



State of
New Hampshire

HOUSE RECORD

First Year of the 169th General Court Calendar and Journal of the 2025 Session

Web Site Address: www.gc.nh.gov

Vol. 47

Concord, N.H.

Friday, March 21, 2025

No. 17

**Contains: Amendments; Bills Laid on the Table; Committee Reports; House Deadlines;
Interpretive Ruling 2025-1 and Interpretive Ruling 2025-2; Meetings and Notices;
Revised Fiscal Notes.**

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet Wednesday, March 26th at 9 a.m. and Thursday, March 27th at 9 a.m. The House will not meet on Thursday, April 3rd. We will keep you updated as we progress through the remaining bills and deadlines. Please continue to hold Thursdays as possible House Session days.

Pursuant to Mason's Manual of Legislative Procedure Sec. 575 (m) and the State House Public Conduct Policy, access to the anteroom, House Gallery, and Representatives Hall will be limited to majority party Members anytime a majority caucus is taking place in the Chamber.

Please continue to be attentive to when bills you have sponsored, or other bills of interest, have scheduled public hearings.

Sherman A. Packard, Speaker of the House

NOTICE

Meetings of the chairs and vice chairs are scheduled for every Tuesday from 9:00 a.m.–9:45 a.m. in Rooms 306-308 of the Legislative Office Building.

Sherman A. Packard, Speaker of the House

NOTICE

There will be a Republican Caucus on **Wednesday, March 26th and Thursday, March 27th at 8:00 a.m.** in Representatives Hall.

Rep. Jason Osborne, Majority Leader

NOTICE

There will be a Democratic Caucus on **Wednesday, March 26th and Thursday, March 27th at 8:00 a.m.** in the State House Cafeteria.

Rep. Alexis Simpson, Democratic Leader

NOTICE

House Continuing Education

Tuesday, March 25, 2025

2:00 – 3:30

Representatives Hall

**Topic: Parliamentary Procedure, Parliamentary Inquiries,
Decorum & Debate**

NOTICE

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

CLOSES AT 3:00 p.m. ON:

Wednesday, March 26, 2025
 Wednesday, April 2, 2025
 Wednesday, April 9, 2025

AVAILABLE ON:

Friday, March 28, 2025
 Friday, April 4, 2025
 Friday, April 11, 2025

Paul C. Smith, Clerk of the House

2025 HOUSE DEADLINES

First Year Session Deadlines

Thursday, March 27, 2025	Last day to act on HBs not in a second committee, except budget bills
Thursday, April 3, 2025	Last day to report all remaining HBs
	Last day to report list of retained HBs
Thursday, April 10, 2025	CROSSOVER Last day to act on all bills
Thursday, May 8, 2025	Last day to report Senate Bills going to a second committee
Thursday, May 15, 2025	Last day to act on SBs going to a second committee
Thursday, May 29, 2025	Last day to report all remaining SBs
	Last day to report list of retained SBs
Thursday, June 5, 2025	Last day to act on SBs
Thursday, June 12, 2025	Last day to form Committees of Conference
Thursday, June 19, 2025	Last day to sign Committee of Conference reports (4 p.m.)
Thursday, June 26, 2025	Last day to act on Committee of Conference reports

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee, at its meeting on March 10, 2025, voted to formally issue the following interpretive rulings, which are printed below in their entirety.

INTERPRETIVE RULING 2025-1

Application of Recent Changes to RSA 14-C as a Result of HB 1388 (2024) (March 10, 2025)

The Legislative Ethics Committee has received a request for an interpretive ruling from the Clerk of the New Hampshire House of Representatives. He asserts that members of the General Court have raised numerous questions regarding their responsibilities under the recusal provisions in the newly enacted HB 1388.

More specifically, he asks that the Committee address the following questions:

1. When and under what circumstances is a member required to recuse themselves from consideration of a piece of legislation? If a recusal is required, please describe the steps a member should take depending on the setting, i.e. floor session, committee meeting.
2. If recusal is not required, under what circumstances is it sufficient to file a conflict of interest?
3. If neither recusal nor a filing of a conflict of interest is necessary, when is verbal disclosure appropriate?

In response, the Committee issues the following interpretive rulings:

1. Prior to the enactment of HB 1388, there was no statutory authority or written provision in the Ethics Guidelines requiring recusal in legislative matters. For the most part, when a conflict of interest existed, upon filing a Declaration of Intent form, recusal was contemplated as an option, but it was exercised at the discretion of the legislator. This was consistent with one of the primary objectives of the Ethics Guidelines, which is public disclosure.

One exception was identified in prior rulings of the Committee. It found that recusal was required in circumstances where a legislator, or a member of the legislator's household, is being compensated by an organization, holds a position in which they are able to exercise substantial influence over the

affairs of the organization, and the organization is attempting to influence the outcome of the legislative activity. This exception was incorporated in HB 1388 and was enacted as RSA 14-C:4-a, II. For guidance on its application, see *Informal Resolution 2013-5*, *Informal Resolution 2019-2*, *Advisory Opinion 2018-1*, and *Advisory Opinion 2023-3*, available on the Committee's website.

The major change brought about by HB 1388 is the required recusal found in RSA 14-C:4-a, I. This is a requirement for recusal when a legislator has a conflict of interest as defined in RSA 14-B:1, I, and the legislator or a member of the legislator's household could "be expected to incur a direct and substantial financial benefit or detriment as an outcome of the legislative activity." The terms "direct and substantial" have yet to be defined in the context of this legislation and the Ethics Guidelines as a whole. The Committee has previously indicated its intent to create an understanding of how the definitions would be applied as factual cases are brought before the Committee. That is why it previously issued an Advisory Opinion in which it advised legislators that, until the statute is better understood, they would not be subject to the imposition of sanctions provided the legislator was acting in good faith.

However, the Committee understands that there has been confusion regarding the implementation of the recusal requirement, resulting in many questions and inconsistent behavior. Therefore, some general guidance might be beneficial pending a more in-depth application of the law. This is particularly true, as guidance previously issued by the Committee may be obsolete or, worse yet, conflict with the new recusal law.

For example, previously, the Committee advised that it was sufficient to disclose a conflict when a legislator held title to property subject to current use taxation. Under the new law, if a bill would change the formula for taxation, increasing or decreasing the amount of taxes to be paid, it may be expected to have a "direct and substantial" financial impact on the legislator, making recusal mandatory. At the same time, not all current use bills would necessarily require recusal. For example, a change in property classifications, type of vegetation, or method for filing current use liens would probably not have a direct or substantial financial impact. Recusal might not be required in those circumstances, although the legislator would still have a duty to disclose.

Many legislators are members of the New Hampshire Retirement System. It is the Committee's understanding that in the past, legislators have been inconsistent in the matter of disclosure. Many have filed Declaration of Intent forms, with some electing to participate and some opting for recusal. In some cases, legislators have filed no Declaration of Intent form but may have simply made disclosure on the Financial Disclosure Form filed at the beginning of the session. Under the new law, if a bill is introduced that changes the retirement benefit or member contribution rate, it is expected to have a direct and substantial financial impact on the legislator or a member of the legislator's household, and recusal would be required. Again, just because someone belongs to the Retirement System, does not require recusal in all cases, only if there is expected to be a direct and substantial benefit. If a bill was dealing with the structure of the Retirement System, its investment strategy, its operating procedures or its staffing, it would be unlikely that recusal would be required, although disclosure would still be appropriate.

Recusal is required when a legislator recognizes that a legislative activity could reasonably be expected to have a direct and substantial financial impact upon them or a member of their household. That could be at a committee meeting or at any time in the legislative process. At that point, the legislator should refrain from any further legislative involvement on the legislative activity and file a Declaration of Intent form with the Clerk of their respective body, noting their recusal. They should refrain from participation in any further legislative involvement with that legislative activity. Because of the way bills are heard, the Committee recognizes that legislators may not recognize conflicts before they appear at the floor session. A Declaration of Intent form with recusal should be filed immediately upon discovery of the conflict.

It should be noted that recusal is not required from participation in any official legislative activity relating to the state budget or general revenue bills.

2. When recusal is not required, conflicts which are not "direct and substantial" may still exist. In such circumstances, the emphasis remains on public disclosure. There are three forms that are used for disclosing conflicts. These are the Financial Disclosure Form, the General Disclosure of Non-Financial Personal Interests Form and the Declaration of Intent Form. There is also the requirement to make a verbal disclosure.

FINANCIAL DISCLOSURE FORM

Every legislator has a duty to complete a Financial Disclosure Form at the beginning of their term. At that point they are to disclose any business, profession, occupation, group or matter in which they or a household member may have a financial interest. If a legislator discloses having a financial interest on the form, the legislator is required to make a verbal disclosure of that financial interest in certain situations. The legislator could also be required to file a Declaration of Intent Form as provided below.

GENERAL DISCLOSURE OF NON-FINANCIAL PERSONAL INTERESTS FORM

When a legislator or a legislator's household member has a non-financial personal interest in the outcome of a matter that is the subject of official activity, which is distinct from and greater than the interests of the public at large, the legislator has a duty to complete a Declaration of Intent form if the legislator has not made that disclosure on the General Disclosure of Non-Financial Personal Interests Form. This may occur in circumstances when a legislator is an uncompensated member of a board, officer or agent of a non-profit organization. If a legislator discloses having a non-financial personal interest on the form, the legislator is required to make a verbal disclosure of that non-financial personal interest in certain situations.

DECLARATION OF INTENT

When a legislator has a financial interest that could reasonably be expected to produce greater benefit or detriment to the legislator or the legislator's household member than would accrue to any other member of a business, profession, occupation, or other group the legislator listed in the financial disclosure form, the legislator has a duty to complete a Declaration of Intent form. On the form, the legislator must declare his or her decision to either participate in or not participate in the particular official activity described on the form. If a legislator elects to declare an intention to participate in the activity, the legislator is required to detail the nature of the conflict of interest on the form.

The requirement for filing a Declaration of Intent is triggered immediately when a legislator becomes aware that a conflict of interest exists or may exist with respect to any official activity the legislator is about to undertake. An "official activity" is defined as any activity which relates to official responsibilities, including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.

For purposes of introducing a bill, the declaration must be made prior to signing off as a sponsor or co-sponsor of a particular piece of legislation. The Declaration of Intent form must be filed with the clerk of the member's respective body prior to the time of the official action.

If there is any question in the legislator's mind as to whether a Declaration of Intent would be required, the better practice would be to file one.

3. Verbal disclosure is required when a legislator becomes aware of having a financial interest or a non-financial personal interest in the outcome of a matter. It is to be made prior to engaging in verbal advocacy at any meeting of the general court or county delegation. "Verbal advocacy" means an attempt by a legislator to influence his or her colleagues on a matter that is the subject of official activity in a meeting of the general court or county delegation through public verbal communication. Verbal advocacy does not include casting a vote in executive session of a committee or in a full session of the House or Senate. The verbal disclosure shall consist of a short statement that identifies the financial interest or non-financial personal interest.

Verbal disclosures must be made in the following circumstances and manner:

- (a) When **testifying** before a legislative committee regarding a bill or other matter in which the legislator has a special interest, the legislator shall make the disclosure prior to testifying.
- (b) When **appointed to a subcommittee** working on a bill in which the legislator has a special interest, the disclosure shall be made upon appointment to the subcommittee and at the initial subcommittee work session.
- (c) When **serving as a member of a committee** considering a bill in which the legislator has a special interest, the disclosure shall be made prior to engaging in verbal advocacy.

(d) When **addressing the full House or Senate** on a bill in which the legislator has a special interest, the disclosure shall be made prior to engaging in verbal advocacy. **If the legislator does not speak on the bill, the legislator is not required to make a verbal disclosure.**

(e) When **appointed as a member of a Committee of Conference** on a bill in which the legislator has a special interest, the disclosure shall be made at the initial meeting of the Committee of Conference.

(f) When **serving as a member of a county delegation** considering a matter in which the legislator has a special interest, the disclosure shall be made to all participants prior to engaging in verbal advocacy.

The Committee recognizes that the application of any law or guideline to individual circumstances may pose questions not easily addressed in an interpretive ruling, which is general in nature. Legislators are encouraged to bring questions about their specific circumstances to the Ethics Committee by requesting an advisory opinion or interpretive ruling.

For the Committee,
Edward M. Gordon
Chairman

[Vote: 7-0]

Legislative Ethics Committee INTERPRETIVE RULING 2025-2 Voting on the Consent Calendar (March 10, 2025)

Senate Legal Counsel Richard J. Lehmann asked for guidance regarding the effect of the new recusal law (2025 HB 1388) when a conflict exists with a bill included on the Consent Calendar. Specifically, he asked if a member determines that they are required to recuse themselves from voting on a bill listed on the Consent Calendar, but wants to vote on all the other bills, does the bill have to be removed from the Consent Calendar and voted on separately.

While the current statutes provide an exception for the budget and general revenue bills, no exception is made for consent calendars. While it may not have been clear in the past, absent an exception, a strict application of the new recusal law would preclude a member from voting on the Consent Calendar if it contains a bill for which the member is required to recuse. The Committee recognizes that currently the Senate and the House have different requirements in their procedural rules for removing a bill from the Consent Calendar. In the Senate, a single member may request the removal, whereas in the House 10 members are required to make the request. In either case, if the bill is removed from the Consent Calendar, the member may file a Declaration of Intent, recuse from voting on the bill, and then vote on the balance of the calendar. But if the bill is not removed from the Consent Calendar, the member is required to file a Declaration of Intent and recuse from voting on the entire Consent Calendar.

For the Committee,
Edward M. Gordon
Chairman

[Vote: 7-0]

BILLS LAID ON THE TABLE

HB 159-FN, authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities. Pending question: Ought to Pass as Amended.

HB 199, extending the statute of limitations on civil actions relative to damage caused by per-and polyfluoroalkyl substances (PFAS). Pending question: Ought to Pass.

HB 254, relative to options for end of life care. Pending question: Ought to Pass.

HB 264-FN, relative to delegates to an Article V convention. Pending question: Ought to Pass.

HB 306, establishing a commission to study the short and long-term impacts of pending national and regional carbon pricing mechanisms on New Hampshire's citizens, businesses, institutions, and environment. Pending question: Inexpedient to Legislate.

HB 351, requiring landlords to give tenants of at-will tenancies at least 60-days notice to evict. Pending question: Inexpedient to Legislate.

HB 386-FN, prohibiting nursing agencies from including non-compete clauses in contracts with health care entities. Pending question: Inexpedient to Legislate.

HB 425, allowing tax-exempt entities to keep their tax-exempt status while renting facilities or property to entities that share their mission. Pending question: Ought to Pass.

HB 442, relative to prohibiting payment of subminimum wages, Pending question: Inexpedient to Legislate.

HB 526-FN, establishing a climate change and damage division in the department of environmental services. Pending question: Inexpedient to Legislate.

HB 535-FN, relative to defining the role of the public utilities commission. Pending question: Inexpedient to Legislate.

HB 536-FN, relative to a cost of living adjustment in the state retirement system. Pending question: Ought to Pass.

HB 542-FN, relative to weekly benefit amounts for unemployment compensation. Pending question: Inexpedient to Legislate.

HB 581-FN, establishing a state retirement plan group for new state employee members of the retirement system. Pending question: No pending question.

HB 583-FN-L, relative to state participation in the Medicaid direct certification program for free and reduced price school meals. Pending question: Inexpedient to Legislate.

HB 586-FN, establishing an employee assistance program for small town first responders and making an appropriation therefor. Pending question: Inexpedient to Legislate.

HB 599, establishing a committee to examine weatherization initiatives for homes in New Hampshire. Pending question: Inexpedient to Legislate.

HB 615-FN, relative to drug forfeiture proceedings. Pending question: Inexpedient to Legislate.

HB 637-FN, relative to the reduction in the calculation of state retirement annuities at age 65 for certain group I retirement system members. Pending question: Inexpedient to Legislate.

HB 645-FN, relative to data collection and reporting requirements of the prescription drug affordability board. Pending question: Ought to Pass as Amended.

HB 654-FN, relative to allowing small customer-generators the ability to participate in group-net metering. Pending question: Inexpedient to Legislate.

HB 714-FN, creating a single primary ballot. Pending question: Inexpedient to Legislate.

HB 726-FN, relative to the state minimum hourly wage. Pending question: Inexpedient to Legislate.

HB 744-FN, relative to workers' compensation indemnity benefits percentage. Pending question: Inexpedient to Legislate.

HB 757, relative to tip pooling and sharing and automatic service charges. Pending question: Inexpedient to Legislate.

HB 762-FN-A, appropriating \$30,000 to the judicial branch for the purpose of hiring a contractor to conduct a manual review of domestic violence and stalking cases and related criminal cases. Pending question: Inexpedient to Legislate.

HB 764-FN, prohibiting the intentional release of polluting emissions, including cloud seeding, weather modification, excessive electromagnetic radio frequency, and microwave radiation and making penalties for violation of such prohibition. Pending question: Inexpedient to Legislate.

HCR 7, recognizing abortion as a critical component of comprehensive reproductive health care. Pending question: Inexpedient to Legislate.

HR 17, affirming revenue estimates for fiscal years 2025, 2026, and 2027. Pending question: No Pending question.

WEDNESDAY, MARCH 26

CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB 167-FN, prohibiting the sale of ski, boat, and board waxes that contain intentionally added per and polyfluorinated alkyl substances. **OUGHT TO PASS.**

Rep. Lilli Walsh for Commerce and Consumer Affairs. This bill ensures that no PFAS (polyfluorinated alkyl substances) are contained in any ski, boat or board waxes sold in NH. By prohibiting the sale of such waxes, NH waters and land will be protected against contamination via snow boards, snow and water skis and boats.

Vote 15-0.

HB 275-FN, relative to health carrier credentialing requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Anita Burroughs for Commerce and Consumer Affairs. This bill requires the health carrier to bear the cost of any program or certification required as part of its credentialing procedure or provider eligibility determination. It was argued that insurance companies can set training standards and guidelines, much of which

emanate from federal guidelines and CMS (Centers for Medicare and Medicaid Services) rules. As such, the committee does not believe that there should be a mandate for insurance providers to cover the cost of this training. **Vote 15-0.**

HB 276, removing the requirement that on-premises beverage licensees serve food. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Anita Burroughs for Commerce and Consumer Affairs. The bill would enable the Liquor Commission to issue a tavern license to any full-service restaurant. This license would allow the establishment to sell beverages, specialty beverages, and liquor at tables in the dining areas of a restaurant with or without meals. As amended, there is a requirement that any town or municipality approves a tavern license by a selectboard, town council, town manager, or other representative body. Each license would be reviewed annually by the Liquor Commission. This bill would take effect 60 days after passage. **Vote 14-1.**

HB 310, establishing a commission to study the creation of a regulatory framework for stable tokens and tokenized real-world assets in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Keith Ammon for Commerce and Consumer Affairs. The federal government and states, including Wyoming, Colorado, and New York, are actively developing regulatory frameworks for digital assets, creating an opportunity for New Hampshire to participate in this emerging field. New Hampshire's existing world-class trust laws provide an excellent foundation for a first-in-the-nation blockchain-based trust framework that would distinguish our state in the digital economy. The bill, as amended, proposes a commission, comprised of legislative members, state officials, industry experts, and academics, that will study regulatory approaches that balance innovation with essential consumer protections. Establishing clear regulatory frameworks could attract blockchain companies to New Hampshire, create high-paying jobs, and position the state as a leader in financial technology while maintaining our commitment to thoughtful innovation and consumer safeguards. **Vote 16-0.**

HB 406-FN, relative to the formation of fraudulent businesses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris McAleer for Commerce and Consumer Affairs.

This bill was brought to the Commerce and Consumer Affairs Committee by the NH Secretary of State's office. The purpose of this bill is to prevent business entities from filing fraudulent information as to their legitimacy. For example, the agent of the business, be it an individual or other entity that represents the business must be in "good standing" with the Secretary of State. The agent must be a citizen of New Hampshire and 18 years old or older or the business registered in New Hampshire. The address of the agent must be an actual physical address. A "commercial postal box" or virtual office or forwarding service or similar service cannot be used as an agent's address. The Secretary of State maintains a list of these mail service providers and can easily detect a fraudulent filing. **Vote 16-0.**

HB 434-FN, requiring a policyholder's insurance company to provide a rental car for at least 7 days after determination that the vehicle is totaled or unsafe to operate when the policyholder is not at fault for the accident. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Cole for Commerce and Consumer Affairs. While the intent of this bill to provide policyholders with rental car coverage after an accident is understandable, mandating a minimum of seven days removes flexibility from insurance companies and could lead to unintended consequences, including higher premiums for all policyholders. Insurance companies are in the best position to evaluate individual claims and determine the appropriate length of rental coverage based on the specific circumstances of each case. Not all accidents or claim resolutions are the same, and imposing a one-size-fits-all requirement could increase administrative costs and reduce the ability of insurers to offer competitive rates. Insurance policies are contracts between the insurer and the policyholder, negotiated based on coverage options and premiums. Mandating a fixed rental period could disrupt this balance and limit consumer choice, as insurers may respond by increasing premiums or adjusting coverage options to offset the increased costs. Encouraging insurers to offer flexible rental coverage options, tailored to individual needs and market conditions, is a more balanced approach that protects both policyholders and the broader insurance market. Allowing insurance companies to manage claims based on the details of each case ensures a fair outcome while avoiding unnecessary regulatory burdens that could drive up costs for everyone. **Vote 16-0.**

HB 437, providing specific curative measures for undischarged mortgages. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. As amended, this bill establishes automatic discharge periods for undischarged mortgages based on whether their term or maturity date is stated or not. If there is no recorded discharge after five years, the mortgages shall automatically be officially discharged. **Vote 16-0.**

HB 496-FN, requiring the liquor commission to distribute certain information in liquor stores. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Cole for Commerce and Consumer Affairs. While the intent of this bill is to provide resources and support to individuals struggling with alcohol use disorder, there are practical and financial challenges that

make the proposed implementation unfeasible at this time. First, the state liquor stores currently operate using a complex and highly integrated point-of-sale (POS) system that is not designed to accommodate additional messaging on receipts. These systems are pre-programmed and maintained by both internal and external developers, and modifying them to include additional text, such as a helpline or resource information, would require extensive programming changes. The receipt printers used in these systems have strict character limits and spacing constraints, which would make it difficult — if not impossible — to include the proposed information without significant system reconfiguration. The cost to modify the POS system and produce additional receipt paper to accommodate the changes is estimated to be between \$100,000 and \$500,000. This represents a substantial financial burden on the state's Liquor Commission. Second, the alternative solution of printing this information on bags or other packaging materials also presents a significant cost challenge. The Liquor Commission reported over 10.6 million transactions in FY 2023, which would necessitate the purchase of over 11 million newly printed bags or packaging materials each year. The cost of this level of production would be in the tens of thousands of dollars annually, creating an ongoing fiscal obligation that is not currently budgeted for. While the goals of the bill are commendable and the need for increased awareness about alcohol use disorder is clear, the financial and logistical burdens of implementing these changes through the state's liquor store network are too significant to justify at this time. **Vote 16-0.**

HB 507-FN, relative to the timeline for credentialing of mental health care providers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Julie Miles for Commerce and Consumer Affairs. This bill, relative to the credentialing of mental health providers by insurance carriers, requires health carriers to process credentialing applications from mental health providers within 30 days of receiving a complete application. It does not change existing credentialing requirements, only the timeline for processing. Ensuring timely credentialing will improve access to mental health care by reducing delays for providers joining insurance networks. **Vote 16-0.**

HB 517-FN, repealing the Granite State paid family leave plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Keith Ammon for Commerce and Consumer Affairs. The amended version of this bill repeals only the marketing requirements of the Granite State paid family leave plan, not the program itself. This amendment will save taxpayers approximately \$1.5 million annually by eliminating state-funded marketing for what is fundamentally a private insurance product. Now that the program is established, it is appropriate for the insurance carrier to assume marketing responsibilities in the future. The committee believes this represents sound fiscal management while preserving the core benefits of the paid family leave program for New Hampshire citizens. **Vote 15-0.**

HB 556, relative to the sale of products labeled as biodegradable or compostable. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill prohibits the sale or offering for sale of certain products labeled biodegradable or compostable unless the product meets third-party certification standards. Since New Hampshire has no procedure to enforce this mandate, the committee voted to recommend Inexpedient to Legislate. **Vote 16-0.**

HB 705, relative to health care cost transparency. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Keith Ammon for Commerce and Consumer Affairs. This bill, as amended, creates a new subdivision under RSA 420-J mandating health plans to disclose detailed pricing information in machine-readable files, supporting President Trump's Executive Order 14221, which aims to empower patients with clear healthcare pricing information. The legislation gives the New Hampshire Insurance Department authority to require insurers to disclose pricing data in a standardized format, enabling meaningful comparison across plans. Healthcare pricing transparency is severely lacking in our current system, preventing patients from making informed decisions and hindering market competition. By requiring standardized disclosure, this bill will empower consumers, encourage competition among providers, and facilitate better policy development through data analysis. Implementation will occur six months after the finalization of federal guidance, ensuring New Hampshire's requirements harmonize with federal standards while giving the Insurance Commissioner time to develop state-level rules. The committee believes this legislation represents a significant step toward a more efficient, competitive healthcare marketplace that better serves New Hampshire residents. **Vote 16-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 146-FN, relative to the use of body-worn cameras. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. The majority of the Criminal Justice and Public Safety committee after hearing testimony, came to the conclusion that this bill ought to pass with amendment. The bill makes a simple addition to the existing body camera retention statute, adding citations that are appealed. If a citizen wishes to use body camera evidence as part of their citation appeal, it should be made available for them and not destroyed prior to their appeal. Most departments currently retain these for that purpose already, but some do not. **Vote 15-1.**

HB 190-FN, relative to therapeutic cannabis possession limits. **OUGHT TO PASS.**

Rep. Terry Roy for Criminal Justice and Public Safety. We heard testimony that due to the limited availability of cannabis dispensaries and the difficulty traveling many of the ill patients who are prescribed it have, it is much easier for them to be able to purchase a larger quantity at once. Furthermore we heard testimony that the cost is much less when purchased in a greater quantity. We did not hear any testimony against the bill from law enforcement or otherwise. **Vote 14-0.**

HB 369-FN, relative to misdemeanor sexual assault prosecutions. **OUGHT TO PASS.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. By passing this legislation it will streamline the court proceedings by requiring the defendant to decide whether to proceed in circuit court for a bench trial or immediately appeal to the superior court for a jury trial when the victim is a minor, improving what usually becomes a daunting process for children. This bill recognizes how incredibly difficult it is for children to come forward after they have been abused. This a small measure we can take to limit the life long trauma that survivors and their families face. **Vote 14-1.**

