2) Appeals by municipalities relating to the equalized valuation of property
20 determined by the commissioner of revenue administration pursuant to RSA 21-J:3, XIII. Any
21 municipality aggrieved by its own equalized valuation as determined by the commissioner of revenue
22 administration shall appeal to the superior court in writing within 30 days of notice of its final
23 equalized valuation by the commissioner. The court shall hear and make a final ruling on such
24 appeal within 60 days of its receipt by the board. Any further appeal shall be filed with the clerk of
25 the supreme court within 20 days after the date the decision is issued by the superior court to the
26 municipality. The supreme court shall give any appeal under this subsection priority in the court
27 calendar.

28 (3) The condemnation of property for public uses and the assessment of damages
29 therefor as provided in RSA 498-A.

30 (4) Orders for reassessment properly brought pursuant to RSA 71-B:16.

31 III. The court shall have the jurisdiction to hear all proceedings of any case for which it has
32 jurisdiction, including motion practice, discovery, injunctive relief, alternative dispute resolution,
33 and hearing on the merits with or without a jury.

34 IV. For any case heard pursuant to subparagraph II(b), the court shall hold a structuring
35 conference within 30 days of its receipt of the notice of appeal. At the structuring conference the
36 court shall set a deadline for the filing with the court of the certified record and shall schedule a
37 hearing on the merits to be held within 60 days of receipt of the certified record. The court shall

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1 issue a decision on the merits within 60 days of the hearing. The court may extend any of the
2 deadlines established in this paragraph upon agreement of the parties or for other good cause
3 shown, but if the extension is based upon good cause, the court shall articulate in its order granting
4 the extension the specific facts and circumstances that warrant the extension.

5 V. The presiding justice of the former business and commercial dispute docket and the
6 presiding justice of the former land use review docket shall continue their respective appointments
7 as justices of the commercial court docket. The governor with the consent of the executive council
8 may appoint a third justice to the commercial court docket, who shall be qualified by reason of such
9 person's knowledge and experience in tax law matters. This justice shall be an additional justice of
10 the superior court, which shall increase by one the number of authorized justices of the superior
11 court as provided in RSA 491:1. The chief justice of the superior court, following the appointment or
12 designation of the initial third justice, may designate such additional justices to preside over
13 commercial court docket cases, as necessary, based upon caseload, disqualification of the presiding
14 justice, or efficient allocation of judicial resources.

15 VI. The justices of the commercial court docket shall be associate justices of the superior
16 court and shall be entitled to the compensation and benefits provided to all such justices under
17 applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

18 VII. The workload of the justices of the commercial court docket shall be the matters before
19 that docket. The justices may be assigned to any other matter within the jurisdiction of the superior
20 court or sit by designation on any other court in the same manner as any other associate justice of
21 the superior court, as determined to be necessary by the chief justices of the superior and supreme
22 court.

23 2 Superior Court; Justices. Amend RSA 491:1 to read as follows:

24 491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and
25 council to a 5-year term, and [22] 24 associate justices. Said justices shall be appointed and
26 commissioned as prescribed by the constitution and shall exercise the powers of the court unless
27 otherwise provided. The chief justice shall be appointed from among the associate justices. In the
28 event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-
29 year term, he or she may return to the position of associate justice, whether or not an associate
30 justice vacancy then exists.

31 3 Repeal. RSA 491:7-b, relative to land use review docket, is repealed.

32 4 Chapter Name Change. The chapter name preceding RSA 354-A is repealed and reenacted to
33 read as follows:

LAWS AGAINST DISCRIMINATION

34 5 Title and Purpose of Chapter. Amend RSA 354-A:1 to read as follows:

35 354-A:1 Title and Purposes of Chapter. This chapter shall be known as the "Law Against
36 Discrimination." It shall be deemed an exercise of the police power of the state for the protection of
37

