

Committee of Conference Report on SB 491, relative to food protection services in New Hampshire.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after section 23 with the following:

24 Produce Safety; Transfer of Responsibilities; Department of Health and Human Services to Department of Agriculture, Markets and Food.

I. All of the functions, positions, powers, duties, responsibilities, and funding for United States Food and Drug Administration produce safety is here by transferred from the department of health and human services to the department of agriculture, markets and food, effective July 1, 2018. Such transfer shall include all associated books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel of the division of public health services, department of health and human services related to produce safety inspections.

II. All contracts, rules, statutory responsibilities, regulations, and procedures related to produce safety inspections in effect, in operation, or adopted in the department of health and human services are transferred to the department of agriculture, markets, and food.

25 Department of Health and Human Services; Food and Drug Administration; Produce Safety; Fiscal Year 2019 Appropriation Reduced. Amend the appropriation to the department of health and human services, accounting unit 05-95-90-901510-5030, FDA produce safety, as inserted by 2017, 155, by striking out:

Class	Class Name	
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010	Personal Services-Perm. Classi	\$51,515
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020	Current Expenses	7,751
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041	Audit Fund Set Aside	171
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049	Transfer to Other State Agenci	10,000
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060	Benefits	28,571
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36	070	In-State Travel Reimbursement	17,800
37	080	Out-Of State Travel	8,296
38	102	Contracts for program services	119,902
39	548	Reagents	10,000
40	TOTAL		254,006

41 26 Department of Agriculture, Markets and Food; FDA Produce Safety; Fiscal Year 2019
42 Supplemental Appropriation. For the purpose of administering food produce safety, the sum of
43 \$254,006 in federal funds is hereby appropriated to the department of agriculture, markets and food
44 in a separate accounting unit to be established by the department of administrative services, bureau
45 of accounts, in the following classes, for the fiscal year ending June 30, 2019:

46	Class	Class Name	
47	010	Personal Services-Perm. Classi	\$51,515
48	020	Current Expenses	7,751
49	041	Audit Fund Set Aside	171
50	049	Transfer to Other State Agenci	10,000
51	060	Benefits	28,571
52	070	In-State Travel Reimbursement	17,800
53	080	Out-Of State Travel	8,296
54	102	Contracts for program services	119,902
55	548	Reagents	10,000
56	TOTAL		254,006

57 27 Position Transferred. The following position is transferred from the department of health
58 and human services to the department of agriculture, markets, and food: 42945 (Program Planner
59 III).

60 28 Repeal; Effective 2021. RSA 426-A, relative to produce safety, is repealed.

61 29 Effective Date.

62 I. Section 28 of this act shall take effect June 30, 2021.

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

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The signatures below attest to the authenticity of this Report on SB 491, relative to food protection services in New Hampshire.

Conferees on the Part of the Senate

Sen. Bradley, Dist. 3

Sen. Avard, Dist. 12

Sen. Fuller Clark, Dist. 21

Conferees on the Part of the House

Rep. John T. O'Connor, Rock. 6

Rep. Darrow, Graf. 17

Rep. Pearl, Merr. 26

Rep. Bixby, Straf. 17

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2018-2046-CofC

AMENDED ANALYSIS

This bill:

I. Requires the department of agriculture, markets, and food to enforce the federal Food Safety Modernization Act.

II. Requires milk served at bona fide boarding houses to be pasteurized.

III. Moves rulemaking from the milk sanitation board to the department of health and human services.

IV. Defines cream, butter, and cheese.

V. Reorganizes the milk sanitation board.

VI. Transfers the responsibilities for produce safety from the department of health and human services to the department of agriculture, markets and food.

VII. Repeals RSA 426-A relative to produce safety effective June 30, 2021.