HB 416-FN, prohibiting the intentional disposal of yard waste into the surface waters of the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. The Criminal Justice and Public Safety committee unanimously agreed after hearing testimony that this bill ought to pass with amendment. This would make it unlawful to dump yard waste into public bodies of water. The dumping of yard waste such as lawn clippings, leaves, and mulch contributes to harmful algae blooms that threaten numerous species that make our lakes and rivers their homes. **Vote 15-0.**

HB 445, establishing a study commission to examine the causes of and ways to alleviate the shortage of law enforcement officers in New Hampshire. **OUGHT TO PASS.**

Rep. Terry Roy for Criminal Justice and Public Safety. The members of the Criminal Justice and Public Safety Committee unanimously agreed that this bill ought to pass as amended. The bill creates a study commission to examine the causes and ways to alleviate the current law enforcement shortage in our state and the difficulty in recruiting and retaining them. Our cities and towns currently are under enormous pressure with widespread shortages of law enforcement officers, causing overtime expenditures and risking public safety. A holistic look at the problem is necessary to identify the problem and possible solutions. **Vote 15-0.**

HB 473-FN, criminalizing multiple forms of exposing children to controlled substances and allowing law enforcement to take a child into protective custody for screening and testing in an instance of suspected or actual criminal exposure to controlled substances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. The committee unanimously passed this legislation because it expands the statute criminalizing exposing children to controlled drugs and allows for law enforcement to take a child into protective custody for screening or testing of the substances. The bill changes the term "methamphetamine related" to "controlled drug related" throughout the entire statute, RSA 639-A. As written, it also expands the term location to include a vehicle. The committee amendment makes an exception for a minor that is legally using therapeutic cannabis to ensure the parents are not charged with the crime of exposing a minor to a controlled substance. Additionally, the bill ensures that prescribed controlled substances and if a minor is assisting with the care of an adult and delivering the valid prescribed substance in exempt. **Vote 16-0.**

HB 482-FN, relative to the penalty for driving over 100 miles per hour. **OUGHT TO PASS.**

Rep. Terry Roy for Criminal Justice and Public Safety. Members of the Criminal Justice and Public Safety committee unanimously agreed that this bill ought to pass. State Police testified that the exponential increase of speeding, in particular drivers exceeding 100 miles per hour, has led to numerous deaths in recent years. Our roadways are designed for safe and efficient travel at the posted speed limits. Exceeding those limits by more than double in some cases, far exceeds their safety limits and leads to horrible accidents. Increasing the penalties for such reckless operation will hopefully reduce this behavior and save lives. Our citizens must realize that their decisions on the roadways most often impact the safety of more people than themselves. **Vote 16-0.**

HB 528-FN, legalizing the possession and use of psilocybin for persons 21 years of age or older. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kathleen Paquette for Criminal Justice and Public Safety. The bipartisan decision of the Criminal Justice and Public Safety committee recommended this bill ought to pass with amendment recognizing it as a necessary step toward rational drug penalty reform. The committee unanimously supports this bill as a common sense penalty reform bill that revises the penalties associated with the possession and use of psilocybin for individuals 18 years and older. The bill seeks to modernize the approach to this naturally occurring substance by ensuring penalties are more proportionate and aligned with current attitudes toward similar substances such as cannabis. Psilocybin is a naturally occurring substance found in all 50 states. By adjusting the pen-

alties for its possession, this bill aligns the treatment of psilocybin more closely with that of cannabis. This approach helps ensure that individuals are not disproportionately burdened with felony convictions for the possession of a substance that is increasingly recognized for its potential therapeutic benefits. **Vote 16-0.**

HB 597, establishing a designated behavioral health access point within the enhanced 911 system. **OUGHT TO PASS.**

Rep. Mark Proulx for Criminal Justice and Public Safety. This bill allows NH Enhanced 911 System to transfer 911 calls from people experiencing non-emergent behavioral health crises and mental health needs to the appropriate service providers. This bill also makes this mental health info not subject to the right to know law. **Vote 16-0.**

HB 602, requiring certain offenders to participate in a victim impact program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Nancy Murphy for Criminal Justice and Public Safety. This bill as amended requires that impaired drivers convicted of DUI, per RSA 265-A:18; DUI pled down to the reckless driving penalty under RSA 265:79 and RSA 626:2; or DUI pled down to negligent driving under RSA 265:79-b and RSA 626:2, complete an online victim impact panel program. The goal of an online victim impact panel program for impaired driving is to elicit a genuine change in behavior, the only factor known to actually reduce recidivism. The content is carefully constructed to emphasize individual responsibility and encourage reflection. The benefits of a quality online interactive video-based program, such as YouImpact, are well documented and indicate they can create real behavioral change in defendants who engage in the program. They are nine times more effective than traditional programs and can reduce recidivism by 35%. This bill amends RSA 265-A:1 to define a “qualified online victim impact panel program” and amends RSA 265-A:18 to include the requirement for completion of an online victim impact panel program “unless the court determines that exceptional circumstances exist.” The committee has heard the frustration and concern of law enforcement officers and our courts over the thousands of DUIs occurring here in NH each year and the impact this has on public safety. They are doing their part to hold those drivers accountable but we continue to see DUI cases rise and hear of the preventable tragedies that occur as a result. We heard testimony from law enforcement as to their belief in, and strong support for, an online victim impact panel program that was developed to work within the court system in 2011, has a data backed record of decreasing recidivism, and had over 46,000 graduates across the US and world. Graduates of this program re-offend at a much lower rate than the general population of DUI offenders and it is already being utilized by some NH courts. Impaired driving is a public health issue that requires the attention and active intervention of parents, families, public health officials, law enforcement, and federal and state officials. Efforts are underway here in the House and Senate to address the increasing risk to public safety caused by impaired driving and the committee believes that passing this bill is an action step forward we can take to effect positive change. While various resources are dedicated to impaired driving prevention and enforcement, the committee felt that passing this bill will increase public safety, address and decrease recidivism, save lives, and put a data driven tool, with a track record of success, in the tool box of our law enforcement officers and courts. **Vote 16-0.**

HB 670-FN, raising the minimum fine for attacks by nuisance dogs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jodi Newell for Criminal Justice and Public Safety. This bill seeks to increase penalties for menacing and vicious dog offenses. Under current statute, a menacing offense involves a dog growling, snapping at, or chasing an individual, whether walking, riding a bicycle, or operating a car, motorcycle or other motor vehicle. Penalties for this kind of offense would be raised from \$50 to \$200 for the first offense and \$400 for subsequent offenses within a 12 month period. Vicious offenses involve an attack on another animal or human and the penalty would be raised from \$100 to \$400 for the first offense, from \$400 to \$1,000 for subsequent offenses within 12 months and adds a provision requiring payment of all medical bills sustained as a consequence of the attack. As amended, the bill also restructures the fee schedule for nuisance dogs, which encompasses behavior that, while bothersome to the public, do not present physical threats or harm. Instead of the current fee of \$25 for the first offense and \$100 for subsequent offenses, this bill would require a warning for the first offense, \$50 for the second, and \$100 for subsequent nuisance offenses. Given the harm that menacing and vicious dog offenses can do, and have done, the committee believes stronger consequences are needed. **Vote 16-0.**

HB 700-FN, relative to orders of protection. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. This bill inserts language that will require victims to submit a form acknowledging that they could be prosecuted for perjury if they make false statements. A victim seeking an order of protection in New Hampshire already signs their name swearing that the provided information is true and correct and acknowledging that by making a false statement on the petition will subject them to criminal penalties. Abusers use multiple tactics to stalk their victims. Under current law, judges have the discretion to determine what relief is necessary to stop the abuser from committing further harm. This bill will raise the standard for how judges make the determination, by focusing whether the abuser's access to deadly weapons makes the victim unsafe rather than preventing further stalking conduct. This bill will further stigmatize the victim by questioning whether or not they are telling the truth. **Vote 16-0.**

HB 776-FN, relative to the crime of aggravated driving while intoxicated. **OUGHT TO PASS.**

Rep. Terry Roy for Criminal Justice and Public Safety. The incidents of intoxicated drivers going the wrong way on our highways have increased exponentially in recent years. Accidents caused by wrong way drivers are almost always fatalities. This bill recognizes that by making the act of driving the wrong way on the highway while intoxicated an aggravating factor. The forces generated by two multi-ton vehicles traveling in opposite directions colliding are equivalent to the detonation of a bomb. Drinking and driving is always dangerous, doing so on the wrong side of the road is deadly. **Vote 16-0.**

EDUCATION FUNDING

HB 237-A, prohibiting the use of special education state aid funds and differentiated aid special education funds on students not receiving special education services. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education Funding. This bill, as introduced, prohibits the use of special education funding for students who are not receiving special education services. The U.S. Department of Education, however, enables school districts to utilize special education funds (Individuals with Disabilities Education Act) to support a number of non-special education purposes such as: 1) to assist grades K-3 students not having an Individualized Education Program (IEP), who may need additional academic and behavior supports to succeed in general education; 2) to help fund reading and mathematics specialists to work with non-disabled students who have not reached grade-level proficiency in those subjects; and 3) to fund after-school tutoring for non-disabled students who score below proficiency on statewide assessments. It should also be noted that state adequacy funds such as special education differentiated aid are not targeted funds and may be used for other administrative, operational, or educational needs as determined by the local school board in accordance with prior *Claremont* decisions. HB 1509, a similar bill considered in the previous session, was not recommended for passage for the same reasons as noted in this committee report. **Vote 16-0.**

HB 354, relative to alternate certification pathways for career and technical education instructors. **OUGHT TO PASS.**

Rep. Raymond Peeples for Education Funding. This bill permits the State Board of Education to offer a certificate of eligibility to individuals interested in becoming Career and Technical Educators in identified specialty areas. Allowing this unique path will help fill critical gaps in teaching the trades at the community Career and Technical Education Centers. This pathway will bring professionals with real world experience to engage and share that knowledge with students in the classroom. **Vote 18-0.**

EDUCATION POLICY AND ADMINISTRATION

HB 108, relative to bullying and cyberbullying across multiple school districts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Valerie McDonnell for Education Policy and Administration. The bill as amended states, "In cases of bullying and/or cyberbullying across multiple school districts, the principals or designees of all districts involved shall be responsible for conducting an investigation and are encouraged to collaborate. In such cases, the investigation shall be initiated by the principal or designee of the first district to learn of the incident. In cases of bullying and/or cyberbullying across multiple states, the principal or designee of the first district located within New Hampshire to learn of the incident shall contact the New Hampshire attorney general's office." The committee believes this language codifies who is responsible for investigating complex bullying claims. **Vote 17-0.**

HB 555-FN, relative to required holocaust and genocide study requirements for an adequate public education. **INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for Education Policy and Administration. On a unanimous vote, the committee believes pushing this legislation forward challenges the committee's commitment to local control. Additionally, it is unclear what districts are currently presenting. **Vote 17-0.**

HB 673-FN, relative to school bullying and discrimination plans. **INEXPEDIENT TO LEGISLATE.**

Rep. Valerie McDonnell for Education Policy and Administration. The committee acknowledges the critical need to address school bullying. However, the committee does not believe this bill is the appropriate vehicle to do that. Specifically, the bill may require a new bureaucratic position, may adversely impact the Education Freedom Account program, and neglects to define "protected classes." Furthermore, the committee fears that emphasizing protected classes may be to the detriment of other students. Finally, the committee has addressed school bullying via another bill. **Vote 17-0.**

HB 695-FN, relative to school districts and medically-related grants. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Nadeau for Education Policy and Administration. The committee felt that some of the bill was vague and might interfere with schools applying for grants. **Vote 18-0.**

HB 740-FN, requiring the department of education to maintain student records of chartered public school students. **INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for Education Policy and Administration. This bill is related to student records of closed charter schools, but that issue was included in HB 752, which also included procedures for closing of a charter school which was recommended Ought to Pass by the committee. **Vote 17-0.**

HB 754-FN, establishing automatic discovery in due process hearings for actions seeking to enforce special education rights. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education Policy and Administration. This amended bill specifies documents to automatically provide to parents and the hearing officer in any special education due process pre-hearing conference. This shall include individualized education program (IEP) documentation, evaluations, and all progress reports. **Vote 14-3.**

HB 765-FN-LOCAL, consolidating school administrative units and making school superintendents jobs an elected position. **INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for Education Policy and Administration. This bill would have made school superintendents elected positions and an officer of the county government with a salary set by the county delegation. The school administrative unit (SAU) would be a department of the county. The committee did not agree with making the superintendent an elected position. The concept of an SAU per county was added as a concept to investigate in this bill. **Vote 18-0.**

ELECTION LAW

HB 130-FN, relative to the arrangement of candidates on primary election ballots **INEXPEDIENT TO LEGISLATE.**

Rep. Clayton Wood for Election Law. The proposed ballot rotation law introduces additional administrative hurdles without clear evidence that ballot order significantly influences election outcomes in these state representative primary elections. Implementing a complex rotation system will not outweigh the logistical challenges or unnecessary complications in ballot printing and counting. **Vote 18-0.**

HB 151, relative to the term for supervisors of the checklist. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alvin See for Election Law. This bill changes the length of the term of office for the supervisors of the checklist from 6 years to 3 years. It is thought that having a shorter term may encourage more interest in running for this office without having as long of a commitment to serving the town. The amendment corrects a typo. **Vote 18-0.**

HB 160, relative to the contents of the pre-election certificate. **INEXPEDIENT TO LEGISLATE.**

Rep. Claudine Burnham for Election Law. This bill establishes traceability and reconciliation for absentee ballots through a chain of custody procedure like our same-day official ballots. With absentee ballots growing in New Hampshire, there is a need to close the gap in transparency and control the absentee ballots printed and used in its elections. However, since the newly enacted pre-certificate and post-certificate process, the committee found this process may be confusing and difficult for the city/town clerks and moderators to trace and reconcile absentee ballots under this election law procedure. **Vote 18-0.**

HB 172, restricting undeclared voters from same-day voting in a presidential or state primary. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. The Election Law Committee unanimously recommends that this bill be Inexpedient to Legislate. While concerns were raised about bad actors attempting to influence primaries in bad faith, statistical analysis demonstrates that such efforts have minimal impact on election outcomes. In the 2024 Republican presidential primary, despite well-funded efforts to sway the results, roughly 23,000 of more than 300,000 Republican primary voters later participated in the Democratic state primary. Given that New Hampshire's system has proven effective in facilitating broad participation while maintaining election integrity, the committee sees no justification for imposing additional restrictions on undeclared voters. Furthermore, the committee is concerned with requiring taxpayers to fund an election that all voters cannot participate in. **Vote 17-0.**

HB 220-FN, closing the presidential or state primary of political parties. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. Prohibiting undeclared voters from voting in a primary that they, as taxpayers, fund did not sit well with the committee. Bad faith voters, while they exist, do not have a meaningful impact on the outcome of a party's primary. **Vote 18-0.**

HB 270, requiring the preservation of electronic ballot counting device memory chips. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alvin See for Election Law. As amended, this bill provides for the preservation of the programmed memory cards used in the electronic ballot counting device for each election. It provides the same retention time as the ballots from the election – 22 months for elections with federal offices and 60 days for local and school elections. **Vote 17-0.**

HB 308-FN, requiring the election checklist to have a column to annotate if a non-New Hampshire issued form of identification is provided to vote. **INEXPEDIENT TO LEGISLATE.**

Rep. Travis Toner for Election Law. This bill as amended aims to change the voter check list used on the day of voting to track when an out of state ID or other form of ID is used. After receiving testimony from the Secretary of State's Office, we were informed that as part of the voter check-in procedures, volunteers record the type of ID used on the check list. This data is then recorded and tracked. This data can be requested as part in a similar manner as other data. Additionally, the Secretary of State's Office also testified that adding another column to the check in list could double the size of the list adding more printing cost and other complications. **Vote 17-0.**

HB 333, requiring moderators to designate a space for electioneering at polling places and provide a schematic thereof. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. The committee recognizes that the issue of properly designating a space for electioneering at the polling location needs improvement, but it could not find a member willing to work on it this session. The committee is interested in taking it up next session. **Vote 18-0.**

HB 345, enabling selectmen to add additional polling places and requiring selectmen to give notice to voters 30 days before providing such additional polling places. **INEXPEDIENT TO LEGISLATE.**

Rep. Clayton Wood for Election Law. The committee had concerns about the logistics and unintended consequences of this bill. While the bill aimed to address long lines and fairness on election day, the 30-day timeline seemed too short for election officials to implement additional polling places effectively. Ensuring proper staffing, security, and equipment takes time, and last-minute changes could lead to confusion, lower turnout, and increased costs. The Election Law Committee will review the need for such legislation. **Vote 17-0.**

HB 395, empowering inspectors of the election to observe duties performed by supervisors of the checklist. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Muirhead for Election Law. This bill would empower election inspectors (who according to existing law are appointed by the Democratic and Republican Parties) to, in addition to their current functions on voting days, observe all activities performed by supervisors of the checklist throughout the year. There are numerous aspects of the bill that would cause unintended complications in towns that have nonpartisan moderators. There would be other unintended complications of the bill as well, including allowing unelected inspectors to see personal information for voters whose addresses are protected by restraining orders, possibly imperiling the security of such voters. In light of these complications, the Election Law Committee unanimously recommends against passing the bill. **Vote 17-0.**

HB 412-LOCAL, relative to elections and appointments to fill vacancies of local cooperative school boards. **INEXPEDIENT TO LEGISLATE.**

Rep. Alvin See for Election Law. This bill, needing an amendment, would have done the same thing as HB 590 and is therefore not needed. **Vote 18-0.**

HB 418, relative to eligibility for absentee voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for Election Law. The committee understands the desire to limit absentee ballots to encourage in-person voting and to discourage any frivolous use of the absentee ballot process. During the recent COVID pandemic, the use of absentee ballots was expanded by an administrative statement issued jointly by the Secretary of State and the Attorney General (April 10, 2020, joint memorandum by the Secretary of State and the Attorney General). There is also a legitimate concern that an unduly expanded use of absentee ballots may increase the potential for the fraudulent use of absentee ballots. This bill, however, proposes restrictions to the use of absentee ballots that had been duly codified under the legislative process (as opposed to an administrative statement). The bill seeks to address legitimate concerns, but by restricting absentee voting to only those demographics identified in the constitution, the changes risk disenfranchising voters who likely have legitimate needs to be absent from the polls on election day. **Vote 16-0.**

HB 420, relative to the chain of custody for ballots. **INEXPEDIENT TO LEGISLATE.**

Rep. Travis Toner for Election Law. The committee believes that the bill, as proposed, is problematic and requires more work than can be completed during the current session. This conclusion is based on testimony provided by the Secretary of State. While the concept of creating safeguards and a chain of custody for election ballots, similar to the chain of custody for evidence, is notable, further research is needed, and a new bill should be drafted. **Vote 16-0.**

HB 423, requiring the consent of property owners for the placement of political advertisements on public property abutting their land. **INEXPEDIENT TO LEGISLATE.**

Rep. Clayton Wood for Election Law. While the committee firmly believes that private citizens whose property directly borders public land should have the right to remove or take down political advertisements placed on that public property, there was concern about including the term 'closest abutter.' Some members felt that granting this right to the closest abutter could lead to ambiguity or disputes, especially in cases where

multiple properties are adjacent to the same section of public land. Additionally, there were questions about whether this expanded definition could unintentionally extend the right to individuals not directly affected by the placement of such advertisements. As a result, the committee does not move to pass this bill in its current form. The committee believes this issue does need to be addressed but could not take the issue up this session. **Vote 17-1.**

HB 429, relative to amending the term length for county commissioners. **INEXPEDIENT TO LEGISLATE.** Rep. Clayton Wood for Election Law. The current term length of the county commissioners has been adjusted per county to provide for maintaining a level of experience necessary for smooth operation. This includes a 4-year rotation currently used. Counties should be able to decide whether a 4-year rotation, term-length, or other systems work best for maintaining stability and institutional knowledge. **Vote 18-0.**

HB 472, requiring voters to prove domicile. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for Election Law. RSA 659:13, I(c) currently addresses circumstances when a voter does not have a valid photo identification. This bill repeals that paragraph and replaces it with a requirement for proof of domicile when obtaining a ballot, for the circumstances when the voter does not have proof of domicile. The Election Law Committee believes that the current regulation concerning a voter not having a valid photo identification should not be repealed. Proof of domicile is already addressed under RSA 654:7, I(c) and the circumstances for a registered voter who has a change of address within the same town/ward is already addressed under RSA 659:13, I(a). The bill proposes some noteworthy ideas but appears to conflate the act of voter registration with the act of obtaining a ballot. **Vote 17-0.**

HB 492, allowing political parties to request recounts when no candidate is named on the ballot. **INEXPEDIENT TO LEGISLATE.**

Rep. Clayton Wood for Election Law. The committee felt that this bill, which lets political parties request recounts when a write-in candidate qualifies for the general election, was too specific to be useful and more likely to be misused. **Vote 17-0.**

HB 497, requiring the periodic evaluation of the forms and procedures related to performing voter checklist duties. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for Election Law. This bill proposed a periodic evaluation of the forms and procedures in order to improve productivity and provide for greater efficiency in the execution of the duties of the supervisors of the checklist. Regrettably, the bill lacked the necessary details for establishing a concrete process that could be readily implemented to achieve the desired objective. **Vote 17-0.**

HB 574-FN, requiring background checks of the private companies and their contractors who program and maintain New Hampshire voting machines. **INEXPEDIENT TO LEGISLATE.**

Rep. Alvin See for Election Law. This bill puts an onerous burden on the vendor and allows the public release of personal information. This bill requires the vendor selling and/or servicing electronic ballot counting devices to have any employees servicing or programming these devices to have a criminal background check performed and an employee identification card issued to show to any city or town clerk when they arrive to service a device. This bill also requires the vendor to supply the Secretary of State and the Attorney General a report of these employees and their background status monthly. This bill further allows for RSA 91-A requests for the public to view these statements of the personal information of the background reports of these employees. **Vote 18-0.**

HB 608-FN, requiring moderators to inspect absentee ballot affidavits for full execution including use of a notary, election officer, or any person authorized by law to administer oaths. **INEXPEDIENT TO LEGISLATE.**

Rep. Gerald Ward for Election Law. This bill proposes adding additional certification requirements on absentee ballot affidavits, including the attestation of an elected official and notarization. The committee believes that these extra steps are unnecessary, would serve no useful purpose, could be cumbersome and potentially involve a cost, and would place unnecessary burdens on absentee voters, including those with disabilities, those residing in nursing homes, and the elderly. In addition, the proposed bill would be in conflict with the state's accessible absentee voting process as it specifically applies to blind voters and others with a print disability. The committee unanimously recommends that the bill be found Inexpedient to Legislate. **Vote 18-0.**

HB 618-FN, enables election officials to verify the single use of an out-of-state driver's license presented when a person votes by using the centralized voter registration database. **INEXPEDIENT TO LEGISLATE.**

Rep. Clayton Wood for Election Law. This bill proposes limiting the use of an out-of-state identification to a single election. This was proposed because the act of registration or voting using a New Hampshire domicile activates the residency requirements for New Hampshire. Theoretically, voters who use an out-of-state identification should be registering with the NH DMV within 60-days after establishing residency. There are situations, however, where an out-of-state driver's license could be used twice within a 60-day period, such as a September primary and a November general election. Another bill is being retained to work on addressing the larger issue of defining suitable forms of identification for proper voter authentication, and therefore this bill is considered Inexpedient to Legislate. **Vote 18-0.**

HB 684, preventing the use of student identification cards as a means to obtain a ballot. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for Election Law. This bill removes the use of student identification cards from the list of the acceptable forms of identification. The underlying concern behind the bill is that forms of identification are being used that have been issued by non-government entities for government run elections. This is a proper concern since the valid authentication of voter identity is an essential process in conducting safe and secure elections and an important aspect of ensuring New Hampshire citizens that our elections are performed with integrity. While the fundamental concerns are valid, the bill as proposed did not provide a suitable methodology and did not provide a practical means of implementation. Another bill is being retained to work on addressing the defining of suitable forms of identification for proper voter authentication. Therefore, this bill should be found Inexpedient to Legislate. **Vote 18-0.**

HB 711-FN, relative to voting machine contractors. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Muirhead for Election Law. This bill would require those who repair ballot counting machines to register with the Secretary of State's office, and would require the Secretary of State to verify the identification and bonding of repair contractors and provide them with official contractor identification cards. The Election Law Committee appreciates the salutary aims of the bill but has various concerns about unintended practical complications it would cause. For instance, the bill is ambiguous in what it requires of municipal employees. Also, the bill is unclear about whether it regulates repair personnel or vendors of the machines. Given the ambiguities in what the bill would require in practice of municipal employees, the Secretary of State's office, and of vendors, the Election Law Committee unanimously recommends Inexpedient to Legislate. **Vote 17-0.**

ENVIRONMENT AND AGRICULTURE

HB 250, enabling local governing bodies to regulate the muzzling of dogs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. This bill was filed in response to events following a vicious dog attacking another dog in a public area in Keene. The Keene city council considered enacting an ordinance requiring vicious dogs to be muzzled when in public areas. The city attorney advised them that since state law does have muzzling statutes, although not related to this issue, such an ordinance might create a conflict with state law that would invalidate it. The bill as introduced added "muzzling" to the licensing and restraining of dogs as an area where municipalities can make regulations. We heard testimony that phrasing in the original bill introduced to our committee, would be overly broad and could allow breed-based muzzling and muzzling of working and hunting dogs. The amendment narrows the power to make muzzling ordinances to include only vicious dogs as defined in RSA 466:31. **Vote 15-0.**

HB 251-FN, allowing the ownership of certain squirrels and raccoons. **INEXPEDIENT TO LEGISLATE.**

Rep. Kevin Scully for Environment and Agriculture. The committee is sympathetic to the intent of this bill, an attempt to save squirrels and raccoons that can't be returned to the wild, after being rehabilitated by the New Hampshire Fish and Game Department, by allowing them to be kept as pets. The committee listened to all testimony and felt the experts from our Fish and Game Department made a compelling argument that these animals, despite any injuries, remain wild. The bill also sought to allow people who move into our state to be allowed to keep their pet gray squirrel or pet raccoon if they are coming from a state that allows such pets. We saw that the Fish and Game statute RSA 207:14 allows for a permitting process for people bringing wildlife into NH, so it is possible for people coming into the state with their wild animal to apply for a permit. We also heard testimony that gray squirrels and raccoons pose a heightened risk, particularly since there is no trustworthy rabies vaccine regimen has been developed for this species of wildlife. **Vote 12-2.**