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1 the public welfare, health and peace of the people of this state, and in fulfillment of the provisions of
2 the constitution of this state concerning civil rights. The general court hereby finds and declares
3 that practices of discrimination against any of its inhabitants because of age, sex, gender identity,
4 race, creed, color, marital status, familial status, physical or mental disability or national origin are
5 a matter of state concern, that such discrimination not only threatens the rights and proper
6 privileges of its inhabitants but menaces the institutions and foundation of a free democratic state
7 and threatens the peace, order, health, safety and general welfare of the state and its inhabitants.
8 ~~[A state agency is hereby created with power to eliminate and prevent discrimination in~~
9 ~~employment, in places of public accommodation and in housing accommodations because of age, sex,~~
10 ~~gender identity, race, creed, color, marital status, familial status, physical or mental disability or~~
11 ~~national origin as herein provided; and the commission established hereunder is hereby given~~
12 ~~general jurisdiction and power for such purposes.]~~ In addition, the **state departments and**
13 agencies ~~[and councils so created]~~ shall exercise their authority to assure that no person be
14 discriminated against on account of sexual orientation.

15 6 Definitions; Employer. Amend RSA 354-A:2, VII to read as follows:

16 VII. "Employer" does not include any employer with fewer than 6 persons in its employ, an
17 exclusively social club, or a fraternal or religious association or corporation, if such club, association,
18 or corporation is not organized for private profit, as evidenced by declarations filed with the Internal
19 Revenue Service or for those not recognized by the Internal Revenue Service, those organizations
20 recognized by the New Hampshire secretary of state. Entities claiming to be religious organizations,
21 including religious educational entities, may file a good faith declaration with the ~~[human rights~~
22 ~~commission]~~ **department of justice** that the organization is an organization affiliated with, or its
23 operations are in accordance with the doctrine and teaching of a recognized and organized religion to
24 provide evidence of their religious status. "Employer" shall include the state and all political
25 subdivisions, boards, departments, and commissions thereof.

26 7 Fair Housing; Exemptions. Amend the introductory paragraph of RSA 354-A:15, VIII(a)(3)(C)
27 to read as follows:

28 (C) The housing facility or community complies with rules ~~[adopted by the~~
29 ~~commission]~~ for verification of occupancy, which shall:

30 8 Complaints; Pending Cases. RSA 354-A:21 is repealed and reenacted to read as follows:

31 354-A:21 Complaints; Pending Cases.

32 I. Any person claiming to be aggrieved by a discriminatory practice prohibited by this
33 chapter may initiate a civil action for legal or equitable relief by filing a complaint with the superior
34 court.

35 II. For any case pending before the state commission for human rights as of the effective
36 date of this section, the person who initiated such case may refile the case in the superior court. Any
37 filing fee normally charged shall be waived. Any applicable statute of limitations shall be considered

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1 tolled for the duration of the time that the case was pending before the commission for human
2 rights.

3 9 Posting of Notices. Amend RSA 354-A:23 to read as follows:

4 354-A:23 Posting of Commission Notices. Every person, employer, employment agency, labor
5 union, real estate agency and rental office subject to this chapter shall post in a conspicuous place or
6 places on his premises a notice to be prepared or approved by the *department of justice*
7 [~~commission~~], which shall set forth excerpts of this chapter and such other relevant information
8 which the [~~commission~~] *department of justice* deems necessary to explain the chapter. Any
9 employer, employment agency, real estate agency, rental office or labor union refusing to comply
10 with the provisions of this section shall be guilty of a violation if a natural person, or guilty of a
11 misdemeanor if any other person.

12 10 Construction. Amend RSA 354-A:25 to read as follows:

13 354-A:25 Construction. No provision of this chapter shall be deemed to supersede any other
14 provision of law for the protection of minors or for the regulation of the employment of minors. The
15 provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof.
16 Nothing contained in this chapter shall be deemed to repeal any of the provisions of the civil rights
17 law or any other law of this state relating to discrimination because of age, sex, gender identity, race,
18 creed, color, marital status, physical or mental disability or national origin[; ~~but, as to acts declared~~
19 ~~unlawful by this chapter the procedure provided in this chapter shall, while pending, be exclusive~~
20 ~~and the final determination therein shall exclude any other action, civil or criminal, based on the~~
21 ~~same grievance of the individual concerned. If such individual institutes any action based on such~~
22 ~~grievance without resorting to the procedure provided in this chapter, such person may not~~
23 ~~subsequently resort to the procedure in this chapter, provided, however, that nothing in this section~~
24 ~~shall prevent any individual from applying for or receiving unemployment compensation while the~~
25 ~~procedure provided for in this chapter is pending or after the procedure provided in this chapter has~~
26 ~~been concluded. This section shall not prevent the commission for human rights from investigating~~
27 ~~and acting upon a complaint of discrimination when the complainant has also filed a claim for~~
28 ~~unemployment compensation in which the issue of illegal discrimination is raised].~~

29 11 Procedure on Public School Complaints. Amend RSA 354-A:28 to read as follows:

30 354-A:28 Procedure on Public School Complaints.

31 I. Any person claiming to be aggrieved by a discriminatory practice prohibited under RSA
32 354-A:27 may initiate a civil action in superior court against a school or school district for legal or
33 equitable relief[; ~~or file a complaint with the commission as provided in RSA 354-A:21]. The~~
34 attorney general may also initiate such a civil action in superior court [~~or by complaint with the~~
35 ~~commission.~~

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1 ~~II. Any complaint filed with the commission pursuant to paragraph I shall comply with and~~
2 ~~be subject to the procedures outlined in this chapter, with the exception that such complaints may be~~
3 ~~removed to superior court at any time in compliance with RSA 508:4].~~

4 12 Change of School or Assignment. Amend RSA 193:3, IV(d) to read as follows:

5 (d) The decision by a school district or a public academy to deny enrollment of a non-
6 resident pupil shall not be based, in whole or in part, on whether such pupil is a child with a
7 disability as defined in RSA 186-C:2, I, or a child that requires an accommodation under the
8 Rehabilitation Act of 1973, as amended. If a parent or guardian believes the denial was based upon
9 the child's disability, such parent may appeal the decision to the state board of education consistent
10 with the provisions of RSA 21-N:11, III or file a complaint with the ~~[state commission for human~~
11 ~~rights under RSA 354-A:28]~~ **superior court**. The decision of a parent to enroll a child in a chartered
12 public school shall not be subject to the provisions of this section.

13 13 Discrimination in Public Schools. Amend RSA 193:38 to read as follows:

14 193:38 Discrimination in Public Schools. No person shall be excluded from participation in,
15 denied the benefits of, or be subjected to discrimination in public schools because of their age, sex,
16 gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, or
17 national origin, all as defined in RSA 354-A. Any person claiming to be aggrieved by a
18 discriminatory practice prohibited under this section, including the attorney general, may initiate a
19 civil action against a school or school district in superior court for legal or equitable relief~~[- or with~~
20 ~~the New Hampshire commission for human rights, as provided in RSA 354-A:27-28]~~. In this section,
21 "race" means immutable traits associated with race, including hair texture and protective hairstyles
22 and "protective hairstyles" means hairstyles or hair type, including braids, locs, tight coils or curls,
23 cornrows, Bantu knots, Afros, twists, and headwraps.

24 14 Prohibition on Teaching Discrimination. Amend RSA 193:40, III to read as follows:

25 III. Any person claiming to be aggrieved by a violation of this section, including the attorney
26 general, may initiate a civil action against a school or school district in superior court for legal or
27 equitable relief~~[- or with the New Hampshire commission for human rights as provided in RSA 354-~~
28 ~~A:34]~~.

29 15 Discrimination Based on Protective Hairstyles. Amend RSA 275:37-e to read as follows:

30 275:37-e Discrimination Based on Protective Hairstyle. No person shall be subjected to
31 discrimination in employment because he or she wears a protective hairstyle. In this section,
32 "protective hairstyles" means hairstyles or hair type, including braids, locs, tight coils or curls, corn
33 rows, Bantu knots, Afros, twists, and head wraps. A person subjected to discrimination based on
34 wearing a protective hairstyle shall have a private cause of action ~~[and shall be exempt from the~~
35 ~~jurisdiction of the human rights commission and the provisions of RSA 354-A]~~. This section shall not
36 apply to those employed by the department of corrections.