HB 262-FN, relative to group licenses for dogs. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Bixby for Environment and Agriculture. This bill seems to have been intended to address an imbalance in the cost of licensing for individual dogs as opposed to dogs under a group license. A group license applies to five dogs or more and costs \$20. The owner of four dogs would have to pay \$25 in license fees. Unfortunately, the bill was very poorly written, so the actual proposed fee structure was indeterminable, and the prime sponsor did not introduce the bill at the hearing or communicate with the committee about the bill. **Vote 14-0.**

HB 401, relative to animal testing funded by New Hampshire state funds. **INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for Environment and Agriculture. Essentially, this bill presents as a solution looking for a problem. New Hampshire, currently, has to our knowledge, only one in-state cosmetics company and it has voluntarily committed not to perform testing on animals. They are a private business and do not receive state funds. Further, there was no tangible evidence that our state funds any type of animal testing anywhere in our state in relation to this bill. Finally, in-state colleges and universities must comply with federal Animal Welfare Act legislation and standards pertaining to any animal testing or research. The committee unani-

mously agreed that we do not believe that there is the type of animal testing occurring in New Hampshire that this bill is concerned about, nor are any state funds are being used to support said testing. Lastly, we were concerned about the repeated testimony from supporters that they wanted to put this legislation in place and be able to expand on it in the future. For those reasons, we unanimously rejected this legislation. **Vote 14-0.**

HB 424, directing the department of agriculture, markets, and food to create forms for businesses to request information about service animals and establishing a committee to study the protection of business owners from requests to accommodate customers with fraudulent or untrained service animals. **INEXPEDIENT TO LEGISLATE.**

Rep. Molly Howard for Environment and Agriculture. This bill amends RSA 167-D. It recommends creating a form for restaurant and lodging associations to use to collect information from patrons who present service animals on their premises. The forms are meant to provide assurance that the animals are trained service animals and not just pets. The bill also calls for a study committee to investigate ways to protect business owners from accommodating untrained pets represented as service animals. After testimony from Americans with Disabilities Act (ADA) lawyers and other experts, the committee determined that the regulations set forth in ADA laws prohibited requirements beyond those already put in place at the federal level. The study committee was deemed unnecessary because the federal regulations are too narrowly prescribed to allow suggestions for business owners to determine the status of animals brought into their businesses, and we cannot make additional laws requesting additional information at the state level. **Vote 14-0.**

HB 505-FN, allowing the sale of freeze dried foods produced in homestead food operations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Liz Barbour for Environment and Agriculture. This bill provides a realistic licensing path allowing homesteaders to produce and sell freeze-dried fruits, vegetables, and processed dairy products with clear labeling requirements. It supports local businesses, promotes entrepreneurship, and strengthens New Hampshire's agricultural economy while maintaining food safety. **Vote 15-0.**

HB 616-FN, relative to the confiscation of animals from persons suspected of or charged with abuse of animals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Environment and Agriculture. Essentially, this bill and its amendment make several changes to existing law to clarify the law and to ensure that due process is followed in animal welfare complaints and animal confiscation, and that both owners and their animals have additional protections regarding animal cruelty reports and confiscations. Animals/livestock, are considered property in NH, and cannot be confiscated without a person being charged with animal cruelty unless an animal's life is in imminent danger, or the owner is not home or unreachable. Any animals taken without following the law/due process is considered theft. Due process must be adhered to and a veterinarian, either from the State Veterinarian's office, or a designee, or the owner's veterinarian, should be the person to assist law enforcement in making an assessment of an animal cruelty report, and determine if charges of animal cruelty or neglect should be brought forward. That veterinarian should be familiar with the animal(s) in question (i.e. a dog/cat veterinarian should not assess cows, goats, pigs, etc.). A person also has a right, when charged with animal cruelty, to have a veterinarian of their choice examine the animal(s) and be made aware of this right. Additionally, no animal that is confiscated may be altered (neutered, spayed, dehorned, declawed, etc.) by whomever is providing care for the confiscated animal(s) unless they have permission from the owner, and no animal may be euthanized unless a treating veterinarian determines that an animal is in extreme suffering. Furthermore, the owner of the animal(s) must have any document that they are asked to sign explained to them fully prior to them signing it. Another provision in the bill makes it clear that no person who has initiated an animal welfare complaint may take part in or be present during any investigation into such complaint, unless the complainant is an employee of a governmental agency and no person who may be called upon to take possession of any animal seized as a result of a complaint may have taken part in the decision to seize any animal. Additionally, no confiscated animal or animals shall be used in any manner to solicit donations or to raise funds by any individual or organization that has protective custody of the animal(s) prior to a conviction for abuse or neglect. The committee felt strongly that no organization or individual should profit off of a confiscation of animal(s) prior to a court conviction of abuse or neglect. The bill also makes it clear that if lactating animals are confiscated that they must be placed in a facility that can care for/milk them, and that they may not be separated from non-weaned offspring. Another provision in this bill is that in order to protect the integrity of complaint investigations, an appropriate law enforcement officer shall require any person or their designated agent called upon to take possession of any animal seized or to assist during any complaint investigation, to sign a binding nondisclosure agreement intended to protect any shared or confidential information against unauthorized use pending final adjudication or dismissal of such complaint; provided that information may be disclosed only to officials with a need to know who are subject to confidentiality obligations. The bill also removes language from current statute that has to do with dog and horse racing which no longer occurs in New Hampshire. The bill also makes sure that no funds from the Cost of Care fund are released if due process

is not followed when animals are seized. Lastly, the bill sets up a study committee to review all of the animal cruelty statutes (RSA 644:8, RSA 644:8-a through g) to be examined with an eye to clarify, reorganize, and update the law. This bill, and its amendment, was a collaboration of NH Farm Bureau, the NH Department of Agriculture, UNH Extension, and our committee to address the many problems which occurred during a horrific taking of dairy goats in Lee, NH, in April 2024, when 45 animals were taken and 22 were subsequently euthanized. Some remaining animals were offered to be given back to the owner for a sum of \$40,000. The committee unanimously supported changes to the law which this bill provides. **Vote 15-0.**

HB 642, allowing the sale of dehydrated meat without a homestead food license. **INEXPEDIENT TO LEGISLATE.**

Rep. Judy Aron for Environment and Agriculture. The intent of the bill was to allow US Department of Agriculture (USDA) licensed producers of meat to produce and sell limited amounts of dehydrated meat, such a beef jerky, without needing a homestead food license. Meat is a potentially hazardous food and if not handled properly can be a source of serious food borne illness. More thought, and oversight, needs to be put into introducing this type of meat production into homestead food production and sales. It is recommended that we do more research and work with the Department of Health and Human Services Food Safety Division to develop a less cumbersome way, than current statute allows, that meat producers can do this dehydrated meat production safely and easily and still have a measure of oversight to ensure food safety practices are followed. **Vote 14-0.**

HB 707, requiring the department of environmental services to establish a site-specific setback distance for proposed new landfills. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kelley Potenza for Environment and Agriculture. As amended, this bill takes care of multiple policy decisions to protect the health and safety of New Hampshire citizens, drinking water sources, and our environment. This includes protecting drinking water wells, perennial rivers, lakes, and coastal waters, from contamination. This legislation modernizes our approach to landfill siting, ensuring that we put human health first and environmental protection back in the driver's seat. This legislation develops landfill siting criteria in line with all other states, provinces and countries—via site-specific surface and drinking water setbacks based on how fast pollution can move through the local soils and bedrock. This bill puts into statute a modern, local data criterion for landfill siting. JLCAR determined in November 2024 that the updated Department of Environmental Services (DES) rules were contrary to statute and against the public interest. JLCAR approved those rule updates in December 2024, saying that the legislature needed to set laws and policies, as that was not something JLCAR was authorized to do, as they could only approve or deny rules presented to them. This bill improves upon the rules set in November 2024 and adds the words to the governing statute of the DES Solid Waste Division. Instead of being given authority merely to “write rules,” the division is directed to write rules “necessary to protect public health and the environment.” This bill complements everything Governor Ayotte has put into the HB 2 budget with regard to environmental protection and landfill siting. Her newly created Site Evaluation Committee will better assess the benefits and harms of a landfill project when the siting rules are brought out of the mid-20th century and into alignment with the rest of the world's. **Vote 14-1.**

HR 18, urging the New Hampshire congressional delegation to sponsor legislation relative to, and urging the United States Department of Agriculture (USDA) to adopt regulations, allowing for small scale slaughter plants to use the Federal Meat Inspection Act's Custom Exempt meat processing inspection criteria with a third-party inspector present at slaughter, so that processed beef, pork, lamb, and chevron (goat meat) can be sold as individual cuts directly from the farm producer to the end consumer. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Environment and Agriculture. This House Resolution urges our congressional delegation, and the US Department of Agriculture (USDA), to act to help our very small custom meat slaughter facilities to be able to sell individual cuts to customers. We could not pass HB 396 having to do with the same issue, because USDA regulations forbid what we were initially proposing in that bill. In lieu of that, we are hoping to get USDA regulations changed and this is one of the first steps to working through that process. **Vote 15-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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

Rep. Glenn Bailey for Executive Departments and Administration. This constitutional amendment would augment the existing executive office with a lieutenant governor in order to replace the governor should they become incapacitated. The committee felt that the addition of such an officer and their staff would constitute an unnecessary expense. **Vote 16-0.**

HB 161, changing the membership of the New Hampshire commission on Native American affairs. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Executive Departments and Administration. The committee recognizes that the New Hampshire Commission on Native American Affairs has faced various problems in ensuring representation of the various tribes with ancestral land in New Hampshire. In recent years, the legislature has worked to create a more functional structure including relaxing quorum requirements, however problems persist. The most pressing issue right now is of the 11 positions appointed by the governor, five are vacant and the terms of four members expired earlier this year. Additionally, the most recent annual report was filed in 2022 and numerous other years since the creation of the commission are missing which brings into question the functionality of the commission. Rather than restructure the commission as suggested in this bill, the committee strongly recommends that naming new members become a priority for the new governor. **Vote 16-0.**

HB 192-FN, relative to recommendations of the joint committee on employee classification. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. The authority for setting the salaries of state employees rests with the New Hampshire General Court. However, there is a need to set or adjust salaries outside of the regular legislative calendar. The Joint Committee on Employee Classification (JCEC) reviews such requests and sets a temporary salary or salary range. This bill, as amended, includes the recommendations of JCEC since the last such bill went through the legislature. **Vote 16-0.**

HB 210, establishing a commission to study the state flag and its history. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Heath Howard for Executive Departments and Administration. This bill would establish a commission to study the state flag and its history. This would not guarantee changing the state flag, but allows for an opportunity for the citizens of our state to provide input on a new design or their feelings about the current flag. A number of other states have gone through a similar process recently. For example, Minnesota received 2,600 submissions when going through their redesign. Students have been highly involved in a number of these redesigns and this would provide a chance for them to learn about the history of New Hampshire and engage with our state government. **Vote 14-1.**

HB 214-FN, relative to the regulation of recreational therapists and respiratory care practitioners. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill simply continues the statutory cleanup between the Office of Professional Licensure and Certification and the specific boards, with no real changes to regulation of these professions. The committee amendment updates the language for the criminal records check to that preferred by the Department of Safety. **Vote 16-0.**

HB 271-FN, relative to initial license requirements for licensed social work associates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. The bill as amended addresses a concern brought to the committee regarding testing requirements to obtain an associate license that was the same as the test for a licensed social worker. In subcommittee, working with the Social Workers Association and the licensing board, an amendment was formed that gives the board the authority to design or issue an established test that determines the competence assessment of social worker associates. **Vote 16-0.**

HB 694-FN, requiring leases of land, buildings, or space by state agencies to be at fair market value. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill addresses challenges currently experienced by municipalities leasing property to the state. When specialized facilities like courthouses are leased to the state, and the state holds the ultimate trump card to exercise eminent domain, the committee believes that it is beneficial to require leases to adhere to market rates. The committee amendment limits the bill to only contracts between political subdivisions and the state and requires market rates whether the state owns the property or leases the property, which incentivizes the creation of a fair process because both parties are likely to be on either side of the negotiating table at some point in time. **Vote 16-0.**

FINANCE

HB 165-FN, relative to the maximum amount of disaster relief funding provided to municipalities after a natural disaster. **OUGHT TO PASS.**

Rep. Kate Murray for Finance. This bill raises the limit for which a municipality can apply for infrastructural disaster relief from \$25,000 to \$100,000 in one calendar year. These days, while we deal with extreme weather events, one can barely repair a driveway with \$25,000, never mind a town road. This bill raises the amount to a level that will more likely be able to aid a municipality in the face of a disaster to something more realistic. **Vote 25-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 70-FN, relative to the use of electronic medical records. **OUGHT TO PASS.**

Rep. Jim Kofalt for Health, Human Services and Elderly Affairs. The bill offers greater freedom to health care providers by allowing them to opt out of using electronic medical records (EMR) systems, without being penalized. **Vote 18-0.**

HB 455, relative to reports by the department of health and human services regarding Medicaid enhancement for children and pregnant women. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. Currently the Department of Health and Human Services is reporting to the Health and Human Services Oversight Committee on the Medicaid enhancement program for children and pregnant woman, which is a relatively new program, on a quarterly basis. As amended, this bill will require the quarterly reporting to continue until July 1, 2027, and then reduces the reporting requirement to an annual report thereafter. This reporting schedule will ensure adequate oversight for the first few years of the program, after which the annual reporting requirement will bring the reporting requirement into line with those for other ongoing department programs. **Vote 17-0.**

HB 636-FN, relative to community mental health providers. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Kesselring for Health, Human Services and Elderly Affairs. The committee unanimously voted to recommend Inexpedient to Legislate on this bill as it is unnecessary and not in the best interest of New Hampshire. Its provisions create confusion within existing laws and could lead to unintended consequences, and fail to effectively address the issue at hand. Advancing this bill would be impractical, making Inexpedient to Legislate the appropriate motion to prevent unnecessary or burdensome policy changes. **Vote 18-0.**

HB 664-A, relative to childhood immunization requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda McGrath for Health, Human Services and Elderly Affairs. This bill provides that childhood immunization requirements shall not require a vaccine that has not been tested with an inert placebo in clinical trials. The committee voted unanimously to recommend Inexpedient to Legislate due to there not being enough information to move forward, including which immunizations are actually based on placebo trials and which are not. **Vote 18-0.**

HB 701-FN, relative to a health care patient's right to try certain emergency health care treatment options. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lisa Mazur for Health, Human Services and Elderly Affairs. The entire committee agrees that expanding the "Right to Try" is crucial because it gives terminally ill patients access to potentially life-saving treatments that have passed initial safety trials but are still awaiting full Food and Drug Administration (FDA) approval. For clarity, this is not an assisted suicide bill. For many patients, time is a luxury they don't have, and bureaucracy should not stand in the way of their last chance at hope. By broadening access, we empower individuals to make their own healthcare decisions, drive medical innovation, and provide doctors with more tools to fight terminal diagnoses. No one should be denied the opportunity to try every possible option to save their life. This bill will make NH the best jurisdiction in the country for clinical trials & "Right to Try" for people with life-threatening illnesses. We are just forty minutes from Boston, a biotech hub, where a large share of this innovation is happening. If we establish ourselves as the most friendly and pioneering jurisdiction in America for experimental treatments for people with terminal illness, we have an opportunity to draw innovation & business into the state. **Vote 18-0.**

HB 731-FN, relative to supportive housing options for individuals with developmental disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jessica LaMontagne for Health, Human Services and Elderly Affairs. This bill clarified exemptions for licensure for certain types of supportive housing for people with intellectual disabilities. The way the existing law has been interpreted is that if three or more people with disabilities are receiving services, and living under one roof, the entire building needs to be licensed. This bill makes possible new supportive housing buildings in which individuals live in one to three person apartments within a large apartment building, and the building does not need licensure, only certification. The stipulation in the amended bill is that the residential clients are not required to receive other services, such as personal care services and transportation, by the entity owning and managing the building. It does not preclude the facility from offering an all-inclusive model, it just needs to be optional so that the residential clients may receive these additional services from other providers if they choose. **Vote 18-0.**

HOUSING

HB 296, relative to issuing building permits along private roads. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dillon Dumont for Housing. The committee believes this bill should pass with amendment. By granting property owners the ability to build on land located along a private or class VI road, this bill empowers them and enhances their property rights. The Housing Committee's mission is to increase affordability and inventory, and this bill would help achieve that objective. **Vote 17-0.**

HB 410-FN, relative to adding conditions to zoning boards of adjustment imposing restrictions on the building and development of residential properties. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Calvin Beaulier for Housing. As amended, this bill codifies a short list of extraordinary restrictions of residential property and allows municipalities to enact or enforce those restrictions where they are narrowly tailored to serve a compelling government interest in public health or safety. These extraordinary restrictions are more stringent than what are typically found in many New Hampshire communities and are often a major impediment to a property owner's ability to use or develop their own land for residential purposes. An example of an extraordinary restriction would be an ordinance requiring a minimum residential lot size in excess of five acres. However, a municipality may still adopt or enforce such a restriction where public health or safety are concerned. It also reasserts the public health and safety justifications for local land use control found within RSA 674:16. There is no impact to any local ordinance which is not an extraordinary restriction of residential property. This bill with amendment continues New Hampshire's tradition of local control regarding zoning and land use regulation and seeks to ensure that any restrictions beyond the norm are truly necessary for the health and safety of a community. **Vote 17-0.**

HB 457, relative to zoning restrictions on dwelling units. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Alexander for Housing. The majority of the Housing Committee believes the testimony that was raised at the public hearing on this bill rises to the level of needing action. Under current law, cities and towns have the authority to mandate that occupants of a housing unit be related by blood or marriage through zoning amendments. The committee believes this is excessive local government overreach and tyranny. The committee heard testimony from students in Durham that purport that Durham's zoning amendments restrict their ability to find housing by forcing them to live in certain zones in the town. This does not just affect students, as many veterans and those in the disability community are adversely affected by this overreach. This bill with amendment would replace the bill by adding a line in NH's equal housing opportunity law to say "cities, towns, and municipalities shall not mandate that occupants of housing units be related by blood or marriage." This change updates the nondiscrimination law but maintains the municipalities' ability to enforce local noise and trash ordinances and building and fire codes. **Vote 16-1.**

JUDICIARY

HB 188-FN, relative to contempt of the general court. **OUGHT TO PASS.**

Rep. Bob Lynn for Judiciary. This bill establishes both criminal and civil remedies for someone who fails to appear or to testify without just cause in compliance with a subpoena issued by either house of the General Court and who is held in contempt by majority vote of that body of the General Court. The civil remedy is referral to the Merrimack County Superior Court, where the person may be held in civil contempt unless s/he can demonstrate valid justification for failure to comply, and may be fined or incarcerated until the person does comply. The criminal remedy is conviction of a misdemeanor if the person is found to have knowingly failed to comply without just cause. The prosecution would be undertaken by the department of justice and would be brought in the Merrimack County Superior Court. The bill also contains a provision stating that the remedies created do not limit the inherent constitutional power of the legislature to pursue other remedies to enforce compliance with legislative subpoenas or to punish failure to comply. It is important to note that this bill does not in any way deal with the issue of when and how legislative subpoenas may be issued; those matters remain, as they are now, entirely subject to rules issued by the respective houses of the General Court. **Vote 18-0.**

HB 391-FN, relative to preventing strategic lawsuits against public participation. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. This bill is designed to prevent defamation and other types of lawsuits against organizations and individuals that have spoken out on public issues by allowing those sued to claim immunity from suit and to petition a court to enforce that immunity by summary judgment. While the idea behind the bill may have merit, the committee finds that the scope of the bill is too broad and that litigating the summary motion regarding immunity would be of such complexity that little time, effort or expense would be saved. **Vote 18-0.**

HB 462-FN, establishing a cause of action for unwarranted video imaging of residential premises. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald McFarlane for Judiciary. This bill seeks to establish a private right of action against a person who installs a video imaging device on property adjoining residential real property in order to video activities in the backyard of the property in order to harass, annoy, alarm, or threaten another person. While the bill aims to protect owners' and residents' privacy, it raises significant First Amendment concerns. The act of video recording, even from one's own property, can be considered a form of expression protected under the First Amendment. Implementing restrictions based on the intent behind such recordings could lead to content-based regulation, which is subject to strict scrutiny by courts. This approach risks infringing upon individuals' rights to free speech and expression, as protected by both the state and federal constitutions. Additionally, this bill may infringe upon property rights and individual liberties. Property owners have the

right to use their property, including installing surveillance equipment, provided it does not violate existing laws. This bill is an overreach, and would limit lawful activities on one's own property based on subjective interpretations of intent. Such limitations could set a concerning precedent, allowing for potential misuse against individuals lawfully exercising their rights. Given these substantial constitutional and property rights issues, the committee unanimously recommends the bill be deemed inexpedient to legislate. **Vote 18-0.**

HB 522-FN, relative to the expectation of privacy in personal information maintained by the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bob Lynn for Judiciary. As amended, this bill is a corollary to HB 195-FN. The main difference between the two bills is that HB 195-FN applies to the private businesses that collect or maintain private information about individuals, whereas this bill applies to agencies of state or local government that receive or attempt to receive information from such private entities. The bill prohibits a governmental entity from acquiring, collecting, retaining, or using any private information obtained from the same "third party providers of information and services" as are covered by HB 195-FN unless the government entity has a proper purpose, consistent with its mission, for doing so. However, unlike HB 195-FN, which does not allow for a private right of action against private third party providers, this bill does allow for a private right of action against a government entity that violates its provisions. For any such violation, the aggrieved person is allowed to collect the greater of actual damages or a civil penalty of \$1,000 per violation, as well as costs and attorneys fees. **Vote 17-0.**

HB 601-FN, relative to causes of action against companies that misstate the impacts of their business on the environment. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for Judiciary. This bill is reminiscent of prior year's omnibus bills and attempts to merge two bills into one. While both deal with climate change in one way or another, they are dissimilar in their effect on the fossil fuel industry. The first deals with disinformation published by companies in regards to advertising or net zero claims as a violation of the consumer protection law. The second deals with damages which are a result of climate change. In both situations assumptions of corporate liability are made which are tenuous at best. The committee unanimously concluded that the bill simply is not ready for prime time. **Vote 18-0.**

HB 633-FN, relative to housing investment trusts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Alexander for Judiciary. The majority of the Judiciary Committee believes establishing a public housing investment trust has some merit; however, there were a number of questions raised during the public hearing. As a result, the majority adopted an amendment that establishes a committee to study the issues. Although establishing another study committee is not ideal, the Judiciary Committee believes this is an important enough issue given the housing crisis that the House should investigate in collaboration with the other legislative body. **Vote 16-1.**

HB 722-FN, relative to establishing causes of actions against educational institutions that charge excessive tuition rates. **INEXPEDIENT TO LEGISLATE.**

Rep. Eric Turer for Judiciary. While the committee is sensitive to concerns regarding the increasing cost of higher education, this bill does nothing to address that issue, and would likely make the problem worse. The bill attempts to use the state's consumer protection laws to punish institutions that charge "excessive tuitions." Beyond the implicit assumption that the decision to invest in one's higher education is based on a simple calculation relative to one's 4-year future earnings potential, the bill opens education institutions that fail the proposed formulaic test to criminal and civil penalties if their students do not sign a highly pejorative "waiver" of their right to sue by acknowledging that they understand that the degree is "abusive" and "predatory." Failing this, such educational institutions would face a range of extreme penalties, including the "total cost of tuition and fees paid, plus interest, for the degree program," as well as attorneys' fees. **Vote 16-2.**

HR 7, instructing the house of representatives to investigate whether grounds exist to impeach Judge David Ruoff. **INEXPEDIENT TO LEGISLATE.**

Rep. Bob Lynn for Judiciary. This proposed House Resolution calls for the House to launch an investigation into whether grounds exist to impeach Superior Court Judge David Ruoff. The sole grounds for the investigation are the decisions Ruoff rendered in the school funding litigation. Whether one agrees or disagrees with Judge Ruoff's rulings, the notion of impeaching a judge based solely on his decision in a particular case is unprecedented and would have serious adverse consequences for the principle of separation of powers between the branches of government. The committee was unanimous in concluding that this House Resolution should be found Inexpedient to Legislate. **Vote 18-0.**

LEGISLATIVE ADMINISTRATION

HB 118, establishing required breaks during legislative proceedings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Vanessa Sheehan for Legislative Administration. The committee heard the testimony of the original language for the bill requiring mandatory 10-minute breaks every three hours of hearing and official business in committees and House sessions. Aside from the obvious head-scratcher that putting this type of request in

statute via a bill would mean, the Senate would be required to pass judgment and blessing on House procedures, the committee felt a request by any committee member to “take a break for stretching of legs or using the facilities” to the chairman of the committee would be honored most of the time. Occasionally, however, during particularly long anticipated hearing days, a chairman might suggest simply continuing on and offer on a rotating basis, members get up and stretch outside the committee room while the testimony continues. An unofficial frank discussion with the chairman seems a better method to handle this challenge. The non-germane amendment replaced all the language of the bill and the title. The amendment continues the process of reducing the number of statutory committees and commissions that have outlived their usefulness. This time, 15 are repealed and, aside from one, the Advisory Council on Child Care, no opposition was heard from testimony to removing them from statute. The Advisory Council on Child Care, from most reports, is an active group, however, without legislative input. The House of Representative assigned can’t attend because meetings are held on session days- Thursdays. The designated Senate member hasn’t attended frequently, either. The committee, therefore, through amendment simply removes the legislative members from the designated membership and wishes the council well to do as they please. Repealed are the following: RSA 4:9-p, relative to the New Hampshire Recovery Monument Commission; RSA 10:5, relative to the Lakeshore Redevelopment Planning Commission; RSA 12-P:7-b, II(b), relative to the Office of Offshore Wind Industry Development and Energy Innovation supporting the Offshore Wind Commission; RSA 12-O:55-a, relative to the Commission on Demographic Trends; RSA 12-O:76, relative to the Housing Champion Program Advisory Committee; RSA17-J:5, relative to the Joint Legislative Parking Garage Oversight Committee; RSA 72:8-f, relative to the Study Commission on the Assessing of Power Generation; RSA 105-D:2-a, relative to the Commission to Develop Recommendations for Legislation to Establish a Single Statewide Entity to Receive Complaints Alleging Misconduct Regarding All Sworn and Elected Law Enforcement Officers; RSA 125-Q, relative to the Commission for the Deaf and Hard of Hearing; RSA 127:12, relative to the Commission to Study the Delivery of Public Health Services Through Regional Public Health Networks; RSA 276-B, relative to the Task Force on Work and Family; RSA 284:6-c, relative to the Study Commission to Study the Effect of Recent Changes Made to Charitable Gaming Laws; RSA 329:1-f and the subdivision proceeding it, relative to the Commission to Study Telehealth services; and RSA 374-F:10, relative to the Offshore Wind and Port Development Commission. **Vote 12-0.**

HB 315, prohibiting employees of state agencies from knowingly providing false information to a legislative committee. **INEXPEDIENT TO LEGISLATE.**

Rep. Vanessa Sheehan for Legislative Administration. This bill has issues with undefined terms. “Repeatedly” being one. “Knowingly” is another. We don’t have a problem with the concept of requiring honesty in testimony, but this bill won’t accomplish that goal. Until we have better legislation, we can rely on the procedure put in place by the Speaker’s Office that asks for detailed incident reports and plans to reach a point when action is needed. **Vote 12-0.**

HB 331, relative to the secretary of state’s procedures for enrolled bills. **OUGHT TO PASS.**

Rep. Len Turcotte for Legislative Administration. Once a bill makes its way through both the House and Senate, it then proceeds to the process of “enrollment.” During this time frame, it sometimes can appear to legislators, as well as engaged citizens, that the bill goes missing and winds up in legislative limbo, with its present location in the process completely unknown. This bill would require the Secretary of State’s Office to publish the current location of any bill on its website until such time as an action is taken by the Governor. **Vote 11-0.**

HB 546-FN, relative to financial disclosures to legislative ethics committee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Vanessa Sheehan for Legislative Administration. The committee saw a few technical problems with the broad goals of the legislation, however suggested the prime sponsor work with the Secretary of State’s Office to bring forth an amendment compromise. The resulting amendment narrows the scope and eliminates the involvement of the Ethics Committee which provided written testimony on the original bill that, according to state law, the Ethics Committee is exempted from campaign finance issues. The basic concept of the amended language is to require campaign contributions over \$1,000 from a single source to be reported within 48 hours and monthly cumulative financial records reporting to be required for the sake of public transparency are accepted. The motion of Ought To Pass with this amendment should win the day. **Vote 10-0.**

HB 605, relative to employment protections for members of the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Kevin Verville for Legislative Administration. Part 1 of our ethics guidelines states: “Legislators shall treat their office as a public trust, only using the powers and resources of public office to advance public interests, and not attain personal benefits..” This bill would require the legislature to essentially classify and certify to the federal government that a select number of legislators serve as full-time (30 hours per week) public servants in order for these legislators to qualify for the federal loan forgiveness program. A few reasons stand out as to why the committee voted as it did. First: members of the General Court are not public employees.