37 16 Repeal. The following are repealed:

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- 1 I. RSA 354-A:2, II, relative to definition of commission.
2 II. RSA 354-A:3, relative to state commission for human rights.
3 III. RSA 354-A:4, relative to general powers and duties of the chair.
4 IV. RSA 354-A:5, relative to general powers and duties of the commission.
5 V. RSA 354-A:9, X and XI, relative to the definitions of conciliation and conciliation
6 agreement.
7 VI. RSA 354-A:11, VII through IX regarding authority and responsibilities of the
8 commission.
9 VII. RSA 354-A:18-a, relative to exemptions for protective hairstyles.
10 VIII. RSA 354-A:21-a, relative to choice of forum.
11 IX. RSA 354-A:22, relative to judicial review and enforcement.
12 X. RSA 354-A:24, relative to criminal penalty.
13 17 Board of Tax and Land Appeals; Dissolution.

14 I. Notwithstanding any general or special law to the contrary, effective on October 1, 2025,
15 the Board of Tax and Land Appeals (BTLA), as created by RSA 71-B, shall be dissolved, without any
16 further action, and the rights, powers, adjudicatory duties, and properties of the BTLA shall, on such
17 date, be exercised, performed, owned, and held by the superior court system as established in RSA
18 491. All real estate, property rights, personal property, funds, moneys, revenues, receipts, contract
19 rights, trust agreements, rights or interests of the BTLA in any trusts or trust property, or other
20 intangible assets, equipment, or other ownership, possessory, or security interests or mortgages of
21 any kind whatsoever, or any portion thereof, held by the BTLA, including funds previously
22 appropriated by the state for the BTLA, shall be deemed for record notice and otherwise, as
23 applicable, to belong to the superior court on the same basis and with the same interest as
24 previously held by the BTLA, as applicable. Any and all obligations and liabilities of the BTLA shall
25 become obligations and liabilities of the superior court. Any resolution taken, commitment made, or
26 any other action made by the BTLA shall become resolutions of the superior court.

27 II. Notwithstanding any general or special law to the contrary, all duly existing contracts,
28 leases, trusts, or obligations of the BTLA that are in force immediately before the effective date of
29 the dissolution of the BTLA shall be deemed to be the obligations of the superior court. No existing
30 right or remedy under this section shall be lost, impaired or affected by this act. The superior court
31 shall have authority to exercise all rights and enjoy all interests conferred upon the BTLA by the
32 contracts, leases, or obligations.

33 III. Notwithstanding any general or special law to the contrary, the transfer of the assets,
34 liabilities, obligations and debt of the BTLA to the superior court under this act shall be effective
35 upon dissolution of the BTLA and shall bind all persons with or without notice and without any
36 further action or documentation. Without derogating from the foregoing, the superior court may,
37 from time to time, execute and record and file for registration with any registry of deeds or the land

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1 court or with the secretary of state, as appropriate, a certificate confirming the superior court's
2 ownership of any interest in real or personal property formerly held by the BTLA and transferred
3 pursuant to the provisions of this act and establishing and confirming the limits of property so
4 transferred.

5 IV. Notwithstanding any general or special law to the contrary, this act shall not limit or
6 impair the rights, remedies, or defenses of the state, the superior court, or the BTLA in or to any
7 action or proceeding. Actions and proceedings against or on behalf of the BTLA shall continue
8 unabated and, from and after the date of dissolution of the BTLA, may be completed against or by
9 the superior court.

10 V. Notwithstanding any general or special law to the contrary, all orders, rules and
11 regulations duly made and all approvals duly granted by the BTLA, which are in force immediately
12 before the effective date of this act, shall continue in force and the provisions thereof shall thereafter
13 be enforced, until superseded, revised, rescinded or canceled, in accordance with law, by the superior
14 court.

15 VI. Notwithstanding any general or special law to the contrary, all books, papers, records,
16 documents, equipment, buildings, facilities, cash and other property and assets, both personal and
17 real, including all such property and assets held in trust, which on October 1, 2025, are in the
18 custody of the BTLA shall be transferred to the superior court.