While elected officials may share some characteristics with public employees, such as receiving a W-2 from the General Court, the General Court does not hire them, nor can they fire them. Legislators are elected, and not employed by the state as required for the program. Second: members of the NH General Court have never been considered full-time legislators as required by the program. The federal program states “For PSLF, full time employment is working for a qualifying employer for a weekly average equal to at least 30 hours during the period certified.” In the committee’s opinion, it is too much to ask for the General Court administration to simply certify under penalty of perjury, that any given legislator averages 30 hours of legislative work for the entire 2-year term. Third: this bill asks the General Court to bend rules to personally benefit a select few of us for a program that is not otherwise available to our constituents. **Vote 11-0.**

HR 8, resolving that the practice of suspending a constitutional officer to be outside the authority designated to the judiciary and appropriately delegated to the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Vanessa Sheehan for Legislative Administration. This bill was scheduled for hearing but the prime sponsor did not appear due to a medical emergency. No other person testified; so, at this point, the committee has no other choice but to move Inexpedient to Legislate for this legislation. **Vote 10-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 124, enabling a city or town forest committee to offer surplus money to the town for deposit in the city or town general fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Denis Murphy for Municipal and County Government. The committee recommends this bill as Ought To Pass with Amendment, and it presents a significant opportunity for municipalities. The committee or commission will determine the amount of surplus funds that sit in the forest maintenance fund account with a simple majority vote. The committee or commission can then offer or not offer, those surpluses to the legislative body. The legislative body, by a simple majority, votes to either accept or reject those funds from the committee or commission. If those funds are accepted by the legislative body, the funds would then be placed into the municipality’s “unreserved fund balance,” not the general fund. Then, the only way for those funds to be dispersed is through the governing body and not by either the town manager or administrator. Currently, these surplus funds would only sit unused in the committee or commission fund account. They represent untapped potential to help lower property taxes or fund a special project for that municipality. The amendment further strengthens this initiative by including either a forestry committee or conservation commission. As not all municipalities have a forestry committee in this way, so there must be a mechanism to accept those surplus funds. This amendment does that. By passing this bill, we can ensure that municipalities maximize their financial resources to benefit their community. **Vote 18-0.**

HB 168, relative to including municipal public works facilities as eligible capital facilities for the assessment of impact fees. **OUGHT TO PASS.**

Rep. Jim Maggione for Municipal and County Government. This bipartisan bill simply adds public works facilities to the list of structures and buildings in RSA 674:21, V that qualify for assessment of impact fees. Impact fees may be imposed by a municipality on a new development project to pay for some or all of the costs required for the public service to the new development. **Vote 18-0.**

HB 228-LOCAL, relative to petitioned articles at annual or special town meetings. **OUGHT TO PASS.**

Rep. Julie Gilman for Municipal and County Government. This bill amends various RSAs regarding town and school annual and special meetings thereof that a primary petitioner of petitioned warrant article may be identified or may use the first registered voter on the petition as the primary petitioner. Additionally, it provides the primary petitioner, or their designee, the same amount of time to present the article as is used for presentation for any other warrant article or up to 10 minutes. With these small changes the committee found this bill acceptable. **Vote 18-0.**

HB 229-LOCAL, repealing the alternative procedure for adoption of zoning ordinances. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurel Stavis for Municipal and County Government. This bill proposes to repeal two current sections of zoning law, RSA 672:8, which defines the term “Local Legislative Body,” and RSA 674:18, which authorizes the local legislative body to adopt a zoning ordinance after the planning board has adopted a mandatory section of the municipality’s master plan. Since the prime sponsor did not appear to present the bill, nor the rationale behind repealing two important sections of zoning law, the committee could not ask questions as to why these sections should be removed from the chapter. **Vote 18-0.**

HB 471, establishing a commission to study issues related to growth, traffic, and planning and land use for certain towns. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurel Stavis for Municipal and County Government. This bill seeks to create a study commission to examine patterns of growth in several towns along the I-93 corridor. Members of the committee noted that such studies can already be undertaken by Regional Planning Commissions and, in fact, are conducted

regularly. It was also pointed out to the sponsors that several key towns along the corridor the bill seeks to study were omitted from the list. Given these flaws of omission and the fact that studies of this kind can – and are – already conducted, the committee saw no reason why state funds should be expended on this proposal. **Vote 18-0.**

HB 495-FN, requiring cities and towns to provide a breakdown of tax changes and information on bills sent to residents. **INEXPEDIENT TO LEGISLATE.**

Rep. Denis Murphy for Municipal and County Government. The committee recommends this bill as Inexpedient to Legislate. First, the prime sponsor was not in attendance to give his testimony, so the committee could not ask the sponsor questions about the bill. Second, given the different software vendors that municipalities use and the information about the tax bill, some software would need to be rewritten. The costs to municipalities could go into tens of thousands, making this bill impossible to implement. The property tax bill is just too important to take risks in trying new software and forcing the town to run parallel software systems until there is certainty in the latest software. This almost doubles the costs of implementation for both workforce and software upgrades. However, the municipal employees would need to be trained in both systems, until approved by the proper authorities. That could be select and school boards, the town manager, the Chief Financial Officer, etc. Third, since the NH Department of Revenue Administration (DRA) is responsible for the tax rate calculation, the DRA must furnish the required information to the appropriate municipality. This process would be long, arduous, and almost impossible to implement. Finally, the committee believes this is an unfunded mandate for all municipalities and for the state. **Vote 18-0.**

HB 501-FN, relative to allowing towns to decline 5G towers. **INEXPEDIENT TO LEGISLATE.**

Rep. John MacDonald for Municipal and County Government. This bill as presented would greatly damage the continued growth and success of 5G within the State of New Hampshire. The benefits of 5G include lower latency, higher capacity, and increased bandwidth. These benefits are extremely important to our citizens, businesses, and manufacturers within our state. Further, this bill would appeal RSA 12-K Deployment of Personal Wireless Service Facilities, which would leave our state without the legislative guidance provided in RSA 12-K. **Vote 18-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 450, relative to commercial property assessed clean energy and resiliency (C-PACER) **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for Science, Technology and Energy. This bill duplicates the Senate version of the C-PACER bill that was previously passed by both chambers and signed into law by the Governor. Therefore, this bill was no longer needed. **Vote 18-0.**

HB 539, requiring electric utilities to use residential electric rates for certain types of residential condominiums. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill would provide that the residential electric rate for domestic consumption shall apply to the electricity use of well pumps and septic systems of residential condominium units. The committee understands the complexity of having common well and septic systems under one condominium association name when bills are shared by multiple condominium owners. Discussions revealed that utilities and condo associations could work things out through agreements and homeowner's association rules. There is no need for nor does the committee feel that legislative action is necessary to address this issue. **Vote 18-0.**

HB 680-FN, relative to standardizing homeowners associations' electricity billing for shared meter usage. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Harrington for Science, Technology and Energy. This bill duplicated HB539, and its topic will be addressed by HB537. Therefore, the unanimous choice was to move on from this bill. **Vote 18-0.**

TRANSPORTATION

HB 411-FN, relative to making the use of a mobile electronic device while driving a secondary offense. **INEXPEDIENT TO LEGISLATE.**

Rep. Karel Crawford for Transportation. This bill would make using a mobile electronic device a secondary offense. The motorcycle association along with the Department of Transportation opposed this bill. It would make the roads less safe and worsen the distracted driving issue. The committee felt strongly that this bill would considerably weaken the current hands free law. **Vote 16-0.**

HB 441-FN, relative to visible motor vehicle diesel emissions and "rolling coal". **INEXPEDIENT TO LEGISLATE.**

Rep. Charles Foote for Transportation. This bill is referred to as the rolling coal bill. The committee heard testimony that it is already illegal under state law, as well as under federal regulations within the Clean Air Act. Enacting this bill is redundant and would be difficult to enforce. **Vote 16-0.**

HB 594, relative to the definition of a way. **INEXPEDIENT TO LEGISLATE.**

Rep. Gregory Hill for Transportation. This bill seeks to repeal the portion of right to mow, HB 1127 of 2024, which protects landscapers and homeowners operating riding lawn mowers between the legal property line and the edge of grass adjacent to the roadway. The sponsor of right to mow spoke with the interested agencies in order to determine the specific concerns in order to draft replacement language, but did not have any concrete requests from which to build upon. In the future, she is willing to introduce legislation to address concerns from the Department of Justice or other state agencies. **Vote 16-0.**

HB 632, permitting health care providers affiliated with the Veterans Administration to certify medical accommodations on behalf of veterans residing in New Hampshire. **OUGHT TO PASS.**

Rep. Henry Giasson for Transportation. This bill provides that a medical healthcare provider affiliated with the Department of Veterans Affairs (VA) can certify medical exceptions for equipment to accommodate their disability which will be accepted by the Division of Motor Vehicles (DMV). A SAF-C rule went into effect this year that was not legislated and provides that medical equipment exceptions must be certified by a New Hampshire licensed healthcare provider. The secondary consequence of this rule was a general disqualification of the VA network of providers because most of them are licensed to practice by other states and are in New Hampshire on a contract. By requiring a practitioner with a New Hampshire license to certify any disability exceptions, it prevents the VA from offering equal healthcare to veterans with a disability. Passing this law would resolve this issue faster than pursuing a rules change, and would further codify into law that this can not mistakenly occur again. **Vote 16-0.**

HB 758, establishing a committee to study airport operation hours. **INEXPEDIENT TO LEGISLATE.**

Rep. Ted Gorski for Transportation. This bill would create a study committee which would consist of three members of the New Hampshire House of Representatives and one member of the Senate. This committee would create noise abatement recommendations and make suggestions for airport operation hours for various NH airports. The committee felt that a study committee would not be needed to address those issues. Rather, these recommendations could be best done by the various airports themselves. **Vote 16-0.**

WEDNESDAY, MARCH 26

REGULAR CALENDAR - PART ONE

CHILDREN AND FAMILY LAW

HB 775-FN, directing the department of health and human services to issue a request for proposals for supervised visitation centers. **OUGHT TO PASS.**

Rep. Mark Pearson for Children and Family Law. Children need regular contact with their parents whenever possible. This is particularly true when regular contact has been disrupted due to divorce or court rulings restricting visits. Historically, New Hampshire had several supervised visitation centers. One parent would drop off the child in such a way that this parent would have no contact with the other parent who would then arrive later. That other parent would then visit with the child under the watchful eye of a supervisor who would ensure the visit was safe and free from recrimination of the other parent. Besides being a compassionate thing to do, having such visitation centers has proven cost effective in the long run. Anger mounting in a child because of lack of contact with a parent has too often escalated into violent behavior, resulting in property damage, and injury, even death, of innocent victims. For various reasons, the number of supervised visitation centers in New Hampshire has shrunk to one, and this one is presently county funded. The committee unanimously believes this bill is a compassionate thing to do, and, in the long run, a cost effective thing to do. However, the committee also knows this is a tight year financially. We hope that at least something can be done in the short term to begin to restore such supervised visitation centers across the state. **Vote 16-0.**

COMMERCE AND CONSUMER AFFAIRS

HB 467, defining “social districts” and enabling municipalities to create social districts. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lilli Walsh for the **Majority** of Commerce and Consumer Affairs. This amended bill defines “social districts” and enables municipalities to create such districts. This bill will allow limited social drinking to be legal in designated public places. Social districts would first require approval from the respective municipal government to allow the social district. Such districts have been highly successful in both large cities (Savannah, GA) and small towns (Hickory, NC). At least eight states have adopted statutes allowing municipalities to create districts where it’s legal to drink alcoholic beverages in public spaces. By allowing restaurants and businesses to participate, owners would have “skin in the game.” Not just one establishment would benefit from the additional business, but all would; as targeted economic development tools. Patrons would be allowed to walk around with a specially designated container of alcohol in this area. This allows for much more freedom for both the businesses and the attendees. **Vote 14-2.** Rep. Manoj Chourasia for the **Minority** of Commerce and Consumer Affairs. This bill will allow people to take their open containers of legally purchased alcoholic beverages outside of restaurants and bars within the social district perimeter to promote a walkable, outdoor area to shop, dine and drink at their leisure. Allowing people to drink outside in the social district will require more public safety measures and law enforcement and would require additional tax dollars to implement law and order, and plans for monitoring, management, traffic control and public safety enforcement. Allowing alcoholic beverages in public places will not only create a bad impression on younger children, who are taught in schools “Say No to Alcohol,” but it can make it easier for minors to obtain alcoholic drinks, if they have a legal age friend. The shopping experience for families might not be the best with fellow drinking shoppers carrying open containers of alcoholic beverages and could have a negative impact on businesses.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 198-FN, relative to legalizing certain quantities of cannabis and establishing penalties for the smoking or vaping of cannabis in public. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alissandra Murray for the **Majority** of Criminal Justice and Public Safety. This bill legalizes the possession, consumption, and transferring of cannabis given the amount doesn’t exceed the possession limits of 3/4 of an ounce and the individual is at least 21 years of age or older. In order to assuage certain concerns, the bill also institutes new penalties to ensure responsible consumption of cannabis, penalizing public smoking or vaping of cannabis, with a fine for first and second offenses, and a misdemeanor charge for a third offense within five years of the prior offenses. The majority of the committee agreed this bill is an appropriate compromise that will help us achieve what our constituents have been asking us to do for years. **Vote 9-7.** Rep. Jennifer Rhodes for the **Minority** of Criminal Justice and Public Safety. The minority of the committee felt this bill should be found inexpedient to legislate because it has been made clear that the governor has no intention of signing any bill legalizing any amount of cannabis. This bill will add, delete, or modify a criminal penalty, or change statute to which there is a penalty for violation. The body has repeatedly attempted to pass any form of cannabis to no avail. Currently, in NH cannabis is no longer criminalized and this bill is not needed.

HB 226-FN, relative to the use of drug checking equipment. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority of the Criminal Justice and Public Safety committee believes this bill should be found inexpedient to legislate. Law enforcement testified that the concerns expressed by the minority related to the safety of the drug supply are spurious. Every drug seized in an arrest is tested by the State Police and when new or dangerous substances are identified, word is put out to the street. They further testified that it is unrealistic to believe that addicts waiting for their next fix are going to wait and take their drugs for testing. By the state taking part in ensuring the illegal substances are safe for consumption and the customers are getting what they paid for is tacit approval of their actions. Taxpayers are better served by interdiction than enabling. **Vote 9-7.** Rep. Jodi Newell for the **Minority** of Criminal Justice and Public Safety. This bill attempts to formalize a system of drug checking in New Hampshire, specifically allowing for harm reduction and public health organizations registered with the Department of Health and Human Services to engage in drug checking services. This legislation lays out definitions, including allowable materials for use in this process, and provides protections for employees of such organizations acting in their official capacity. Drug checking is one element of a holistic approach to addressing the overdose crisis, particularly one that provides for a dynamic understanding of what adulterants are in our illicit substances and where, so that our efforts to reduce fatalities can be targeted accordingly.

HB 466-FN, relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority of the Criminal Justice and Public Safety Committee, after hearing testimony from law enforcement agree that this bill ought to pass. New Hampshire has one of the highest, if not the highest rate of refusal to submit to blood alcohol testing in the entire country. The reason for this is there is no incentive to cooperate with the test. The penalty, which is a loss of license, for refusal is currently far less than that for a conviction. Cooperation with the test exposes the driver to not only license loss but also criminal conviction. Hence the driver is disincentivized to take the test. Increasing the license suspension for refusal to blood alcohol testing from 180 days to one year makes the penalty for refusal closer to the penalty for conviction, 18 months, thus making someone who is innocent more likely to cooperate. On the conviction end, the suspension is 18 months and minimum mandatory incarceration is made suspendable by the court. This strikes a balance between the refusal to comply with the test and an actual conviction. **Vote 10-5.** Rep. Alissandra Murray for the **Minority** of Criminal Justice and Public Safety. While the minority of the committee agreed our state must take steps to lower the rates of impaired driving, this bill punishes a person's refusal to surrender their right under the Fourth Amendment to resist an unwarranted search. This legislation does not criminalize drunk driving but rather criminalizes the assertion of a constitutional right, and that is something the government cannot do. Since these chemical tests constitute searches under the Fourth Amendment, declining to submit to a warrantless search falls squarely within the ambit of that constitutional provision. An individual has a constitutional right to refuse to consent to such a search and insist that the police obtain a warrant. While drunk driving is undoubtedly a severe problem that requires regulation, the goal should be to preserve fundamental liberty interests with viable legal and policy alternatives that can effectively curb drunk driving rates.

EDUCATION FUNDING

HB 137, relative to allocating excess statewide education property tax funds for local school and municipal purposes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dan McGuire for the **Majority** of Education Funding. This bill directs municipalities to retain excess Statewide Education Property Tax (SWEPT) funds, i.e., those that are greater than the community's adequate education grant. The New Hampshire Constitution in Part 2, Article 5 requires that taxes be proportional. This bill effectively creates a property tax that is not proportional to property values, but instead is based on extraneous factors. It is the opposite of HB 739, which was recommended almost unanimously by the Education Funding Committee and approved by the House on the March 13 session. **Vote 15-3.** Rep. Sallie Fellows for the **Minority** of Education Funding. The minority supports Ought to Pass because we believe it is premature to make any changes to the Statewide Education Property Tax (SWEPT) at this time. For 20 years, the state has paid for a constitutionally adequate education with money from two sources: the \$363 million SWEPT, collected by the local tax collectors and retained locally, and payments from the state treasurer (\$482 million this year). State aid averages \$5,300 per student (base adequacy plus supplementals for special education and low-income). Since this amount is far less than what is needed to operate schools, every municipality must also raise local school property taxes. Even municipalities that receive no money from the state treasurer because their SWEPT exceeds \$5,300 per student must raise local property taxes for schools. This bill explicitly establishes in statute the current practice of allowing municipalities that receive no money from the state treasurer to use all their SWEPT to reduce their local property tax for schools. When the NH Supreme Court

rules on the two school funding cases, the legislative response will undoubtedly impact municipal property taxes. SWEPT may be repealed, or it may increase creating more municipalities with excess. It is very difficult for municipalities to deal with wild fluctuations in property tax assessments and some have tax caps. This bill will keep property taxes relatively stable until the legislature can respond to the court decision.

EDUCATION POLICY AND ADMINISTRATION

HB 90-FN, relative to the definition of part-time teachers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This amended bill allows staff employed or contracted as a full-time or adjunct faculty member by the University System or Community College System to work part time (up to 20 hours per week) in a school district or teach an approved college dual or concurrent enrollment course in the high school. To work in a school district, it is required for the staff to have expertise or significant professional experience to teach in a subject-area offered by the school. No State Board of Education certification is required to be a part-time teacher. This amended version reflects the intent of legislation passed by the House last year on the consent calendar but failed in the committee of conference. **Vote 10-8.** Rep. Muriel Hall for the **Minority** of Education Policy and Administration. The bipartisan intent of this bill is to allow full-time or adjunct faculty members employed or contracted in a University or Community College System of New Hampshire, but without NH State Board of Education (SBE) certification, to teach part-time dual or concurrent courses in our high schools. As amended, the new language significantly changes the intent allowing these non-certified SBE faculty members to teach any courses offered in our high schools and not limited to dual or concurrent programs. Expanding this language could lead to inconsistent instruction, reduced student-teacher-parent relationships, difficulty in maintaining continuity, and potentially impacting student outcomes.

ELECTION LAW

CACR 2, relating to the drawing of district boundaries. Providing that no district boundaries shall be drawn in a way that favors or disfavors any political party or candidate. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ross Berry for the **Majority** of Election Law. While redistricting is inherently political, this amendment would force those drawing maps to ignore the largest and most natural communities of interest—political ones. While we regret that the process is political, attempts to make it something it is not would only shift power away from elected representatives and into the hands of unelected judges, who would then impose their own hidden ideology under the guise of fairness. The only officials directly accountable to voters are those elected by them, and redistricting should remain as close to the people as possible. For that reason, the legislature—not the courts—should handle this responsibility. **Vote 10-8.**

Rep. Russell Muirhead for the **Minority** of Election Law. This constitutional amendment would require that redistricting plans be drawn in a way that does not favor or disfavor any political party or candidate. The amendment would prohibit voting records and information on party affiliation of voters, candidates or residency of incumbents (as well as any proxy measures of this data) from being used to create redistricting plans or individual district boundaries. In short, it prohibits partisans drawing district boundaries to favor their side – what is commonly called gerrymandering. Recent polling shows that a whopping majority of Americans – 60-80 percent, depending on the poll – oppose gerrymandering. This constitutional amendment would give New Hampshire voters the chance to enshrine their convictions about gerrymandering in the state constitution. Some hold that it is impossible to take the politics out of drawing district boundaries – that any process that pretends to select or draw boundaries in a non-partisan way is just hiding the ugly truth. But in fact it is possible to make political districts without using data about how people vote or what party they favor. That is all this constitutional amendment would require.

HB 154, enabling voters to request to have their ballots hand-counted. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alvin See for the **Majority** of Election Law. This bill simply makes it clear that the legislature allows individual voters to choose to have their ballot be hand counted in municipalities that use ballot counting machines. This removes the perception of a loss of a right. **Vote 13-5.** Rep. Gerald Ward for the **Minority** of Election Law. This well-meaning bill, designed to appease concerns about “election security” on the behalf of some individuals, would allow those individuals to demand to have their ballot hand-counted. Ironically, as was discussed in the hearing, this raises the probability that their ballot would be mis-counted or mis-interpreted, inasmuch as counting by hand is notoriously less accurate than tabulating by machine, especially when done by tired election officials at the end of a long day. The bill, in addition to adding unnecessarily to the already heavy workload of moderators and clerks, is thus self-defeating and worthy of being deemed Inexpedient to Legislate.

HB 175, relative to defined coordinated expenditures. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Travis Toner for the **Majority** of Election Law. The majority of the committee believes that political action committees (PACs) who collect money from everyday citizens of New Hampshire along with large and small businesses enable the voices of the state to be heard on a larger scale. This process is comparable to buyers groups and coops that use a group of businesses to increase buyer power to compete against box stores and large multinational corporations with endless resources that an individual would never be able to compete against. This bill expands the limitations of communications with candidates to include the party, which could be interpreted that if a PAC promotes a party's platform, this would be a violation. However at the same time it would appear that in no way does this limit unions in the same manner. This sets forth an unfair playing field and creates a monopoly of thought and power. **Vote 11-7.** Rep. Russell Muirhead for the **Minority** of Election Law. This bill would bar coordination between those making what our RSA's call "independent campaign expenditures" and a candidate's campaign expenditures. Independent campaign expenditures – which are unlimited – are called independent in NH law because they are supposed to be independent of a candidate's campaign. When campaigns and political action committees (PACs) coordinate their expenditures, then independence is destroyed, contrary to the intention of our campaign finance laws. In addition, this bill would restore the \$30,000 cap on contributions from PACs to individual campaigns. That limit was removed without a public hearing by the other body during the budget negotiations in the last session. Because of that change, the influence of big money in New Hampshire politics has been unleashed. PACs donated over \$14 million to one gubernatorial campaign in the last election, and over \$2 million to a competing gubernatorial candidate. Most, if not all, of this was out-of-state money. This represents an obliteration of New Hampshire's campaign finance laws. By restoring the long-standing \$30,000 limit on what political advocacy committees can give to candidates and by addressing how PACs and other spenders try to evade contribution limits, this bill would help put a stop to the corruption of constitutional democracy in New Hampshire.

HB 408, moving the date of the state primary to the fourth Tuesday in August. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ross Berry for the **Majority** of Election Law. Moving the State's primary to August does not solve the current problem the state faces with an incumbent protection program. Furthermore, many parents are still out on vacation with their children at this point and while they could request an absentee ballot the majority does not feel it prudent to deny them the opportunity to vote in person. **Vote 10-8.**

Rep. Matthew Wilhelm for the **Minority** of Election Law. The minority of the committee believes the state primary should be moved from the second Tuesday in September to the fourth Tuesday in August, which will allow more time for candidates to campaign after the state primary in the lead up to the general election in November. This bill is supported by the Secretary of State.

HB 481, relative to moving the state primary date. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. Moving New Hampshire's state primary to the second Tuesday in June would make elections more competitive by addressing the unfair timeline that currently benefits incumbents. Under the current system, absentee ballots for the general election are sent out just a week after the September primary, leaving challengers with almost no time to introduce themselves to voters before ballots are already being cast. Incumbents, who have spent years in office building name recognition and visibility, benefit from this compressed timeline, while challengers struggle to make their case to the electorate in such a short period. By shifting the primary to June, voters would have more time to fairly evaluate all candidates before making their decisions, ensuring that elections are based on ideas and qualifications rather than a schedule that protects those already in office. **Vote 13-5.** Rep. Jessica Grill for the **Minority** of Election Law. This bill would impose a drastic change on voters by moving the state primary from its current date in September to June. The minority is also concerned about the potential unintended consequences of a June primary date, in particular the extension of election season into our legislative session, "campaign fatigue" among voters, and the growing influence of out-of-state donors on New Hampshire elections up and down the ballot. Although the minority acknowledges the difficulties caused by our current state primary date, we feel that a June date would not be in the best interest of either voters or candidates for the reasons mentioned.

HB 514-FN, allowing private persons to sue for violations of election laws. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. This bill establishes a clear and efficient process for individuals to seek judicial redress if they are harmed by violations of election law procedures, including the denial of their right to vote. Under current judicial precedent, individuals are prohibited from suing under RSA 659, leaving voters and election participants with no direct recourse when election laws are violated. This bill corrects that by creating a formal complaint process with the Department of Justice (DOJ) while ensuring that

the DOJ does not have the final say on election law violations. Individuals have the inherent right to seek redress from the judicial system, and this legislation guarantees that claimants can pursue injunctive relief in superior court when necessary. By providing a structured mechanism to address election law violations, this bill strengthens election integrity while maintaining accountability. Ensuring that election laws are properly followed is essential to public confidence in the process, and this bill upholds that principle by preserving access to the courts for those seeking justice. **Vote 10-7.** Rep. Russell Muirhead for the **Minority** of Election Law. This bill would allow private parties to sue the state for violations of election procedures committed in towns and cities, and would create a mechanism by which individual citizens could compel the Attorney General's Office to investigate allegations of such violations. While the minority understands the vital public purposes this bill attempts to serve, it believes that the bill needs more work before it should become law. For instance, the bill allows courts to fix the price that lawyers can charge in the suits the bill allows for – a government-imposed price control mechanism that would impair the right to counsel and violate freedom of contract. Given the need to revise parts of the bill, the minority recommends Inexpedient to Legislate.

HB 600-FN, enabling ranked-choice voting for municipal elections. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ross Berry for the **Majority** of Election Law. Ranked choice voting is not the right fit for New Hampshire because it adds unnecessary complexity to a voting system that has served the state well for centuries. While some argue that it allows winners to have broader voter support, in practice, it can be confusing to voters, leading to higher rates of ballot errors and potential disenfranchisement. New Hampshire has a strong tradition of straightforward, transparent elections, and introducing a ranked-choice system would create unnecessary administrative burdens on local officials who are already tasked with ensuring fair and efficient elections. Additionally, while proponents claim it saves money, in many cases, ranked choice voting has led to increased costs due to the need for new voting equipment, voter education efforts, and complicated ballot tabulation processes. Furthermore, this system can lead to unpredictable outcomes, where a candidate who was not the top choice of most voters ultimately wins due to vote redistribution, undermining the clarity and decisiveness of traditional elections. New Hampshire's election system has long been a model of local control and voter confidence, and ranked choice voting would only serve to complicate a process that does not need fixing. **Vote 10-8.**

Rep. Matthew Wilhelm for the **Minority** of Election Law. The minority of the committee believes that individual communities should be afforded the opportunity to adopt ranked choice voting for local municipal elections, if they so choose. If passed, this bill will not cost taxpayers anything and could actually save some cities and towns money. Ranked choice voting improves election systems by ensuring winners have the most voter support, thus avoiding vote splitting. In New Hampshire's deep-seated tradition of local control, this is an enabling bill that does not impose anything on any municipality. Rather, it allows cities and towns to opt-in to using ranked choice voting for one or more specific municipal office(s) at one or more specific municipal election(s) and then notifying the Secretary of State at least ninety (90) days before the election. Following adoption, municipalities retain the right to opt-out of using ranked choice voting by notifying the Secretary of State at least ninety (90) days before a future election. Ranked choice voting is popular amongst the fourteen (14) million voters in jurisdictions across the country that have adopted it, including two (2) states, three (3) counties, and forty-six (46) municipalities. Cities and towns are given the authority to decide how to use ranked choice voting, including whether or not to continue holding preliminary and/or runoff elections. Ranked choice voting is a tried and true, widely tested voting method that is easy to understand and administer. If passed, this bill has the power and potential to make positive contributions to voter engagement and civil discourse at the local level for all communities that choose to adopt ranked choice voting.

ENVIRONMENT AND AGRICULTURE

HB 152-FN, prohibiting the sale and use of adhesive-based rodent traps. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Judy Aron for the **Majority** of Environment and Agriculture. Rodents and rodent infestation are a problem. Rodents carry diseases like the black plague. In the interest of public health, the majority of the committee sides with the health of human beings over rodents. Testimony demonstrated that glue traps are an effective way to monitor and capture rodents. Glue traps/glue boards are an effective non chemical (non poisonous) means to control rodents in places where food is stored and prepared, and in facilities where there are children and senior citizens. They are an important part of an integrated pest management plan. Eliminating their use would be very problematic for those places. Glue boards are also used to control pests like cockroaches and other insects, and while this bill bans them for use for rodents, how can you enforce one use over another? Additionally, you cannot control where people purchase these glue traps. It would be simple for people to buy them over the internet or go to a neighboring state to purchase them. Furthermore, any way that you kill a rodent can be considered cruel. Snap traps are cruel if they do not snap the rodent in the correct way. Cats killing rodents can also be considered cruel, so is drowning rodents in a bucket of water. Sealing openings and using other exclusionary techniques do not always work, as rodents will in time find new entrances, and rodent contraception takes a

long time to be effective. The majority of the committee believes that non target species would not get ensnared in glue traps if the product is used as directed on the package by the consumer and that more public education is needed. Overall, the majority felt that people who do not wish to use these products are free not to use them, but we cannot deny everyone else the ability to use an effective non chemical means of controlling rodents if they feel that works best for their rodent problem. **Vote 9-5.** Rep. Nicholas Germana for the **Minority** of Environment and Agriculture. Adhesive traps, or glue traps, are a very old, very basic, very primitive form of pest control. Animals (not just rodents) who are caught in these traps suffer agonizing deaths. The minority of the committee recognizes the importance of being able to effectively manage rodent populations; fortunately, there are a wide variety of affordable, non-chemical pest control options on the market. This bill keeps coming back to the legislature because there is a demand among our constituents to stop this practice - online testimony was nearly 30:1 in favor of this bill (295 to 10). The minority of the committee believes that time is now.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 96, requiring New Hampshire builders to use the 2021 Energy Building codes or a similar code that achieves equivalent or greater energy savings. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Carol McGuire for the **Majority** of Executive Departments and Administration. This bill resurrects a code update that was rejected last year by the Building Code Review Board (BCRB) and the House. The BCRB has moved on, and is now reviewing the 2024 building codes, including the energy code; adopting the 2021 code out of sync with the other codes would cause confusion and an administrative headache for contractors and building inspectors alike. The 2021 energy code was rejected largely because it increases the cost of building, especially for housing. There are competing numbers about how much of an increase we would see, but there is total agreement that it is an increase. For contractors or home buyers who wish for increased energy efficiency, there is no restriction on implementing the 2021 code, or the 2024 code, in their projects; but the majority of the committee agrees that it should not be imposed as a minimum standard for the entire state. **Vote 12-4.**

Rep. Erica de Vries for the **Minority** of Executive Departments and Administration. This bill updates New Hampshire's building codes to the 2021 International Energy Conservation Code (IECC), replacing the outdated 2018 version. While implementation cost estimates range from \$2,000 to \$17,000 per residential home, long-term savings far outweigh costs. Homes built to 2021 IECC standards use less energy, cutting utility bills and increasing resale value. Updating the code to 2021 IECC standards increases the likelihood of federal Department of Energy grant funds being made available to the state and municipalities, which is critical to support energy audits, retrofits, and renewable projects, reducing municipalities' costs and easing property taxes. Beyond financial savings, adopting the 2021 code will improve air quality through better ventilation and vapor barriers, reducing pollutants and creating healthier spaces. Stronger standards extend building lifespans by up to 20 years, lowering homeowners' maintenance costs. Energy-efficient buildings cut energy consumption and cut carbon emissions. Without this update, New Hampshire forfeits economic, health, and environmental benefits.

HB 145-FN, relative to background checks for licensed dietitians and adopting the dietitian licensure compact. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for the **Majority** of Executive Departments and Administration. The bill as amended brings background check protocol in line with other professions under the Office of Professional Licensure and Certification. The bill adopts the dietitian licensure interstate compact and brings NH into the compact early enough to have input in the compact rules. Dietitians, not to be confused with nutritionists, are most often found in hospitals, long term care, child health, and private practice. The compact would increase access to dietitians for valuable telehealth helping to address the shortage of adequate numbers of registered dietitians in specialty areas such as eating disorders and diabetes. Testimony confirmed that NH is one of 27 states aiming to file for the compact which allows for patient continuity with their dietitians as they travel for work or school. Although NH has a reciprocity program with other states, it requires paying a license fee in all states where a dietitian wants to practice. A dietitian who testified before the committee maintains and pays for 15 different state licenses. A compact eliminates paying for a multitude of licenses. Testimony from licensed dietitians included the Director of Clinical Services at Concord Hospital who could immediately hire a licensed dietitian from another compact state, streamlines the process of hiring for military families, and supports telemedicine as part of the offering. **Vote 9-6.** Rep. Erica Layon for the **Minority** of Executive Departments and Administration. This bill would make New Hampshire a charter member state of a new Dietitian Licensing Compact, which will come into existence when the seventh state adopts language materially similar to the contract. This compact commission is granted many things, including the ability to assess and collect fees to both licensees and participating states, as well as to borrow money. When New Hampshire was the ninth state to adopt the United States Constitution, the rights of small states were protected by the election of two senators by the legislature of each state, the tenth amendment, and other means. As a small

state, we have lost many of these protections. By joining the Dietician Licensing Compact, the legislature is delegating powers to a multi-state organization with few protections for small states such as ours. Passing this bill risks high costs to state taxpayers for the benefit of making it easier for our residents to work out of state. For these reasons, the minority of the committee finds this bill inexpedient to legislate.

HB 252, creating a state holiday to honor Daniel Webster's birthday. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeremy Slottje for Executive Departments and Administration. While the committee recognizes Daniel Webster's historical significance as a distinguished statesman, lawyer, and orator who contributed greatly to New Hampshire and the nation, we find that establishing a new state holiday on January 18 is impractical at this time. The addition of a new holiday would impose logistical and financial burdens on state agencies, schools, and local governments, particularly given the proximity to existing holidays such as Martin Luther King Jr. Civil Rights Day, observed on the third Monday of January. Furthermore, the committee believes that Webster's legacy can be adequately honored through existing educational programs and historical commemorations without the need for a dedicated state holiday. The encouragement of Senate readings and school activities, while commendable, does not necessitate a formal holiday designation. **Vote 12-4.**

HB 428-LOCAL, prohibiting municipal amendments to the state building code. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the **Majority** of Executive Departments and Administration. The committee believes that the hodge podge of building code amendments throughout the state causes expensive confusion and increases the cost of housing. As amended, the only municipal amendments to the building code will be the administrative codes regarding things like where to file, where to pay fees, and other administrative details which are different across the state. As amended, this bill will prohibit technical amendments which currently allow towns to declare themselves in a different climate zone or adjacent towns each requiring a different type of underground conduit. Rather than require contractors to keep up to date with a number of different codes, and potentially decline to work in more burdensome municipalities, the majority of the committee believes that it is time to move to a standardized building code with this bill as amended. **Vote 10-6.**

Rep. Erica de Vries for the **Minority** of Executive Departments and Administration. This bill, as amended, prohibits municipalities from adopting building code requirements stricter than the state code. This bill disregards SB 437, signed into law by Governor Sununu on May 31, 2024. SB 437 established a balanced process for reviewing and approving municipal codes that exceed state standards: stricter codes enacted before July 1, 2024, require state review and local re-approval, and new, stricter codes proposed after July 1, 2024, must be submitted as amendments under the latest state code. SB 437 ensures fair oversight while allowing municipalities to address unique local needs. It prevents overreach while preserving local flexibility. HB 428 nullifies this balanced approach, barring municipalities from ever setting higher standards, even with state oversight. The New Hampshire Municipal Association opposes HB 428, recognizing it strips local legislative bodies of authority to adapt codes to local circumstances. SB 437 has been in effect for less than nine months, too soon to judge its success. Many municipalities, especially SB 2 towns, only recently held elections that could reflect voter sentiment on local codes. HB 428 preemptively overrides a fair, thoughtful process before it has a chance to demonstrate results. HB 428 undermines local control and dismisses SB 437's potential benefits before they can be realized.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 606, relative to a patient's right to medically appropriate care for reproductive disorders. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan DeLemus for the **Majority** of Health, Human Services and Elderly Affairs. This bill addresses the current problem of doctors denying medically appropriate care for reproductive disorders because of their social judgment about a person's age, number of children, or the physician's opinion about the patient's future reproductive desires. It is narrowly focused on reproductive disorders and does not cover procedures related to gender identification. It further allows for the physician to require informed consent and waiver of damages related to the sterilizing procedure only, and prevents the patient from taking civil action because they are unable to bear children but retain all rights to pursue remedies for any purposeful, reckless, or negligent acts. **Vote 15-3.** Rep. Yury Polozov for the **Minority** of Health, Human Services and Elderly Affairs. The minority recognizes that the testimonies reflect genuine struggles but believes more study is needed. The bill's language is too broad, especially since it aims to discipline physicians for denying sterilization in certain cases. Concerns emerge when patients sign electronic waivers without true informed consent or a full discussion of sterilization and its surgical side effects. Further complexity arises from cases where the need for surgery became clear only after the procedure, suggesting delays may not stem from a physician's reluctance to sterilize. Challenges also include the risk of misdiagnosis, particularly when limited observation time cannot confirm bleeding duration and pain levels remain subjective. Lastly, we should assess whether the growing cultural acceptance of sterilization is naturally addressing these historical concerns.

JUDICIARY

HB 132-FN, repealing liability for familial support under chapter 165, aid to assisted persons. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Katelyn Kuttub for Judiciary. As amended, this bill eliminates the legal requirement for a relative with means to be imprisoned for 60-90 days for refusing to provide aid to an indigent relative. It still permits towns and cities to seek reimbursement for aid provided from legally liable relatives with sufficient means. The concept of legally liable relative reimbursement is considered only when it is feasible, possible, and accessible, and it is applicable in both cities and towns. Local welfare's value lies in its situational flexibility, and RSA 165:19 is utilized selectively, particularly for longer-term assistance, support for unhoused young adults, and burial or cremation expenses. For instance, RSA 165:19 plays a crucial role in determining eligibility for cremation assistance and empowers local welfare administrators (LWAs) to compel responsible individuals to cover cremation costs if they are capable. Repealing the law may lead to a substantial increase in local welfare expenditures for cremation costs, as individuals may opt for the town to cover these expenses rather than assuming responsibility. An illustrative case is Manchester, where according to the LWA, annual cremation costs already amount to approximately \$40,000. The primary benefit of RSA 165:19 is the direct assistance it provides to applicants or potential applicants by relatives, which is more significant than the subsequent reimbursement process. This long-standing practice is both reasonable and cost-saving for local taxpayers. **Vote 13-5.**

HB 195-FN, relative to the expectation of privacy in the collection and use of personal information. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bob Lynn for the **Majority** of Judiciary. This bill is very similar to HB 314 (2023), which passed the House but died in the other chamber. It is designed to provide additional privacy protection above that provided by SB 255 (Ch. 5, Laws of 2024). It applies to what the bill defines as "third-party providers of information and services." The definition is limited to providers of: telephone and other utility services, Internet service providers, cable television, streaming services, social media services, email services, banks and financial institutions, insurance companies, and credit card companies. The bill provides that individuals have a reasonable expectation of privacy in "personal information" (i.e., name, address, date of birth, social security number, telephone numbers, Internet addresses, location information, biographic identifiers, DNA/RNA data, and other unique personal identifiers) and it prohibits covered companies from disclosing such information to anyone except in limited circumstances. Unless disclosure is specifically authorized by other law, disclosure is permitted only when: (1) the individual consents; (2) the provider has reason to believe disclosure is necessary to detect or prevent a crime, fraud, or other malicious activity; (3) an emergency exists in which there is an immediate danger of death or serious injury, or substantial property damage if the information is not disclosed; (4) the information is disclosed in response to a properly authorized request from a governmental body or pursuant to a court order; or (5) the information is disclosed to another person or business to enable the provision of the service that the person has requested from the third party provider. The bill establishes specific procedures that covered companies must utilize in order to obtain consent, which include the requirement of an "opt in" system. When disclosure is made in response to a government request or demand for the private information, the bill calls for notice to be provided to the individual whose information is to be disclosed unless the government agency can demonstrate good cause for not providing such notice. The bill does not allow private individuals to sue for violation of its provisions, but does allow the Attorney General to bring suit for violations, and to collect the greater of actual damages or \$1,000 for each violation. The majority of the committee believes this bill reflects a balanced compromise of competing interests that will enhance the privacy rights of all New Hampshire citizens. The amendment adds clarifying language to the definition of when information is "available to the public" and therefore not covered by the bill; this is necessary to avoid First Amendment concerns. The amendment also changes language in other sections of the bill to ensure that it allows covered businesses to make disclosure of personal information in all circumstances where there is a legitimate reason for doing so. **Vote 11-6.** Rep. Paul Berch for the **Minority** of Judiciary. This bill is a solution looking for a problem. It seeks to cover the same ground as SB 255 (Ch. 5, Laws of 2024), signed into law last term. Designed to regulate everything from cellular and other utilities to internet providers to banks and financial institutions to insurance companies to credit card companies, the committee heard from a litany of witnesses how not only would the bill be impossible to follow, but that it was at variance with practices in neighboring states. Our current law, based upon the model Uniform Law, is consistent with all of our neighboring states as well as 20 states across the nation. It addresses a national problem, which calls for a national solution to the extent possible. Current law does that; this bill does not. The bill was opposed by organizations and companies such as the Business and Industry Association, State Farm, NH Bankers, and the Trade Association on Business Privacy. Problems were noted by the NH Department of Justice Consumer Fraud Division and the NH State Police. Some specific problems have been fixed by committee amendment; many have not. One member of the minority believes an additional amendment can address most of the bill's shortcomings. This bill not only is a step backward in protecting the privacy of Granite Staters, but puts well intentioned companies operating in NH in danger of violating the law, being sued or suffering other hardships.

HB 400, requiring a public body's collective bargaining negotiations to be deemed public meetings and requiring that arguments made and information generated during the meetings be made available to the public under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Marjorie Smith for the **Majority** of Judiciary. Depending on the specific form of local government decision making, whether city or town council, board of selectmen or aldermen, or county government, the public gets to speak on issues related to raising and spending public money, and to choose their elected officials. That is essential and appropriate public accountability. But the decisions that are part of collective bargaining negotiations -- the inner workings of government, including wages, hours, costs and benefits - require a delicate mix of give and take, with many compromises negotiated in order to reach the best possible accommodation of conflicting goals. Such negotiation cannot reasonably be conducted in public. Without minimizing the importance of public accountability, the committee concluded overwhelmingly that this bill should be found inexpedient to legislate. **Vote 14-4.**

Rep. Kristine Perez for the **Minority** of Judiciary. This bill as simply written is about transparency and encourages honest debate and strong crafted defensible labor agreements. We here in the House allow for arguments on all sides to be aired openly for the public to hear, so why not the same for families and taxpayers who want contracts structured to yield the best employees and the greatest value for their dollar? Contracts often yield to seniority rules and stifle merit-pay provisions and potentially block promotion of exceptional part-time employees. Public collective bargaining is catching on with support in Ithaca, NY and Portland, OR and the National Education Association has begun voicing support for contract negotiations as public meetings. Contract negotiations are not about top-secret issues or sensitive private matters. They concern pay, promotion and workplace conditions. The same type of information that is openly public during hearings on budgets, wage matrix discussions and personnel planning. This bill simply brings this change to New Hampshire by striking two words from RSA 91-A:2, 1(a): "[O]r Negotiations" is removed, but it still protects the confidential strategy meetings of the negotiating parties.

HB 509-FN, relative to the contents of the attorney general's annual report detailing state forfeiture information for the preceding fiscal year. **OUGHT TO PASS.**

Rep. Donald McFarlane for Judiciary. This bill strengthens government accountability by requiring more detailed annual reports on asset forfeitures from the Attorney General. This bill ensures that each seizing agency provides specific information for every asset seizure, giving the public a clearer understanding of how and why property is taken. By increasing transparency, the bill allows for greater scrutiny of forfeiture practices and helps identify potential abuses, ensuring that law enforcement adheres to legal standards and respects constitutional rights. This level of disclosure is crucial in a free society, where property rights must be protected from overreach and improper government actions. Moreover, this bill enhances the ability to assess whether asset seizure laws are being applied justly and consistently. The additional data collected will allow for comprehensive studies on forfeiture trends, helping lawmakers and the public determine if reforms are needed to prevent unjust takings. By holding law enforcement agencies accountable and making their actions more visible, this bill reinforces the principles of due process and limited government. Asset forfeiture should never become a tool for revenue generation or unchecked power — this bill ensures that the process remains fair, legal, and transparent. Supporting this bill is a stand for property rights, government accountability, and the rule of law. **Vote 11-7.**

HB 520, relative to authorizing hearing officers of the department of education to issue subpoenas. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Katelyn Kuttub for the **Majority** of Judiciary. This bill grants authority to Department of Education hearing officers to issue subpoenas at the request of the commissioner or commissioner's designee relative to educator code of conduct violations for certified educators. The majority of the committee felt strongly that protecting the safety of children must always be of utmost importance. The majority also very much values the work our teachers do and the language of the bill was carefully crafted to try to address concerns raised by educators last year, including allowing for the issuing of subpoenas on behalf of educators at their request in adjudicatory proceedings and for the sharing of any evidence collected pursuant to the subpoena with both parties in any adjudicatory proceedings. It further allows for motions to quash. The committee heard testimony that in the case of a former special education teacher at a Concord school, who was convicted of child rape and indecent assault and battery of a student of the middle school, the department was unable to get copies of necessary documents, slowing the process of suspending his educator license. While in the majority of cases, the department has been successful in receiving necessary documents due in part to their great relationships with many district personnel, even one case of not being able to receive needed documentation or testimony from witnesses, which results in a child being harmed, is one too many children being needlessly harmed. The majority strongly urges the passing of this bill to protect the safety of NH students. Moreover, the education departments of all other New England states have such subpoena power, as do other New Hampshire state regulatory agencies. The argument that a hearings officer in an agency cannot act impartially because s/he works under the authority of the head of the agency has repeatedly been rejected by the courts in a variety of contexts. **Vote 10-8.** Rep. Eric Turer for the **Minority** of Judiciary. The amendment would authorize the

Department of Education to seek subpoenas through the Attorney General's office, rather than setting up a novel subpoena process through the hearing officers within the department. This follows similar RSA's covering other agencies overseeing licensure and certification. This approach would resolve several issues raised during the bill's hearing. Most notably, as initially drafted, the key questions of justification and good faith need for the subpoena would be decided by the hearing officers, who themselves report to the commissioner who is making the request. Similarly, the bill provides that the subject of the subpoena may make a motion to quash or modify it, but these too would be heard by the hearing officers issuing the subpoena. These conflicts call into question any sense of impartiality. Lastly, all witnesses, including the department's own representative, acknowledged that there have been no instances where such subpoenas have been needed to obtain information in the past, suggesting that simply providing a path to subpoena through the Attorney General's office would provide that option in the least invasive way, should the need ever arise.

HB 587-FN, allowing admission of one-party audio and video recordings in certain circumstances. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Donald McFarlane for the **Majority** of Judiciary. New Hampshire has long upheld two-party consent for recordings, reflecting our Live Free or Die commitment to personal privacy. However, this bill, as amended, strikes a necessary balance between privacy and justice by allowing one-party consent recording only in cases where the recording is reasonably believed to contain evidence of a crime and is intended for law enforcement or court use — not public disclosure. This ensures that individuals facing threats, coercion, or abuse can protect themselves while maintaining New Hampshire's tradition of safeguarding personal privacy from public exploitation. This bill is particularly crucial for victims of domestic violence, extortion, and other crimes that often happen behind closed doors. Abusers frequently use secrecy to evade justice, leaving victims without the ability to document threats or coercion. Under current law, a victim who records their abuser without consent could face criminal charges, even if the recording contains clear evidence of a crime — and their recording may be inadmissible to prosecute their abuser. This bill corrects this injustice, giving victims the ability to secure proof of wrongdoing without fear of prosecution. Additionally, this bill ensures that individuals acting in self-defense can legally document threats against them, reinforcing the fundamental right to protect oneself. Importantly, this amendment does not alter New Hampshire's core commitment to two-party consent for public disclosure. Recordings made under this provision cannot be released publicly or used for personal or political gain — only for law enforcement and judicial purposes. This preserves privacy protections while ensuring that evidence of criminal activity is not suppressed by outdated restrictions. This bill is a pro-liberty, pro-victim, and pro-justice reform that empowers Granite Staters to defend themselves without compromising our state's deeply held values. **Vote 13-5.**

Rep. Paul Berch for the **Minority** of Judiciary. The minority finds this bill too ambiguous and easily misused. It would allow one party to make or possess an audio or video recording of an in-person or phone conversation if intended for law enforcement or court purposes and if it is not publicly disclosed or otherwise released by the person recording or their agent. Nowhere is there a definition of who is an agent and the committee was unable to agree on who that agent could be. The minority was concerned that the language in the bill would preclude the person from disclosing the recording to third parties, including trusted family members or friends or a domestic violence advocate. Additionally, it would allow such recording based only on the reasonable belief of the person recording that there will be a crime committed before the conversation even takes place. A person could endlessly record their neighbor's conversations as to whether they possess an illegal gun or have hunted out of season or possesses pot, simply because of an unverifiable claim that in the past their neighbor mentioned such a thing. It would allow citizens to try to get their neighbor to say something incriminating on tape based on reasonable belief that they might do so. This is a very low standard, easily subject to misuse and reduces the personal liberty and privacy of Granite Staters, who have every reason to expect that they are not being recorded or wiretapped by private citizens without a court order.