19 VII. Notwithstanding any general or special law to the contrary, the term the 'Board of Tax
20 and Land Appeals' or 'the BTLA', wherever either appears in a general or special law, except as they
21 appear in this act, shall mean the 'superior court'; provided, however, that such change of reference
22 shall not restrict or limit in any manner the exercise by the superior court of its rights, powers,
23 adjudicatory duties or purposes, or to its ownership and holding of properties and assets under any
24 provision of law applicable to the superior court, including without limitation the power of the
25 superior court. The superior court shall not assume any statutory duty of the BTLA that conflicts
26 with its role and functions as a court.

27 VIII.(a) Notwithstanding any general or special law to the contrary, this section shall
28 facilitate the orderly transfer of the proceedings, rules and regulations, property, and legal
29 obligations of the following functions of state government from the BTLA to the superior court.

30 (b) Notwithstanding any general or special law to the contrary, this section shall
31 facilitate the orderly transfer of the employees, proceedings, rules and regulations, property and
32 legal obligations of the following functions of state government from the BTLA to the superior court.

33 (c) Notwithstanding any general or special law to the contrary, the employees of the
34 BTLA are hereby transferred to the superior court, without interruption of service, salary or
35 compensation, or benefits, if any, notwithstanding any change in title or duties resulting from such
36 reorganization, and without loss of accrued rights to holidays, sick leave, vacation and benefits.
37 Nothing in this section shall be construed to confer upon an employee a right not held immediately

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1 before the date of said transfer, or to prohibit a reduction of salary grade, transfer, reassignment,
2 suspension, discharge, layoff or abolition of position not prohibited before such date.

3 (d) Notwithstanding any general or special law to the contrary, all orders, rules and
4 regulations duly made and all approvals duly granted by the BTLA, which are in force immediately
5 before the effective date of this act, shall continue in force and shall thereafter be enforced, until
6 superseded, revised, rescinded or canceled, in accordance with law, by the superior court.

7 (e) Notwithstanding any general or special law to the contrary, all books, papers,
8 records, documents, equipment, buildings, facilities, cash and other property, both personal and real,
9 including all such property held in trust, which immediately before the effective date of this act are
10 in the custody of the BTLA shall be transferred to the superior court.

11 (f) Notwithstanding any general or special law to the contrary, all duly existing
12 contracts, leases, assets and obligations of the BTLA shall continue in effect but shall be assumed by
13 the superior court. No existing right or remedy of any character shall be lost, impaired or affected by
14 this act.

15 (g) Notwithstanding any general or special law to the contrary, all transfers under this
16 section shall be completed by October 1, 2025.

17 18 Superior Court; Receipt of Functions, Powers, Duties.

18 I. Notwithstanding any general or special law to the contrary, all of the functions, powers,
19 duties, records, personnel, and property of the BTLA established are hereby transferred, as of
20 October 1, 2025, to the superior court.

21 II. Notwithstanding any general or special law to the contrary, existing rules, orders, and
22 approvals of the BTLA which are associated with any functions, powers, and duties, transferred to
23 the superior court, shall continue in effect and be enforced by the superior court until they expire or
24 are repealed or amended in accordance with applicable law.

25 III. Notwithstanding any general or special law to the contrary, the superior court may
26 require any person or entity subject to its jurisdiction as a result of the BTLA's dissolution to appear
27 before it in any proceeding, matter, or other similar appearance to continue matters that had been
28 before the BTLA.

29 19 Housing Appeals Board; Positions Eliminated. Amend RSA 94:1-a, I(b) to remove the
30 following positions from the subparagraph:

31 DD Housing appeals board member

32 DD Housing appeals board chair

33 20 Repeal. RSA 679, relative to the housing appeals board, is repealed.

34 21 Applicability. Upon the passage of this act, the housing appeals board shall cease to accept
35 any new cases or cases eligible to be transferred before the board. The board shall cease and desist
36 any and all activities within 60 days following the passage of this act.