HB 614-FN, relative to litigation alleging constitutional rights violations. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bob Lynn for the **Majority** of Judiciary. This bill would change long-standing New Hampshire law by allowing a private cause of action for a person claiming a violation of the New Hampshire State Constitution. It also would allow for such claims to be pursued even if the claimant suffered no actual harm from the alleged violation. The bill makes no differentiation between intentional and non-intentional violations, nor is there any requirement that the violation be malicious or reckless. The majority of the committee felt that, unlike under the Federal Constitution, there is no need to allow a cause of action for alleged state constitutional violations because most conduct that would subject a person to liability for such a violation can already be remedied under the common law for torts such as assault, battery, false arrest, false imprisonment, malicious prosecution, defamation, invasion of privacy, interference with contractual relations or prospective advantage, etc. The majority feels that it would be unwise to grant our courts more authority than they currently have — authority that could allow creative lawyers or inventive judges to fashion all manner of “new rights” that could foster significant additional costs and obligations on the state and its subdivisions. **Vote 14-4.**

Rep. Donald McFarlane for the **Minority** of Judiciary. New Hampshire has the second-oldest constitution in the world, dating back to 1784 and preceded only by John Adams' Massachusetts constitution. But unlike Massachusetts, our state constitution was not born of consensus; it was the product of fierce resistance. Granite Staters rose up and rejected three proposed constitutions before our framers finally crafted one that emphatically protected their rights. That legacy of defending liberty is one of which we should be proud. Yet today, New Hampshire's constitution falls short of its promise. Unlike the US Constitution, our state constitution provides no means for Granite Staters to seek justice when their rights have been violated. Our state courts have consistently held that it provides no remedies — of any kind — for any constitutional rights violations that occurred in the past — whether to your free speech, your religious liberty, your right to bear arms, or any other constitutional right. Instead, New Hampshire citizens are forced to turn to the federal courts in Washington, DC or rely on the common law of torts, which is often an inadequate substitute. This is not how a sovereign state should operate. When Granite Staters have their rights violated, New Hampshire — not the federal government — should be responsible for protecting them. This failure to provide a remedy undermines our state's independence, weakens the authority of our courts, and leaves our citizens without justice. This bill fixes this problem by ensuring that when the government violates a person's rights under the New Hampshire Constitution, they have a legal path to seek justice in New Hampshire courts. Like the federal 42 U.S.C. § 1983, this bill does not create new rights, new causes of action, or new government obligations. It simply ensures that our courts recognize and enforce the constitutional rights Granite Staters already have. Liberty means nothing without accountability. If we truly believe in constitutional rights, we must also believe in holding government actors accountable when they violate those rights. This bill restores this principle by ensuring that our state courts afford liberty and justice for all — not just for those who can afford a drawn-out federal court battle. And for petitioners whose claims do not align with the First Circuit Court of Appeal's rulings, their only remaining option is to seek one of the rare few cases granted certiorari by the US Supreme Court — an impossibly high bar for most citizens. New Hampshire was founded on the idea that government must be held in check to preserve individual liberty. This bill upholds that tradition. It ensures that when government oversteps, Granite Staters can seek justice in their own state, under their own constitution, in their own courts — as it should be.

HB 641-FN, establishing a private right of action for civil rights violations. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Alexander for the **Majority** of Judiciary. The majority of the Judiciary Committee believes that this bill is unnecessary. This bill would allow a private individual the ability to sue for a violation of their civil rights. The committee heard testimony from the sponsors that this bill is needed to protect civil rights; however, the NH Attorney General's office testified that they have sufficient staff to investigate violations of other's civil rights and they have investigated and brought actions against a number of individuals in the past year. This bill also adds two new positions to the Attorney General's office in the amount of \$222,000 per year in the first year and there will need to be additional funding to the courts to handle the extra anticipated cases. **Vote 10-8.** Rep. Catherine Rombeau for the **Minority** of Judiciary. Under Part 1, Article 14 of our state constitution, every New Hampshire citizen "is entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property, or character." Currently, however, only the Attorney General has the authority to file a civil rights action under the New Hampshire Civil Rights Act (RSA 354-B), and while civil penalties may be levied against violators of that law, those penalties are paid to the state, not to the citizen whose rights were violated. This bill, as amended, would remedy this inconsistency by establishing a private right of action under the Civil Rights Act, enabling members of the public to file their own civil actions thereunder, with notice to the Attorney General. Accordingly, a person who was threatened or suffered bodily or property injury in violation of the Civil Rights Act would be able to recover monetary damages if a court or jury finds such a violation occurred. Courts would thus treat civil rights violations the same way courts treat most typical civil law claims: they would recognize that damage done to individuals and their property should be remedied financially to those individuals.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 487, relative to providing employees with advance notice of the work schedule. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Granger for the **Majority** of Labor, Industrial and Rehabilitative Services. The majority of the Labor Committee recommends Inexpedient to Legislate on this bill. This bill seeks to mandate employers to post schedules 7 days in advance of a scheduled shift for employees. Notwithstanding the inherent issues with enforcement or the vagueness of this bill, it is clearly putting an undue burden on employers to carry out an unnecessary mandate. Some industries have a rolling workweek based on the weather, seasonal industries have a short window of operations and the hospitality industry in NH is heavily based on tourist seasons. From our smallest businesses to our largest employers they depend on flexibility and productivity of their

employees. This bill seeks to remove that and mandate a schedule that in some industries is just unworkable. For these reasons and more, the majority found this bill intrusive into an employer and employee relationship and takes away the ability of employers to pivot when necessary and to have an available workforce that is not tied to a scheduling mandate. **Vote 11-9.** Rep. Kathy Staub for the **Minority** of Labor, Industrial and Rehabilitative Services. Providing employees with 7 days advance notice of their work schedule enables workers to better navigate challenges with childcare, medical appointments, caregiving responsibilities and in the long run makes them more reliable employees. The minority of the committee supports Ought to Pass with Amendment that would limit the advance notice to hospitality workers.

LEGISLATIVE ADMINISTRATION

HB 142, relative to the Honor and Remember Flag. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Stephen Boyd for the **Majority** of Legislative Administration. This bill would designate the Honor and Remember Flag as the state symbol of remembrance for those who died in the line of duty or as the result of service and require the flag to fly over the State House for no more than five designated days of the year including Gold Star Mother's Day. The organization behind the flag, while a commercial enterprise, has yet to garner widespread support from traditional national service organizations such as the Veterans of Foreign Wars (VFW) or the American Legion. During the hearing, a NH representative of the State Veterans Advisory Committee testified in opposition to the bill stating the American flag is what is draped over fallen soldiers' coffins and no other flag is wanted or necessary. The Honor and Remember Flag does currently fly at the New Hampshire Veterans Cemetery in Boscawen, New Hampshire, at their discretion. The flag can be purchased directly from the company, and it can be personalized for individual service members. Overwhelmingly, the correspondence received by the committee indicated that it has been, and should remain, the US flag that our service members fought and died for and the flag that drapes their coffins and is presented to their spouse, parent or child, that being the flag that honors them. The majority of the committee voted to recommend this bill Inexpedient to Legislate, not as a rebuke of the Honor and Remember Flag, but as a recognition of the US flag as our official symbol of remembrance. It is noted that RSA 4:13-h proclaims Gold Star Mother's Day. "The governor shall annually issue a proclamation calling for the proper observance of the first Sunday after Easter which shall be known as Gold Star Mother's Day recognizing and honoring all mothers who have lost sons or daughters while on duty in the United States armed forces. The governor shall urge the citizens of the state to observe this day with appropriate events." The Governor might well want to order the Honor and Remember Flag to be flown on this day. **Vote 9-3.** Rep. Joseph Barton for the **Minority** of Legislative Administration. This bipartisan measure has been in the mix before and this version includes new language and compromises that reflect earlier testimony and feedback. The flag design is from a national organization, Honor and Remember, Inc. An earlier issue concerned the flag being manufactured by a private vendor. That is a non-argument, a red herring. The company makes the flags available at cost, or a bit more than cost. It's not about profit. It's about having a flag that can be personalized with the name of a deceased veteran. That can't be done with an American flag. And, of course, flag manufacturers sell countless American flags, often at far more than cost. The minority position is one of support for the proposed flag and for the Gold Star families who seek to have it recognized by having it officially flown at our capitol once or twice a year. During a time when military recruiting has been struggling, this type of recognition sends an important message that military service is valued and that those who make the ultimate sacrifice will be remembered. Much has been made of the fact that some Veterans organizations don't endorse this flag. The State Veterans Advisory Council (SVAC) did not support this bill. Unfortunately, no supporter of the flag was invited to make the case for the flag to SVAC. One SVAC response has been "We have the American Flag. That's all we need." Except for those pesky exceptions. For example, the Marine Corps flag flies over this State House every November 10th, the Marine Corps birthday. That flag honors but one service. The Honor and Remember Flag commemorates deceased veterans and gold star families from every service. The American flag is enhanced, not detracted, when it is complemented and supported by other flags, to include the POW Flag, the American Legion Flag, the VFW flag and so on. A majority of states, most other states, have already recognized the Honor and Remember Flag. Why does a veteran-friendly state like New Hampshire refuse to do so? These families who have been fighting for this flag have been doing so for many years. It's time to finally reward their efforts by giving the sanction and imprimatur of our great state to validate their hard work, their memories, their lost loved ones, and their flag, by passing this bill this year.

HB 157, establishing a study committee to examine ways to improve the usefulness of fiscal notes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Len Turcotte for the **Majority** of Legislative Administration. The majority of the committee listened closely to the goals the prime sponsor had for this study committee as well as testimony of the concerns raised by the House Clerk. The committee agrees that while the accepted belief among legislators is that the

Legislative Budget Assistant's Office (LBAO) does fantastic work, it also agrees that very occasionally legislation might demand a more in-depth, cost-benefit analysis than LBAO has time or resources to provide. Time would seem to be the biggest challenge given our legislative deadlines and 2-year terms of office. An example was given in testimony, of a recent, similar cost-benefit analysis undertaken that took a full eight months to complete. Additionally, and with time still on their mind, members of the majority of the committee suggested to the prime sponsor that an ad hoc committee (with input from our LBAO personnel) versus a formal study committee would be advisable, with a goal of crafting and presenting a different non-study bill next September/October. An amendment was offered by the minority to correct many of the immediate problems with the bill, but regardless, much valuable study time until this legislation reaches final passage would be lost. The majority of the committee recommends Inexpedient to Legislate on the formal study committee and suggests the prime sponsor organizes a better bill for next September's filing period. **Vote 9-2.**

Rep. Alice Wade for the **Minority** of Legislative Administration. As members of the General Court, we have a constitutional duty to consider and enact laws "as they may judge for the benefits and welfare of this state." To assist us with that responsibility, certain bills we consider are accompanied by a fiscal note. There was general agreement among all members of the committee that most fiscal notes tend to be of little use in understanding what "benefits and welfare to the state" those pieces of legislation to which they are affixed are likely to have on our state. Typically, most of them only include a statement of the impact on the budget of an affected state agency. There are many reasons why, including limits dictated by current law on the scope of fiscal notes, the requirement that all bills with a possible fiscal impact of \$10,000 or more must have a fiscal note, the large number of bills introduced each year, the demands of the calendar set by the legislature and staffing and resources allocated to the Legislative Budget Assistant and agencies responsible for preparing most fiscal notes. The committee agreed that improving the efficacy of fiscal notes is necessary. While the majority believes this is best handled through informal discussions among members, the minority believes that by passing this bill the legislature establishes that this is a priority for which it wishes to allocate time and resources towards addressing. During testimony, there were several minor issues identified around who should serve and how the members of the study committee would be appointed, as well as what the scope of the study committee should be. These were addressed in an amendment submitted but not considered by the committee.

HB 347, relative to protection of employment for members of the general court. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Kevin Verville for the **Majority** of Legislative Administration. This bill places an unfunded mandate on New Hampshire companies only, by requiring time off from work for members of the General Court. This places a burden on New Hampshire companies to have to find replacement labor and/or talent while employees are off from work to tend to legislative requirements. The mandate applies to employers of 25 or more employees. For a small-size business, each person out, on a regular basis, for six months per year, each person represents up to 4% of total labor. Employees with specific responsibilities or skills are very difficult to fill in for. **Vote 8-3.** Rep. Alice Wade for the **Minority** of Legislative Administration. This bill would protect legislators who work a job in New Hampshire from being disciplined or terminated from their job for having to attend a session or their own committee, provided that they give their boss advanced notice. There has already been litigation which states that retaliating against an employee for serving as a state representative is illegal. This bill provides guidelines for enforcement and enables the Department of Labor to investigate reports of abuse. The amendment for this bill also allows employers with less than 25 employees to be exempt to reduce the burden for employees that may serve a critical function. If we want to truly be a volunteer legislature that allows anyone to serve as a state representative, we need to provide protections against being fired for serving your constituents.

HB 456, relative to testimony of agency employees in general court hearings. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Len Turcotte for the **Majority** of Legislative Administration. The amendment replaces the entire original bill language. This bill, as amended, would implement a few changes regarding lobbyists into the statutes. First, in an effort to create transparency, any dues paid to the New Hampshire Municipal Association (NHMA) would require a specific vote by the legislative body of the municipality. Secondly, regarding the dues that municipalities pay to any of the various associations, those dues would not be able to include funding for lobbying, unless non-taxpayer monies were collected for that specific purpose and those monies were kept in physically segregated accounts. Lastly, the amendment makes clear that no prohibition on free speech exists. The options for a municipality to "lobby" the legislature remain. A) Senators and Executive Councillors and Representatives are available to bring the thoughts and testimony from their communities. B) Municipal employees can testify in person or on-line. C) Municipalities may pay for lobbyists with that one caveat that the funds cannot include taxpayer funding. The committee also heard that the municipalities rely on the other services the lobbying firms provide. We agree. The key service NHMA provides is a legislative analysis of upcoming legislation. That service exists for all people with a computer, not just those with a membership. Municipalities use and value the legal services of these organizations as well. Municipal dues can pay for legal services. Only lobbying services are prohibited to be paid with taxpayer funding. **Vote 7-4.**

Rep. Alice Wade for the **Minority** of Legislative Administration. This non-germane amendment contains the provisions of HB 314, which this committee already voted to retain. This non-germane amendment also mimics bills from previous years that have consistently been voted Inexpedient to Legislate. Over 50 NH cities, towns, counties and other non-profit groups have testified or written letters against this type of bill. This bill's non-germane amendment essentially does two things: It prohibits three specific statewide organizations representing local officials from taking positions on legislation and separately puts new restrictions on other associations that are not listed in RSA chapter 31 that prohibit them from lobbying with public funds, which may be all of the funds that they receive, leading to an all-out ban on their lobbying. If a municipality does not want the services of a lobbying service currently, they simply do not have to buy into that organization. Municipalities and local officials joining organizations that can track and speak on legislation on their behalf is, in fact, the more prudent, fiscally responsible, and efficient way of engaging in the legislative process. Otherwise, local officials would either spend more time away from their duties to do so themselves, or the local official perspective at the legislature would simply weaken. Neither result is acceptable or in the interest of good public policy. The reality is that there are many private sector organizations and entities that receive public money through appropriations as part of municipal and state budgets, but for some reason they would not be restricted in any way by this legislation. This bill is another attempt at overreach of local control of our cities, towns, and counties.

MUNICIPAL AND COUNTY GOVERNMENT

HB 138-LOCAL, relative to tax impact notation on warrant articles with multi-year tax impacts. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda Franz for the **Majority** of Municipal and County Government. The current law under RSA 32:5, V-b enables any town to adopt a provision that requires a warrant article to contain a notation stating the estimated tax impact of the article. This bill amends the law to include special warrant articles with multi-year tax impacts or leases with or without non-appropriation clauses. The notations shall contain the estimated tax impact for the first five years of the agreement or for each year if the agreement is less than five years. Due to fluctuating interest rates and tax rates, some tax impacts for future years cannot be exact in the notations so are therefore estimated and are subject to the approval of the governing body and shall not require local amendment or readoption. This bill simply provides additional information and transparency for the voters.

Vote 10-8. Rep. Eleana Colby for the **Minority** of Municipal and County Government. The minority of the committee is deeply concerned about the implications of this legislation. Forecasting project tax impacts over a five-year period involves an overwhelming number of variables, including fluctuating bond interest rates, refinancing opportunities, property reassessments, changes to available tax credits, and unpredictable revenue streams. This bill would compel governing bodies to knowingly disseminate inaccurate information, forcing voters to make crucial long-term decisions based on fundamentally flawed projections. The minority believes this legislation promotes fiduciary malpractice, inevitably eroding trust within our communities. The minority feels the State of New Hampshire should not support legislation that places local officials in the untenable position of breaching their legal and ethical obligations to their constituents.

HB 147, relative to clarifying tax exemptions for properties used by religious, educational, and charitable organizations. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John MacDonald for the **Majority** of Municipal and County Government. The definition of “appertaining to” and “directly” used for a religious or educational purpose, contained in the current law has been interpreted differently by municipalities when it comes to determining lots and buildings used for religious, educational, and charitable purposes and providing tax exemptions for those properties. This bill brings clarity to the intent of the law by replacing “appertaining to” with sections that define that the entire building and lot on which religious or educational or charitable activities are taking place shall be exempt from taxation. **Vote 10-8.** Rep. Jim Maggiore for the **Minority** of Municipal and County Government. This bill, if enacted, will erase language in RSA 72:23 created specifically to “close loopholes and protect against abuse” relative to tax exempt properties and return us to previously ambiguous and confusing language. In 1994 the Municipal and County Government Committee passed HB 1484 creating the existing statutory language. The 13-4 majority opinion concluded, “[E]xemption laws, as they now exist, leave a great deal of uncertainty for those who have to enforce them. The bill, as amended, intends to remove those uncertainties with removing the traditional exemptions for which there is broad public support. Its effect will be to close loopholes and protect against abuse.” The minority of the committee believe it is preferable to keep current language rather than return to language that could open loopholes and create abuses.

RESOURCES, RECREATION AND DEVELOPMENT

HB 582-FN, relative to safety requirements for operation of personal water crafts. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Nicholas Bridle for the **Majority** of Resources, Recreation and Development. This bill seeks to define personal watercraft differently than other types of boats and place different restrictions on them related to

personal floatation devices, operating restrictions, and criminal penalties. The majority of the committee found that the experience relative to these craft do not warrant a change in the laws. The local dealers opposed the legislation. This is similar to a bill the House defeated last year. There is no reason to redefine personal watercraft. The current laws on boating safety work. **Vote 9-7.**

Rep. Will Darby for the **Minority** of Resources, Recreation and Development. This bill applies the same safety requirements to all personal watercraft (PWCs), commonly referred to as jet skis, that have been in place since 1988 for small, 1-2 person variants, known as skicraft. PWCs have very large engines, up to 300HP, are capable of speeds up to 70 MPH, and can accelerate to 60 MPH in less than 4 seconds. They are currently considered boats in statute, which allows for children as young as 12 to operate them with an adult onboard. But unlike boats, PWCs lack gunwales or other restraints that prevent passengers from being thrown into the water during acceleration or when encountering large wakes and waves. This bill also increases the level of offense for careless and negligent operation of a PWC, such as jumping wakes behind other boats and weaving through congested waterways, to a misdemeanor, as for skicraft, from a violation, which was reduced last year for other boats. All of the bill's safety measures align with manufacturers' operating requirements, and the Department of Safety reviewed the bill to ensure its provisions were limited to enforceable safety measures that will not result in a ban on any body of water.

SCIENCE, TECHNOLOGY AND ENERGY

HB 674-FN, relative to non-wire alternatives, time-of-use tariffs, and multi-year rate settings. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Harrington for the **Majority** of Science, Technology and Energy. The committee heard hours of testimony on the complexity of implementing advanced metering and time of use pricing, which utilities already offer in some form. There are ongoing dockets at the Public Utilities Commission on these issues and the committee felt that was a better venue to perform the investigation of them. In addition, the majority felt the cost of meter replacement and back-end systems support needed for these non-wires alternatives was too high. **Vote 10-8.** Rep. Tony Caplan for the **Minority** of Science, Technology and Energy. This bill is intended to bring on additional, much needed electric generation and lower costs using distributed generation resources such as renewables and battery storage projects, which count as "non-wire alternatives" (NWA) under NH integrated planning requirements. By establishing incentives and rules for electric utilities to procure these NWAs, located nearby to where the electricity will be used, rates for all customers will be lowered as utilities come to rely more on NWA generation and storage instead of transmission and distribution infrastructure such as poles and wires needed to move electricity far distances to their customers. This bill also intends to incentivize utilities to provide "time of use" pricing schemes coupled with smart meters which will allow greater cost savings and opportunities for energy efficiency to users. Finally, this bill intends to stabilize the distribution portion of bills for ratepayers by mandating regular 5-year rate cases where the utilities will be allowed to balance their estimates for infrastructure spending, including NWA procurements, with actual costs and pass any savings back to their customers. Some have stated that current dockets at the Public Utilities Commission will settle these issues, but the minority believes it is the legislature's role to set the agenda for the electric utilities, not allow regulators to unilaterally determine the goals of utility regulation.

HB 692, relative to utility companies adopting advanced meters. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jeanine Notter for the **Majority** of Science, Technology and Energy. This bill as introduced required the state's regulated utilities to develop a plan to upgrade all meters to so-called "smart meters." Such a plan involves multi-million dollar upgrades to back-end systems, which requires time and resources. During a work session, the committee discussed an amendment that would simply require a report by the utilities on their compliance with a Federal Energy Regulatory Commission (FERC) order moving toward grid modernization, including smart meter adoption. But a use for such a report could not be identified. Therefore, most of the committee found this bill to be unnecessary since utilities already do long-range planning in mandated integrated distribution plans. **Vote 10-8.**

Rep. Kat McGhee for the **Minority** of Science, Technology and Energy. This bill requires electric distribution utilities to develop a plan to make advanced electric metering available to customers on an opt-in basis. Meter technology is a necessary component of a competitive energy market and the state's largest utility is the long pole in the tent when it comes to systems' upgrades that support competition. Since meters roll-off of depreciation each year, this bill attempts to require that new machines be replaced with advanced meters at the time of renewal with the customer paying any difference in the cost for the upgraded meter if they opt to receive theirs prior to the full migration starting in 2030. This was an attempt to save money on this large capital investment and aid in the conversion of the state's meter technology, as meters will be replaced in 2025, 2026, 2027, 2028, and 2029. These meters, once replaced, will not have reached depreciation by the time they are replaced again, so the bill attempted to prevent throwing good money after bad.

HB 755-FN, relative to the state's electric utility market. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. JD Bernardy for the **Majority** of Science, Technology and Energy. This bill proposes major changes to the way NH's monopoly electricity providers are governed, including new grid modernization concepts such as load reduction and reduced intervals for performing load settlement. The state's Department of Energy (DOE) and Public Utilities Commission (PUC) have been studying these concepts for several years. The state's utilities participate in regulatory and investigative dockets to examine these potential innovations. These utilities all opposed this bill. Many of the concepts the bill embraces are not widely in use in the electricity industry, and they will be very expensive to adopt, and those costs will be passed along to electricity customers. One utility testified about its unsuccessful attempt to implement an idea called transactive energy, and its discovery that time-of-use rates are not of particular interest to its customers. This bill appears to be premature as a direction for near-term electricity regulation. **Vote 10-8.** Rep. Wendy Thomas for the **Minority** of Science, Technology and Energy. This bill is a crucial step toward modernizing New Hampshire's electric utility market, ensuring greater customer choice, lower costs, and increased investment in distributed energy resources (DERs) like solar, battery storage, and flexible loads. By enabling competition, the bill will drive innovation, allowing suppliers to offer dynamic pricing and time-varying rates that benefit consumers and businesses alike. With the integration of advanced metering and data-sharing systems, this legislation removes outdated barriers that have kept residential and small business customers from fully participating in the competitive energy market. It fosters private investment in clean energy technologies while reducing reliance on regulated monopoly services. By aligning with regional energy market structures and promoting fair compensation for DERs, this bill empowers consumers, enhances grid efficiency, and strengthens New Hampshire's energy resilience. It is a forward-thinking reform that will keep NH competitive in the region.

HB 759-FN, relative to community energy generators. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Harrington for the **Majority** of Science, Technology and Energy. This bill, as introduced, creates a new type of customer-generator called a "community generator" and allows that generator to offset the electrical energy load of a community aggregator or alternative supplier. In so doing, it makes a major change in that it raises the limits on community generators from 1 MW to just under 5 MWs. This is a major expansion of customer-driven generation and could result in an increase in the state's distributed energy resources (DERs) by 325-350 MWs in a short time. The North American Reliability Corporation (NERC) has warned for three consecutive years now that large increases in DERs degrades grid reliability. Voters consistently express a preference for dependable electricity. **Vote 10-8.**

Rep. Thomas Cormen for the **Minority** of Science, Technology and Energy. This bill responds to concerns raised by the Department of Energy to HB 1600 from 2024. It defines a "community generator" as a customer-generator that directly offsets the load of a municipal or county aggregation, such as Community Power Coalition of NH, or a competitive power supplier. It further specifies that power exported to the grid by a community generator goes only to the customer's load and not into the retail electricity market. Utilities would not incur any costs for energy supply credits that they would otherwise need to recover from their ratepayers. As a result, there would be neither new cost shifting nor new stranded costs. Overall, this bill would provide for greater competition in the energy supply market. The minority considers this bill a valuable addition to the competitive energy markets in which the Granite State has established itself as a leader.

HB 760-FN, relative to utility default service. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Vose for the **Majority** of Science, Technology and Energy. This bill seeks to prevent the collection of certain utility default service under-collections from all utility customers through a non-bypassable charge, such as the stranded cost recovery charge. The utilities have requested, and the public utilities commission (PUC) currently has open dockets to decide whether to allow cost recovery from non-default service customers, which the bill would prohibit. Most of the committee felt that the completion of these dockets would yield vital information on the efficacy of this cost recovery mechanism. The PUC may or may not allow it, which would inform the direction of any future legislation. **Vote 10-8.** Rep. Thomas Cormen for the **Minority** of Science, Technology and Energy. This bill pertains to the situation when an electric utility does not collect enough from its default service customers to cover the costs of the electricity it has bought to serve them. Currently, Eversource and Unitil have proposed, at the urging of the Public Utilities Commission (PUC), to place the cost of such under-collections into "non-bypassable" charges: costs that all the utility's customers must pay, whether or not they are on default service. This practice shifts costs from the customer group that incurred them—the default service customers—onto all customers, such as those of us on Community Power or who purchase power from another competitive supplier. With the PUC pressing the electric utilities to purchase most of their power for default service from the volatile day-ahead and spot markets, the risk of under-collections becomes more likely. This bill would restrict under-collections to be charged to only the utility's default service customers, that is, the customer group that the power was purchased for. If this bill is not enacted, then the

PUC could end up destroying the competitive market for electric generation supply, where customers taking their supply from competitive suppliers—including the Community Power Aggregators—end up subsidizing the utility energy default service rate. The majority of the committee voted Inexpedient to Legislate on this bill because it is the topic of an open docket at the PUC, believing that we should wait for the docket to be resolved. The minority of the committee holds that the PUC derives its authority from the legislature, and if the legislature wants only default service customers to bear such under-collection charges, then we should say so in statute and not wait for the PUC’s decision.

HB 761-FN, relative to customer energy storage. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tom Ploszaj for the **Majority** of Science, Technology and Energy. This bill changes the time at which net-metered electricity can be exported to the grid. Currently, that export would happen when the electricity gets generated with solar panels or another resource. The bill would allow such exports to come from a customer’s battery, which would allow the exports to happen at a time other than when the power was created. This bill also proposed to require the Department of Energy and the Public Utilities Commission to adopt rules and issue orders in adjudicated proceedings concerning net metering of customer energy storage. The bill failed to proscribe the needed guidelines for the department and commission to fully implement retail-customer owned behind-the-meter energy storage intended for export to the grid. The bill as introduced also failed to provide guardrails to prevent charging the battery from the grid and then later exporting that energy back to receive a higher net metering credit, which would increase cost-shifting to other customers. **Vote 10-8.** Rep. Tony Caplan for the **Minority** of Science, Technology and Energy. Energy storage is time-shifted energy generation. It allows energy that is generated when it is relatively inexpensive to do to be discharged when needed and wholesale prices are higher. Storage provides stability and makes our fragile power grid more reliable. Last year the legislature enacted SB 391 (2024), which directed the Department of Energy (DOE) to develop rules for the interconnection of distributed energy resources, which normally includes storage interconnected to the distribution grid. However, existing statute provides that the Public Utilities Commission (PUC) adopt rules for the interconnection of storage, which they have yet to initiate. This bill would simply shift the rulemaking authority for storage to the DOE, so that there is one set of rules for interconnection of distributed energy resources. It would also clarify that the PUC may allow storage in conjunction with net metering, an authority they have already asserted and exercised, but is now being questioned. The majority of the committee expressed concern that a utility customer could charge a battery from the grid and then sell the energy back at a higher cost at some later time. The minority of the committee agrees that this could happen, although this has nothing to do with the bill. The owner of the battery would receive the difference of the price of energy that they discharge when it is expensive minus the price they paid when it is not expensive. This practice is known as capitalism.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 3, applying for a convention of the states under Article V of the Constitution of the United States. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mike Belcher for the **Majority** of State-Federal Relations and Veterans Affairs. This resolution applies for a states convention under Article V to suggest amendments to our federal constitution, utilizing established rules and procedures along lines that while specific, are still broad enough to allow convention delegates to fully consider proposed constitutional amendments. A states convention is now seen as necessary due to a variety of critical problems identified by elected representatives and citizens, to include a dangerous federal debt, an erosion of individual liberties, transgressions against powers due the several states under the tenth amendment, and serial activities by federal lawmakers that call for the consideration of term limits for congresspersons in the same fashion as the President is now constitutionally term-limited. As a prescribed pathway created by our American founders towards addressing grievances while seeking justice and a more perfect union, as well as for reforming that which can’t be reformed from within, an Article V convention is not only warranted but essential. Concerns about “runaway” conventions are unfounded, as any proposed amendments at any states convention would subsequently require 38 states to ratify. **Vote 10-7.** Rep. Christine Seibert for the **Minority** of State-Federal Relations and Veterans Affairs. Proponents of this resolution request a Convention of States under Article V, “for proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.” The minority has concerns about the broad nature of the stated purpose of an Article V Convention, as well as the overall process of such a convention. First, using the term “limited to...” is anything but limited when followed by three very broad areas that would be open for discussion. The language in the resolution provides no clear focus on the exact problems we are hoping to address, and any proposed solutions we as a state seek as a result. Legal scholars and others are divided on virtually all aspects of an Article V convention primarily because

the language in the Constitution is not complete and clear. The Constitution does not provide any guidance or framework for such a convention. How the convention is held, by whom, who attends the convention, and who decides the agenda are not addressed in the Constitution. Those urging us to adopt this resolution say that it is a tool for citizens to be heard when Congress is not listening, but we should be wary of embracing this untested vehicle for change until some important protections are in place. Before we move forward there needs to be clarity on how a convention's rules and procedures are to be set. The minority prefers that Congress first establish procedures for amending the Constitution by the national constitutional convention method. The establishment of procedures will make it easier for state legislatures to support a national convention by knowing the rules under which it would operate. Failing to deal with the uncertainties of the convention method is courting a constitutional crisis. Other critical issues to be resolved before we adopt this and other resolutions calling for any Article V conventions are: Must Congress call an Article V convention if 34 states properly ask for one? If called, are the limitations on scope binding on the convention? What constitutes a valid application to Congress and who is the judge of that? How long are applications valid? Can they be rescinded? What powers does Congress have as to the scope of the convention, procedures for selection of delegates, and will the process then still be required to only propose amendments? What would the subsequent steps be, and what are the possible loopholes that can be taken advantage of? What are the roles of the President and the Governors, if any? Are issues arising at the convention subject to another process or set of rules? If each state can create its own set of rules around their delegates, how do we ensure fairness, consistency, and protection for all of the delegates? Arguably the most important step in this entire process pertains to our own state's delegate selection process. This process and the exact rules surrounding it are non-existent, and congress itself will be setting these parameters only when a constitutional convention is triggered. The innumerable directions in which the broad subject matter could lead the delegates lends credence to "runaway convention" concerns. For these reasons, the minority opposes the Ought to Pass Motion and asks that the resolution be found Inexpedient to Legislate.

HCR 5, rescinding House Concurrent Resolution No. 40 passed by the 2012 New Hampshire General Court asking that Congress call a convention under Article V of the United States Constitution. **MAJORITY: IN-EXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tom Mannion for the **Majority** of State-Federal Relations and Veterans Affairs. The majority believes that rescinding our 2012 application to a Convention of States for the purposes of proposing a balanced budget amendment would not be in the best interests of the state, nor our country. The 2024 national elections indicated that Americans want federal fiscal restraint, and this standing application supports that desire. Opponents to Conventions of States often seek to rebrand such conventions as "Constitutional Conventions," and believe they could result in the rewriting of the entire founding document. That belief conflicts with reality. It is impossible for such a rewriting to occur to be then further agreed to by the states. The Constitution's Article V provision only permits amendment suggestions to the current document, not complete rewrites. The existing precedent of smaller scale Conventions of States, such as those that deal with river and ground water rights, have already established the rules by which an Article V Convention would function - each state gets one vote, regardless of size and number of delegates sent to the convention. Again, such a convention only issues amendment proposals, which would still require ratification by 38 states in both legislative chambers to be enacted. Fears about runaway conventions are utterly unfounded. With the above requirements in place regarding amendment adoption, it is impossible for it to go awry. Thus the majority supports Inexpedient to Legislate on this resolution. **Vote 10-7.** Rep. Christine Seibert for the **Minority** of State-Federal Relations and Veterans Affairs. This resolution proposes the rescission of HCR 40 adopted in 2012 requesting that Congress call an Article V Constitutional Convention for the specific and exclusive purpose of proposing an amendment to the US Constitution requiring, with certain exceptions, that for each fiscal year the president submit and Congress adopt a balanced federal budget. The minority disagrees with the premise in the original 2012 resolution for the Convention and also has grave concerns about the procedures governing any Article V convention. First, the minority disagrees that a convention should be held to adopt an amendment to the US Constitution requiring a balanced amendment. The minority believes that such an amendment will hurt the economy, undercut social security, medicare, and other programs with reserves, and raise profound enforcement questions. Next, the minority does not favor utilizing an Article V Convention until there is clarity on how such a convention's rules and procedures are to be set. The minority prefers that Congress first establish procedures for amending the Constitution by the national constitutional convention method. Failing to deal with the uncertainties of the convention method is courting a constitutional crisis. Other critical issues to be resolved before we adopt any resolution calling for an Article V Convention are: Must Congress call an Article V Convention if 34 states properly ask for one? If called, are the limitations on scope binding on the convention? What constitutes a valid application to Congress and who is the judge of that? How long are applications valid? Can they be rescinded? What powers does Congress have to the scope of the convention, procedures for selection of delegates, and must it submit the amendments to the states for ratification? What are the roles

of the President and the Governors, if any? Are issues arising at the convention justiciable? Does each state have one vote, the number of its electoral votes, or another number based on population? For these reasons, the minority opposes the Inexpedient to Legislate motion.

HCR 10, calling for the repeal of the Jones Act. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Michael Moffett for the **Majority** of State-Federal Relations and Veterans Affairs. The Jones Act—shorthand for the Merchant Marine Act of 1920—provides a lesson on how economic controls can backfire. The Jones Act is described by the US Department of Homeland Security as a protectionist policy intended to develop the American merchant marine and US shipbuilding. Elements of the Jones Act include requirements that ships transporting goods within the United States must be US-crewed, US-owned, and US-built. These provisions are unnecessary and counterproductive. Jones Act defenders allege that requiring the use of US crews for domestic waterborne shipping protects Americans against foreign terrorists and spies freely traversing the Mississippi River disguised as ship operators. This is a scare tactic. With or without the Jones Act, it is illegal for someone to work in the United States without a Permanent Resident Card, a work permit, or an employment-related visa. This is true whether they are transporting merchandise between US ports or employed in any other job. Jones Act requirements that ships transporting goods between domestic ports must be US-owned deprives the industry of beneficial foreign investment. Areas of the economy that are open to foreign investment account for 7.1 million US jobs. As other analysts have pointed out, removing ownership limits would provide more opportunities for Americans involved in domestic waterborne transportation to also benefit from job-creating foreign investment. As with foreign investment in other US industries, ownership of vessels providing waterborne transportation would be screened by the Committee on Foreign Investment in the United States (CFIUS) to mitigate national security risks. Additionally, it has been argued that modern ownership arrangements render the Jones Act's ownership requirement obsolete. The most-criticized element of the Jones Act is its ban on using foreign-built ships for domestic shipping. This is a unique regulatory barrier. No similar restrictions apply to the domestic transportation of merchandise by air, rail, or truck. As a result, Americans pay inflated prices for ships. According to a 2017 Congressional Research Service report, coastal-size containerships built in the United States cost six to eight times more than comparable foreign-built ships. The argument made by proponents of the Jones Act is simple: The United States needs a strong shipbuilding industry, and the way to realize this goal is by freeing it of the obligation to compete with foreign shipbuilders. But high tariffs don't necessarily make industries stronger. They often actually make them weaker. By reducing competition, the Jones Act reduces the incentive for US shipbuilders to innovate. Foreign car competition, for example, has prompted American car manufacturers to improve. That people could buy Toyotas instead of Fords made Ford a better company. According to the US Maritime Administration, the United States non-defense oceangoing vessel fleet declined from 193 ships in 2000 to 96 as of October 2018. And our Navy is down to around 280 ships. China is pushing 500. Our great decline in domestic ship-building creates national security issues as well as economic issues. Some of the strongest transportation manufacturing industries in the United States operate in a low-tariff environment. US production of aircraft, railroad rolling stock, automobiles, and heavy-duty trucks has been increasing, even though the government does not force Americans to use US-built planes, trains, or automobiles when transporting cargo, as it does with ships. Moreover, the effective tariff rate for imported recreational boats is just one percent, but 95 percent of the recreational boats sold domestically are made in the US. Clearly, American manufacturers don't require high tariffs to be successful—in fact, their success is contingent upon low trade barriers that foster innovation and competition and quality products. Trade barriers undermine US security by weakening the economy and creating conflict with our allies. Here in New England, we need fuel oil and natural gas. A pipeline through New York would help, but politicians there won't let it happen. So, we depend on fuel supply coming via ship. A recent *Wall Street Journal* article stated that Jones Act limitations add costs that encourages fuel to be exported overseas. Citigroup's global head of commodity research told the paper, "The Gulf Coast is not selling [diesel] to Philadelphia or New York." They're selling it to Holland. Then fuel-laden ships that satisfy the Jones Act bring that fuel here to the northeast from Holland. The Jones Act is over 100 years old. Instead of receiving unending protection from international competition, domestic shipbuilders should operate in the same low-tariff policy under which manufacturers of trucks, automobiles, aircraft, and other industries are thriving. The Jones Act should not be allowed to inflict another 100 years of damage on the US economy. **Vote 11-6.**

Rep. Christine Seibert for the **Minority** of State-Federal Relations and Veterans Affairs. The minority opposes this resolution as it relates to the Jones Act because we believe as proposed, it compromises New Hampshire jobs, weakens our borders, impedes military readiness, takes away American control over our own supply chain, and openly invites Chinese maritime dominance. The Jones Act mandates that cargo moved between US ports be transported on vessels owned by US companies, built in US shipyards, and crewed by US mariners. The US towing industry comprises the largest segment of the 40,000-vessel-strong Jones Act fleet, which plays a crucial role in the nation's supply chain. The US maritime industry supports over 650,000 jobs and

contributes more than \$150 billion to the economy. In New Hampshire alone, the industry generates over \$230 million annually to the state economy and provides well-paying jobs. The Committee heard from voices as varied as a former Trump Administration appointee with NH shipping experience and the AFL-CIO about why this measure is bad for NH and our nation. Supporting the Jones Act is a bi-partisan tradition, and one supported by the current Trump/Vance Administration. Attempts to repeal or reform without specifics is dangerous in a time of so much uncertainty.

HJR 1, affirming the natural right of persons and affirming that the state and federal government are established for the purpose of upholding, protecting, and securing these rights. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mike Belcher for the **Majority** of State-Federal Relations and Veterans Affairs. The majority supports this resolution which identifies the nature of American government as existing to affirm and uphold the individual, inherent and inalienable rights of American citizens, while identifying the source of our common American ethic as transcendent. We believe that the legitimization of government authority is based in the consent of the governed as a republican form of government. We remain concerned about several manners by which this paradigm has been transgressed in recent history, to include: coercion to spiritual dogma; subjecting freedom of speech to censorship and prosecution; impeding the right to bear and train in arms; severely transgressing the right to security in privacy of papers, effects and data; and depriving rights to jury trials which gravely threaten liberty interests. **Vote 10-7.** Rep. Lily Foss for the **Minority** of State-Federal Relations and Veterans Affairs. The purported reason for this resolution is to safeguard natural rights for which resolution falls short. Article 2 of the Bill of Rights of the New Hampshire Constitution explicitly affirms and protects the natural rights of citizens, rendering this resolution superfluous. What this resolution does accomplish, however, is a violation of both the Establishment Clause of the First Amendment and Article 6 of the NH Bill of Rights. By stating that “the source of the rights of mankind is likewise transcendent, endowed and justified by our creator,” the resolution, should it pass, would enshrine theistic religion as the official state system of belief. Article 6 of the NH Bill of Rights is very clear: “no subordination of any one sect, denomination or persuasion to another shall ever be established.” If this resolution were to pass, those citizens whose religious persuasion—or lack thereof—does not include the idea of a creator would find their beliefs suborned by the state. The majority may claim that the fact that this language apes that of the Declaration of Independence justifies the usage of explicitly religious terms. But an important distinction here is that the Declaration of Independence is not law. The Establishment Clause (“Congress shall make no law respecting an establishment of religion”) and Article 6 are. Since this resolution does not include any new language that benefits New Hampshire citizens and in fact violates both the state and federal constitutions, the minority urges this body to reject it.

TRANSPORTATION

HB 249, allowing bicyclists to treat stop signs as yield signs and stop lights as stop signs. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Matthew Pitaro for the **Majority** of Transportation. This bill would allow the operators of bicycles, human-powered vehicles, and electric bicycles to roll through stop signs provided that they yield. Testimony before the committee in favor of the bill largely spoke of convenience, in that the operators of the bicycle would not have to exert additional strength from propelling the bicycle from a required traffic stop. Those in favor also spoke of the bicyclists’ need to ride with a wider awareness of their surroundings, while they negotiate their environment. But when it comes to traffic signage and negotiating our roadways, the environment that we create for our motoring public must have safe, clear, and consistent rules. Allowing bicyclists to slow down at stop signs, instead of stopping at stop signs, will have unintended confusion and inconsistency for motorists at intersections. It should also be added that to the best of all concerned’s knowledge, no bicyclist has ever received a citation for rolling through a stop sign. For these reasons, the majority of the committee recommends this bill be found inexpedient to legislate. **Vote 9-7.** Rep. Seth Miller for the **Minority** of Transportation. This bill creates a safer, more efficient experience on our roads for both cyclists and vehicular traffic. It is based on decades of data reported by the National Highway Traffic Safety Association (NHTSA) and multiple states across the country, covering urban and rural cycling environments. Worry about theoretical future unintended consequences should not outweigh the real risk to cyclists we can reduce today.

HB 461, relative to department of safety and department of motor vehicle training and testing materials. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Thomas Walsh for the **Majority** of Transportation. As publicly stated by a leading officer at the Department of Safety, the three main safety issues on our roadways are impairment, distraction, and language barriers. Impairment and distraction solutions have been evolving for years. This bill addresses the language issue which has grown significantly in the past four years. Our road signs, directional signs, and emergency electronic signs are all written in English. Common sense dictates that anyone issued a New Hampshire

driver's license would need a basic understanding of the English language. The bill requires that training and testing materials provided the Division of Motor Vehicles (DMV) would be in the English language. The amendment simply states that no translating assistance is allowed for the taking of the driving exam. This is not ground breaking. RSA 3-C:1 states that the official language in NH is English and all official public documents shall be in English. Lastly, the federal motor carrier regulations also require proficiency in the English language. **Vote 9-7.**

Rep. Seth Miller for the **Minority** of Transportation. Road safety comes from having drivers who successfully complete the training and testing mandated by the state. Allowing drivers to meet that threshold in the language that they are most comfortable increases that safety. Moreover, this content has already been paid for. The minority believes we are throwing money away while driving residents out of our workforce, out of our businesses, and out of our community.

HB 489, allowing volunteer emergency workers to use a rear facing blue light on their private vehicles when involved in emergency service. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Matthew Pitaro for the **Majority** of Transportation. The intent of this bill would be to allow emergency response volunteers to install a blue light within the rear window of their personal vehicle while actively engaging in their response work. Many in favor who testified before the committee spoke to how blue light in particular has inherent qualities such as its ability to pierce through fog or break up patters. Indeed if blue lights are used, they work. This is precisely why the uses and expectations of blue lights is reserved for law enforcement. In order for our law enforcement, and in particular our police force, to perform their jobs in the field, they must be safe and given the room to do their work. Police having access to specialized equipment is carefully balanced against the safety of the motoring public. There is no ambiguity when it comes to motorists identifying a police cruiser, a fire truck, or an ambulance when happening upon a response. Allowing any and all personal vehicles, even if operated by an authorized emergency response volunteer, will serve more as a distraction to the motoring public and actually erodes established safety standards already granted to law enforcement. **Vote 10-6.**

Rep. George Sykes for the **Minority** of Transportation. This bill would allow volunteer emergency responders to use a rear facing only blue light. This is an important safety issue for our traveling public and our volunteers. Research has shown that blue lights are more visible and unlike red lights are not easily confused with red brake lights. This is why fire apparatus now can have a blue light. This practice aligns with the practices of other states as well.

WEDNESDAY, MARCH 26

REGULAR CALENDAR - PART TWO

CHILDREN AND FAMILY LAW

HB 553-FN, relative to the definition of abuse and neglect and conditions triggering a rebuttable presumption of harm in abuse and neglect cases. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alicia Gregg for the **Majority** of Children and Family Law. The majority of the committee agrees that the balance of protecting children, honoring family bonds, and honoring parents' rights, we must have an updated definition of what child abuse and neglect are. Therefore we have the ability to work with interventions before tragedy happens. In this state we have seen far too many tragedies where children were not able to be protected. This bipartisan bill, as amended, clarifies the circumstances in which the Division for Children, Youth and Families will screen in a report to begin an investigation. It does not change the current burden of proof nor remove parents' due process rights. The replace-all amendment is the result of a bipartisan subcommittee which worked long and hard to produce language most people could agree with. **Vote 10-4.** Rep. Lori Korzen for the **Minority** of Children and Family Law. While the bill attempts to expand the definitions of abuse and neglect, it does so at the expense of parental rights. For example, conservative or Christian parents could be at risk of losing their child if that child decides he/she wants to change his or her name and/or pronouns. Under this bill, a parent's decision to call his or her child by his or her birth name could place the child under severe emotional and/or psychological abuse that the child may need to be removed from the home.

COMMERCE AND CONSUMER AFFAIRS

HB 316-FN, relative to reimbursement for ground ambulance services. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Julie Miles for the **Majority** of Commerce and Consumer Affairs. This bill addresses the ongoing crisis in emergency medical services by standardizing ambulance reimbursement rates, prohibiting balance billing, and creating a commission to explore an all-payer model. These measures aim to ensure fair and sustainable funding for ambulance providers across New Hampshire. This is a necessary step to stabilize and protect

ambulance services statewide. The committee recommends passing the bill. It is time to take the first step in fixing this crisis before another community loses its lifeline. For over 20 years, ambulance services have struggled to stay in business, and municipalities have faced increasing challenges in maintaining emergency medical services. Now, the situation is reaching a breaking point — Berlin's ambulance service will shut down on April 1st, and Exeter ALS announced closure with just 10 days' notice, leaving communities without critical emergency care. Without immediate action, more closures may follow. **Vote 15-1.** Rep. Manoj Chourasia for the **Minority** of Commerce and Consumer Affairs. Ambulance services and the New Hampshire Association of Fire Chiefs have expressed that the funding mechanism is inadequate and they would prefer that the House pass HB 725, which sets the rate at 325% of the Medicare rate. Since this bill prohibits balance billing and will not meet the needs for current ambulance costs as desired by them, municipalities will have to make up for that loss from taxpayers dollars which could result in local property taxes increase or lower levels of ambulance services. This will compound a huge challenge which the state is already having regarding provision of ambulance services.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 191-FN, providing criminal and civil penalties for the recruitment, harboring, or transporting of a pregnant, unemancipated minor in order to obtain an abortion without parental permission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority of the Criminal Justice and Public Safety committee found this bill ought to pass with amendment. This bill as amended makes it unlawful for any adult to transport a minor for any surgical procedure without the written consent of the parent or guardian. The bill limits the requirement to actual surgical procedures. In recent years there have been stories of minors being transported by adults within and without the state for medical procedures without their parents knowledge and consent. Whether it be an abortion, gender reassignment, or plastic surgery, parents and guardians must be involved in these important decisions. Surgery performed without their knowledge can end tragically. The minor's caregivers know what medications they take and what allergies a child may have. Furthermore they must know what to look out for in the hours and days after a surgical procedure. Secretly performed surgeries can result in postoperative infection and other complications going unnoticed, leading to death. Also important, is a parent's absolute right to decide what is best for their children. The bill requires notarized permission. Surgical procedures where a parent requires someone else to transport their child would be extremely rare and scheduled months in advance. Notaries are numerous in our society and their services are extremely inexpensive. There even now exists the ability to have documents notarized online for \$25. The majority believes this is a very small price to pay to ensure the safety of children and to preserve the rights of parents to decide what is best for their children. **Vote 9-7.** Rep. Alissandra Murray for the **Minority** of Criminal Justice and Public Safety. This bill as introduced was hugely problematic and completely untenable. During executive session, the promise to constituents to not touch abortion laws was the primary driver in amending the bill. Though the amendment removes the word "abortion," it is unclear whether the bill, as amended, would still impact teenagers seeking abortion care, as none of the terms are defined. As amended, the bill creates a new crime of transportation of a minor for a surgical procedure, making it a class A misdemeanor if a person transports a minor for such procedures, even in the case of an emergency. To avoid charges, an adult would need to have written permission in the form of a notarized document authorizing them to drive the teenager to their appointment. This applies even to other family members. Another concern is there is no clear mechanism for enforcement, which means state troopers could be required to stand outside hospitals to question teenagers entering for any reason. Instead of simply finding this bill inexpedient to legislate, as it should have been, the majority of the committee adopted an amendment that now creates an unprecedented government intervention and overreach in a parent's ability to simply parent.

HB 380-FN, relative to penalties for criminal violations of the therapeutic use of cannabis. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jennifer Rhodes for the **Majority** of Criminal Justice and Public Safety. If passed, this legislation will amend the penalty for the unauthorized sale of cannabis by a qualifying patient or designated care giver. In an era of dangerous additives being incorporated into everything from cannabis to carfentanil it is important that a therapeutic cannabis user does not need to be concerned of these additives. The State of NH goes to great lengths to regulate the therapeutic cannabis program to ensure that the substance is free of any unwanted substances. While cannabis is no longer criminalized in NH, the state has made it clear it does not want to legalize it. These penalties for the selling of therapeutic cannabis were put into place to deter a participant from any form of selling the substance. We heard that nobody that uses it sells it, therefore this penalty is not needed. The majority felt if this is the case, leaving the statute as written is acceptable. **Vote 9-6.** Rep. Linda Harriott-Gathright for the **Minority** of Criminal Justice and Public Safety. This bill seeks to remove an outdated and unnecessary penalty specifically for therapeutic cannabis patients in the event that they sell cannabis to

an individual who is not a therapeutic cannabis patient or caregiver. It is important to note that the penalties for any citizen who is convicted of selling cannabis, therapeutic or otherwise, range from three years and/or a \$25,000 fine to 20 years and/or a \$300,000 fine. The way the current statute is written, a therapeutic cannabis patient would be subject to these penalties plus an enhanced penalty of 7 additional years and/or \$300,000 fine. These additional penalties were instituted in 2013 as the therapeutic cannabis program was created, in order to alleviate concerns about the potential for abuse. In the 12 years since, we have not seen any evidence to indicate that this is happening. In fact, there is far less potential for illegal therapeutic cannabis sales now, given both the higher purchase cost of therapeutic cannabis and the fact that cannabis has been legalized, both medically and recreationally, in every one of our neighboring states. Article 18 of the Bill of Rights in the New Hampshire State Constitution requires that, "All penalties ought to be proportioned to the nature of the offense." Therefore, the minority believes that this additional enhanced penalty constitutes an unfair and disproportionate discrepancy for people who already stand to be severely penalized.

HB 638-FN, allowing an older prisoner serving a sentence of life without parole to be eligible for parole upon meeting certain criteria. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority after hearing testimony came to the conclusion that this bill should be found inexpedient to legislate. The people of New Hampshire, through their elected representatives, recently abolished the death penalty. They did so with the knowledge and comfort of knowing that the murderers who otherwise would be sentenced to death, will spend the rest of their natural lives in jail. Now, less than a decade later some would like to weaken that, and use this bill to nullify that sentence. The minority told us that the families of the murdered victims would have the opportunity to testify at any parole hearing authorized by this bill. The majority does not think that forcing victims to relive the worst day of their lives for the benefit of the person who caused it is an opportunity, the majority would call it torture. **Vote 9-7.**

Rep. David Meuse for the **Minority** of Criminal Justice and Public Safety. According to the Department of Corrections, at the end of 2024 there were a total of 95 people in our state prison system serving life sentences without parole. Under this bill, approximately 15 would qualify to become eligible for a parole hearing provided they are age 60 or older, have served at least 18 years of their sentence, and haven't committed a major conduct violation in the last 10 years. A parole hearing is not a get out of jail free card. It is simply an opportunity for an incarcerated person to acknowledge responsibility for the harm they have caused and to make the case that they have rehabilitated, have a plan for what they will do if released, and no longer present a threat to society. While it is more than fair for society and survivors to demand retribution and severe punishment for a crime as devastating as first degree murder, we should not abandon the idea that rehabilitation isn't possible or desirable. During the public hearing, we heard several examples that not only cited how some of these inmates changed their own lives, but also how they have inspired other inmates to change. One is a Vietnam vet convicted of first degree murder which may have been prompted by post traumatic stress disorder (PTSD), which was just being identified as a psychiatric problem in the early 1980s at the time of his conviction. We heard testimony that after turning himself in voluntarily, he refused an offer of a sentence of 18 years to life, under which he would have been eligible for parole, because he wanted to be punished to the most severe extent possible for his crime. Since his imprisonment, he has obtained degrees, counseled other inmates, and has been a model prisoner. Prisons are a particularly hazardous place to grow old. Our jail system is largely unprepared to handle the medical, social, physical, and mental health needs for elderly people in prison. What this bill would do is provide us with an opportunity to show that our corrections system works and that rehabilitation is possible, while simply providing access to a mechanism, a parole hearing, that is already an option for the vast majority of New Hampshire prison inmates.

EDUCATION FUNDING

HB 549-FN, relative to the use of education freedom account funds in religious schools and institutions of higher education. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Rick Ladd for the **Majority** of Education Funding. This bill is contrary to a number of U.S. Supreme Court decisions. In *Espinoza v. Montana Department of Revenue*, the court held that the U.S. Constitution does not allow states to discriminate against religious parents or schools if policymakers choose to enact a private educational choice to empower parents to choose the educational environment best suited to their own children. As clearly stated in the *Espinoza* decision, the U.S. constitution "condemns discrimination against schools and the families whose children attend them." For decades, opponents of educational choice have also employed Blaine Amendments, New Hampshire included, as a blunt weapon to impede and invalidate educational choice programs. Using the Blaine Amendment as an obstacle to education freedom accounts (EFA) is now largely a dead letter. To further squash Blaine Amendments, the Supreme Court ruled in *Carson v. Makin* allowing parents to pick the school that works best for their children. Further, the Chief Justice, in writing for the court's majority, held that such an amendment "violates the Free Exercise Clause of the First Amendment,"

when it prohibits parents from choosing religious educational options in a school choice program. This ruling means that clauses in state constitutions that prohibit direct or indirect aid to religious or sectarian schools or institutions conflict with the Free Exercise Clause of the U.S. Constitution, and as the U.S. Supreme Court said, these discriminatory clauses “cannot stand.” School choice programs cannot exclude religious schools; the inclusion of religious schools is both constitutional and required. Lastly, this bill should simply not move forward because some EFA Program beneficiaries have directed their (not state) dollars to religious organizations? By doing so, the state would be discriminating against those choosing religious school options tailored to best fit student learning needs. **Vote 10-8.** Rep. Hope Damon for the **Minority** of Education Funding. This bill seeks to prohibit the use of taxpayer-raised Education Freedom Account or EFA funds at a religious school or for a religious education or training. This legislation is a prohibition already in Part First, Article 6 of the NH Constitution which states that “no person shall ever be compelled to pay towards the support of the schools of any sect or denomination.” We know from testimony, data reports, newspaper reports, and the foundational documents of many EFA-funded religious schools, that our NH Part First, Article 6 constitutional provision is not honored in NH’s EFA program. Many large and small religious schools are in fact recipients of significant sums of taxpayer-funded EFAs. The education provided to students at those schools is, in fact, significantly guided by profoundly sectarian precepts. For example, testimony on behalf of a small NH-based Christian academy revealed that 2/3 of the academy’s 61 students are funded partly by EFAs. The Academy’s bylaws require “as a regular part of the curriculum” that “each student will be taught Christian doctrine ... based on the Bible, as the textbook authority for such instruction and learning.” Another school, also with a large proportion of EFA-supported students, asserts that “the Genesis account of creation is to be accepted literally and not allegorically or figuratively that man’s creation was not a matter of evolution or evolutionary change of species, or a development through interminable periods of time from lower to higher forms; and that all animal and plant life were made directly by God in six literal, twenty-four hour periods.” Thus, students in those schools are not receiving objective, science-based education. It has been asserted in the Education Funding Committee proceedings that US Supreme Court rulings, particularly the 2022 decision, *Carson v. Makin*, relating to Maine’s voucher law, have effectively neutered or cancelled out the language prohibiting direct or indirect taxpayer funding of sectarian schools that is in the NH Constitution. The fact is, the NH Part First, Article 6 provision has not been effectively challenged in court. There is now another federal case, *Crosspoint Church v. Makin*, also arising from Maine that is based on a newly-surfaced statutory restriction, which suggests a different argument. The US District Court for the State of Maine ruled in 2024 against the religious school and in full support of Maine’s statutory anti-discrimination provisions. The case is now on appeal to the 1st Circuit Court of Appeals.

EDUCATION POLICY AND ADMINISTRATION

HB 50, relative to teaching discrimination in public schools and discrimination in public workplaces. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This amended version of the bill enhances our anti-discrimination statutes. The state is defending these laws in the courts and these enhancements are intended to address a lower court’s criticism. These statutes are termed the “Prohibition on Teaching Discrimination” statutes and include provisions such as prohibiting instruction that one’s age, sex, race, physical disability, etc. is inherently superior to people of another age, sex, race, physical disability. The bill specifies that any violation of the section by an educator must be “intentional or knowing.” It also reinforces that nothing in the law prohibits discussion by educators of historical existence of ideas and subjects as part of a larger course of academic instruction. It also states specifically that the intent of the section is to equally protect all New Hampshire citizens from discrimination, regardless of race. **Vote 10-8.** Rep. Megan Murray for the **Minority** of Education Policy and Administration. The minority of the committee supports the Ought to Pass motion of the introduced bill which seeks to repeal a 2021 law that has since been ruled by a federal court as unconstitutional. This bill’s repeal reinstates the ability for teachers to teach the honest, and accurate, and the sometimes painful truth in our history without fear for their jobs. The introduced bill would repeal the law that violates the 14th and 1st Amendments, putting educators and districts in untenable legal positions. Any other amendment introduced to this bill would continue to perpetuate that the unconstitutional law which has NOT been repealed despite the court’s ruling. Simply put, this bill seeks to comply with the federal court ruling and repeals an unconstitutional law which currently places a chilling effect on teachers fearing retribution for simply teaching accurate historical truths and topics.

HB 292, establishing a commission to study school administrative unit consolidation. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Terry for the **Majority** of Education Policy and Administration. This bill creates a commission of 15 members to study the issue of school administrative unit (SAU) consolidation. There are 107 SAUs in the State of New Hampshire, more than doubling (53 to 107) since the 1980s. Currently, spending per pupil for SAU administration, excluding school principals, is ranked second most costly in the United States. Both

have occurred during a period when student enrollment has been trending lower and lower. This bill would establish a study commission with the charge of soliciting views of stakeholders and researching the landscape of SAUs in other states as part of a broad and comprehensive exploration of ways in which by consolidation of existing SAUs, other than those within counties whose populations exceed 100,000 (i.e., Hillsborough, Merrimack, Rockingham, and Strafford); and, those for the cities of Nashua and Manchester; certain economies and efficiencies might be achievable with respect especially to the current structure and rising costs of administration, as well as providing savings in the provision of shared services and purchase of materials. The commission is to report its findings and recommendations before November 1, 2026 with respect to SAU consolidation plans that its members believe will provide for a variety of desirable outcomes, including the strengthening of student learning experiences. **Vote 10-8.** Rep. Peggy Balboni for the **Minority** of Education Policy and Administration. The stated purpose of this bill is to create a commission to study the consolidation of school administrative units (SAUs), but the bill already prescribes the outcome of the commission's work: the development of a state-mandated plan to consolidate and reorganize all existing SAUs. This approach undermines local control. The commission's membership is heavily skewed toward elected officials and does not reflect the diverse range of educational stakeholders in our state. It includes no teachers, parents, building-level administrators, or charter school educators. Last year, the Governor signed legislation aimed at incentivizing SAU mergers, yet none have occurred. In fact, many smaller communities are seeking to withdraw from their SAUs to gain greater control over local priorities for their children's education. There is no widespread public demand for such a significant consolidation of SAUs. This bill represents yet another top-down effort to impose state political priorities on local communities.

HB 324-FN, relative to prohibiting obscene or harmful sexual materials in schools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. It is our duty to protect minor children. This bill is about materials that are harmful to minor children in schools and the ability for parents to object to them. The bill is the result of work with the Attorney General and contains three key provisions. In the criminal statutes, education is currently exempt from our obscenity laws. The bill changes that so that higher education remains exempt but K-12 (minor children) is no longer exempt. Our Attorney General feels that it would be only the most extreme case for a criminal case to be opened for K-12 education, but that option should be available in such a case. The bill also lays out a minimum district complaint process for parents who find materials they believe are harmful to minors. Complaints can proceed up to the NH State Board of Education per existing law. The final part of the bill is in the civil statutes. It specifies that the complaining parent, the Department of Education, or the Attorney General may file a complaint in civil court if a school has not adhered to the complaint process or that material complained of continues to be made available to a minor student in a manner contrary to a final determination of removal or restriction. It is our duty to help parents protect minor children from harmful materials. **Vote 9-8.** Rep. Peggy Balboni for the **Minority** of Education Policy and Administration. This bill is another attempt to ban books from school libraries by restricting access to controversial materials. It dictates a prescriptive complaint process which allows the State Board of Education to make the final decision as to whether or not specific items must be removed. It contains vague and subjective language to determine what is "harmful to minors," expands criminal liability to K-12 educators, and allows school districts to be subject to civil lawsuits. This legislation is not needed and will intimidate educators from retaining certain items in their library collections. NH law already prevents the dissemination of harmful materials to minors. Moreover, schools have policies in place to explain how materials are chosen for their libraries, as well as procedures to address parental complaints regarding books and media. Certified school professionals review materials to ensure that students have wide access to a diverse collection of topics, typically sorted by reading level. Parents may have different opinions about what is offensive or age-appropriate. They have the right to review any collection item and opt out their child from anything they find objectionable. But while parents can decide what materials their child can access, they do not have the right to determine which materials are available for other students. That is censorship. Every community is different. School library collections in Berlin may look different from those in Dover. Our local school boards are elected by the residents of their school districts and are responsible for developing policies to address the needs of their individual communities. They are, and should be, the final arbitrator for all school complaints regarding the appropriateness of library material, not the State Board of Education.

HB 361, prohibiting mandatory mask policies in schools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. This bill would prohibit public schools from adopting policies that require students or members of the public to wear a mask while on the school's property. This would not apply to protective equipment worn for sports or for handling chemicals for scientific or educational purposes. When Governor Sununu created the state-wide mask mandate in November of 2020, K-12 students, teachers, and staff were exempt. Local school districts created their own policies for mandating masks. Forcing children to wear masks had a negative impact on their learning, their speech,

their mental and emotional well-being, their physical health, and their social development. This bill protects choice, but it also protects school boards from placing themselves in the middle of what parents want for their children. School boards are not qualified to make these types of decisions and should never have had this responsibility placed on them. If there is a public health crisis in the future, then the state will need to create the mandate and not our local school districts. The committee received a letter from the Department of Health and Human Services Division of Public Health Services (DPHS) stating in part, “[f]ace masks remain an effective tool for protecting a person and preventing the spread of many infectious respiratory diseases. DPHS continues to recommend that decisions on face mask use be based on individual choice and informed by a person’s own assessment and acceptance of risk from currently circulating infectious diseases rather than from universal requirements. . . This recommended approach to face masks is also consistent with the Centers for Disease Control and Prevention updated guidance on Masks and Respiratory Viruses Prevention.” **Vote 9-8.** Rep. Muriel Hall for the **Minority** of Education Policy and Administration. This bill prohibits school districts and chartered public schools from adopting, enforcing, or implementing policies requiring facial coverings with limited exceptions. The minority opposes this bill as it overrides local control which is so essential. Used judiciously, medical science shows that masks are safe, valuable tools for preventing spread of infectious disease. We need individual districts to have the flexibility of recommending them if extreme circumstances occur. We have learned so much from the experiences of the COVID-19 pandemic. The mask recommendations followed by public school districts were based on the best information available at that time. While not perfect, the intent of masking was to best protect our public students from infection, to allow for more students and families to return to in-person instruction, and provide the safest environment for everyone in our public schools. This bill is a reaction to those pandemic-era health advisories and restrictions. It will eliminate the ability of local school districts to put in place practices, procedures, and policies to protect students and staff in the event of any future health emergencies, regardless of guidance being provided by state or local health officials. No one can predict what will happen in the future. Best practices in health, disease, and prevention continue to evolve based upon scientific advances. We need to continue to allow our local, elected school boards the freedom to respond to health emergencies according to the individual needs of their community, rather than remove options that could potentially be recommended by other local, state and federal health experts. The minority strongly recommends this bill be found Inexpedient to Legislate for the safety of our children and communities.

HB 431, establishing a commission to review draft rules related to minimum standards for public school approval and state academic standards developed by the department of education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This bill, as amended, establishes a commission to investigate special education processes and costs. Education funding has been a major topic of discussion and legislation this term and special education is viewed as a driver. The commission will investigate the increase in students being identified for special education and compare state law, federal law, and state rules to determine if rules that go beyond law are impacting costs. The Medicaid to Schools program will be investigated as schools are billing for millions of dollars in services but we need to know who is doing the billing, student privacy protections, and where the reimbursements are going. The commission is to publish an interim report for November so any legislation suggestions can be introduced for 2026. The final report will be due July 1, 2026. **Vote 10-8.**

Rep. Peggy Balboni for the **Minority** of Education Policy and Administration. This bill, as initially introduced, sought to ensure that experienced and knowledgeable education professionals would have a role in shaping the state’s minimum standards for public school approval and academic expectations. The bill was widely supported by the public and aimed to improve a revision process that had previously neglected input from key stakeholders. The minority on the committee strongly supports the original version of the bill. However, the majority completely altered the bill, replacing it with a non-germane amendment that creates a commission to study the costs of special education. This commission, primarily composed of state officials and legislators, fails to include crucial stakeholders who understand how special education is implemented in schools, such as special education administrators, related service providers, and behavioral specialists. Furthermore, the commission’s purpose is overly broad, duplicates existing audits, and requests data that could violate Family Educational Rights and Privacy Act (FERPA) regulations. The amended bill no longer reflects the objectives of the original legislation. Moving forward, it is essential to ensure that stakeholder input is central to shaping policies that impact both general and special education services.

HB 446, relative to parental notice for non-academic surveys in public schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Melissa Litchfield for the **Majority** of Education Policy and Administration. In current statute, all non-academic surveys, except the Youth Risk Behavior Survey (YRBS) are opt-in. As amended, this bill seeks to remedy an inconsistency in statute, and have all non-academic surveys opt-in. This would include the YRBS. This survey has nothing to do with academics, and it is yet another step closer to having our local schools

be social emotional agencies. The survey is not about the students; it is tied to local organizations possibly receiving grant money. There are too many contradictions regarding this survey. It is meant to be anonymous, therefore even though the questions are quite direct, pointed, and leading, there is no way to help any individual student in crisis. On the other hand, the survey is given at a local school, within a classroom, and the first six questions are: age, sex, grade, race, height, and weight. With this level of detail, will students be comfortable being honest? We were given testimony that many of the questions are “triggering for those who have experienced trauma.” We further received testimony that a young man took his life after taking the survey. These surveys are intrusive and quite lengthy. The middle school survey is 76 questions and the high school survey is 98 questions. Should the child make it through the extensive survey, they walk away with specifics on how to control someone in a relationship, ideas on how to hurt themselves (cutting or burning), they are given an extensive list of vape products, etc. Testimony was shared that often children horse around with their answers and do not give accurate answers. This leads to incorrect data being derived from the survey sample. A sample of questions: Have you ever lived with a parent or guardian who had severe depression, anxiety, or another mental illness or was suicidal? Do you agree or disagree that in your community you feel like you matter to people? During the past twelve months, did you ever seriously consider suicide? Did you make a plan about how you attempt suicide? How many times did you actually attempt suicide? If you attempted suicide...did any attempt result in injury, poisoning, or overdose that had to be treated by a doctor or nurse? Let schools get back to academics and let parents be parents. **Vote 10-8.**

Rep. Lee Ann Kluger for the **Minority** of Education Policy and Administration. This bill with amendment seeks to implement an opt-in requirement to the Youth Risk Behavior Survey (YRBS). Testimony that was given shared data which spoke to the imperative component of student engagement. It was stated that New Hampshire currently had a 65% participation rate. Additionally, 60% involvement is deemed necessary in order for data to be valuable. The goal of this survey is to analyze youth responses that discuss current societal trends involving mental and physical health. Importantly, the compilation of this information influences programs that are necessary in order to meet the needs of the youth in New Hampshire. Moreover, at-risk youth trends can be identified through the survey results. Currently, New Hampshire state law requires a written process for parents and guardians to opt-out. Survey questions are available to parents and guardians on school district websites and are available at least 10 days prior to the survey date. It is unnecessary to provide an opt-in option that could detrimentally affect student participation. The increased tracking of opt-in responses could result in administrative error or lack of responses. The YRBS is critical in maintaining successful programs and interventions for our students at risk.

HB 557, relative to the information that appears on the school budget ballot. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for the **Majority** of Education Policy and Administration. This bill merely increases transparency while simultaneously informing voters on average cost per pupil defined by the average daily enrollment of the preceding year divided by the total expenditure of the district; school district achievement proficiency scores obtained from the Department of Education for the preceding year to be printed as: “ELA Proficiency: X%; Math Proficiency: X%; Science Proficiency: X%.” Voters deserve and should be afforded all information when casting their ballot on school district budgets. **Vote 10-8.**

Rep. Stephen Woodcock for the **Minority** of Education Policy and Administration. This bill, as amended, adds to the requirements of a school ballot under RSA 669:23 and 669:24 with two additional pieces of complex information, which when taken out of context, provide little value. The additional information provides information on the average cost per student for the previous year and proficiency scores for the preceding year. These two pieces of information are currently available to anyone via the NH Department of Education website and on many local school district websites and/or on mailed ballot information sheets. That said, proficiency scores only occur at three grades levels and the data would already be a year old. Voters may not understand the information they are reviewing as it doesn’t specify specific grades and they may not be aware of the actual meaning of the scores. In addition, the time it will take in the ballot box for each voter to read and decipher all of this extraneous information which will have been added to an annual school budget ballot, will make the voting process more difficult, time consuming, and may decrease voter participation in the future. The minority supports the release, explanation, and public discussion of the aforementioned material but does not believe adding it to the ballot will enhance voter understanding.

HB 699, relative to special education definitions. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This bill, as amended, is a partial response to an audit of the Legislative Budget Assistant (LBA) on special education for the need for the definition of special education terms to be placed in statutes. There had been much confusion at the hearing on the original bill due to several terms being deleted from current statutes as there were only partial definitions of what is required under federal law. In the amendment, there were included with exact references to federal law to avoid confusion. The Department of Education Special Education Director worked with many of those

at the hearing and her recommendations were included in the amendment. In addition, statutory references to “functionally blind pupils” was changed to “students with visual impairments.” **Vote 9-8.** Rep. Peggy Balboni for the **Minority** of Education Policy and Administration. This bill aims to clarify certain definitions related to special education in New Hampshire state law. However, the original version of the bill was unclear and sparked significant opposition from many constituents concerned about potential changes to the services and settings for special education students. Two amendments were introduced, but neither involved consultation with key stakeholders. The amended bill still doesn’t fully address the concerns raised. Given that the New Hampshire Department of Education is undergoing an audit by the Office of the Legislative Budget Assistant and is planning to update special education rules, the minority believes it would be wise to wait for input from stakeholders before making substantial changes to definitions that influence decisions on student placement, educational setting, and related services.

HB 741-FN, allowing parents to send their children to any school district they choose. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the **Majority** of Education Policy and Administration. This bill, as amended, expands the current “open enrollment” law that allows for a district to vote to be open enrollment and allow students from other school districts to attend. This bill makes all public schools open enrollment thus allowing a student to attend the public school of their choice. It opens the school house doors that currently keep students in their assigned school district. More education freedom will allow students to get the education that meets their needs. The bill follows the current law that has the sending (resident) district providing 80% of their average cost per pupil to the receiving or new school district of the student. The sending district keeps 20%, yet does not have the student to educate. Transportation is a parent’s responsibility. As one public school district superintendent wrote the committee: “Public school choice merely introduces an element of competition that encourages our public schools to meet more families’ needs.” **Vote 10-8.** Rep. Muriel Hall for the **Minority** of Education Policy and Administration. This bill would allow parents to send their children to any school district they choose. This would have a negative impact on local communities, school districts, and taxpayers. The minority believe open enrollment policies would weaken our public schools by eroding the foundation of community-based education while threatening the financial stability of our school districts and increasing disparities between the “haves” and the “have-nots.” The delivery of special education and transportation services would create additional challenges. This bill would make it extremely difficult for schools to plan budgets, hire staff, and maintain programs, as they rely on enrollment data and local property taxes to develop their budgets. Instead of prioritizing policies that promote open enrollment, we should focus on the principle of local control and the adequate funding of NH public schools.

HB 749-FN, requiring high schools to include instruction on the nature and history of communism. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Valerie McDonnell for the **Majority** of Education Policy and Administration. This bill requires high schools to include at least one hour of instruction on the nature and history of communism prior to graduation. Instruction may be provided as a stand-alone activity or embedded in an existing course. The majority believes that contrasting communism to capitalism sheds a critical light on both historical and present-day atrocities that have occurred/are occurring worldwide. Also, the majority believes more positive views of the American Republic will result. **Vote 10-8.** Rep. Loren Selig for the **Minority** of Education Policy and Administration. The minority of the committee disagrees with the majority of the committee and recommends that this bill be marked Inexpedient to Legislate. First, it is yet another bill that takes away control from local school boards related to their curriculum. Second, the requirements for what needs to be in a World History/Government curriculum have recently been changed in the Ed 306 rules and have not yet had the opportunity to be implemented. Third, the bill raises the questions: what would they teach about communism? Is it in comparison to capitalism, fascism, socialism, or something else? Is it the truth about the philosophical underpinnings? Will they review the difference between communist idealism and how it has played out historically? Fourth, we reiterate that decisions about high school curriculum should be made by local school boards, teachers and administrators.

HB 768, allowing public schools to contract with any approved private school. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Margaret Drye for the **Majority** of Education Policy and Administration. After the *Espinoza v. Montana* decision in the U.S. Supreme Court, the word “non-sectarian” was removed from New Hampshire statutes in 2021 to allow school districts to contract with any private school, including religious schools, when offering a town tuition program. The section of law changed in 2021 was RSA 193:3, VI. This bill removes the word “non-sectarian” from the law that is a cross-reference to that changed law: RSA 189:1-a, IV. This bill simply cleans up the language to reflect the 2021 change. **Vote 10-8.** Rep. Megan Murray for the **Minority** of Education Policy and Administration. The minority of the committee feels that Inexpedient to Legislate is the appropriate motion as any proposed legislation opens the door further in expending public taxpayer money

to private and religious schools before fully and adequately funding public education and stands in direct opposition to what constituents desire. It also flies in the face of the New Hampshire Bill of Rights, where Article 6 specifically still notes that, “no person shall ever be compelled to pay towards the support of the schools of any sect or denomination.” Furthermore, New Hampshire already has oversight and accountability issues around other types of funding mechanisms for schooling options managed out of state and it is not entirely clear whether or not this bill would open the door further forcing public schools to pay for out-of-state religious schools or out-of-state private schools through declarations of “manifest hardship,” as best interest of a child is already included in that decision. It would be preferable to offer other public school options to districts when there are not in-district options.

ELECTION LAW

HB 141, relative to campaign disclosures for limited liability companies. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Clayton Wood for the **Majority** of Election Law. This bill could disproportionately affect small businesses, particularly those, as many in New Hampshire are, structured as Limited Liability Companies (LLCs), participating in the politics of supporting or defeating the candidates of their choosing by increasing the administrative burden with the reporting requirements of tracking and disclosing ownership stakes for each contribution. Unlike large corporations with legal teams, small business owners might face compliance difficulties and additional costs to ensure proper attribution. If contributions must be divided among members, the total impact of an LLC’s donation may be diluted, reducing the political influence of small business owners. Small LLC owners may avoid political contributions altogether to avoid the complexity of compliance, leading to reduced political engagement. Often chosen for flexibility and tax benefits, LLCs could become less attractive as a business structure for politically engaged entrepreneurs. **Vote 10-7.** Rep. Connie Lane for the **Minority** of Election Law. This bill requires that a political contribution by a business entity known as a limited liability company (LLC) be allocated to its members for purposes of determining whether a member has exceeded contribution limits in the NH statutes. The goal is to treat LLCs as we do corporations with regard to campaign donations. Presently each LLC is treated as its own individual donor for the purpose of direct campaign contributions, regardless of who controls it. So, a donor can give the maximum contribution to a candidate and then set up unlimited numbers of LLCs and give as much as that donor wishes to a candidate – well in excess of the \$15,000 statutory cap. This is known as the “LLC loophole” and is used by candidates of both parties to raise funds well over the statutory limits set for individuals and corporations. Under this bill, if an LLC donates to a candidate, then it must disclose the names and percentage ownership of each member to the candidate, which will then be attributed to the member’s contribution limits under NH law. This bill provides transparency to prevent wealthy individuals and corporations from having undue influence in elections due to a loophole in NH’s campaign finance laws. The bill does not violate Citizens United or its progeny – that case permits limits on spending by corporations and partnership-like entities. This bill does not prevent free speech; it requires individuals and corporations to abide by the contribution limits in NH law. Its goals are to treat LLCs as we treat corporations and to provide transparency and accountability for campaign contributions.

HB 217, relative to absentee ballots. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for the **Majority** of Election Law. This bill amends three sections of the statutes to clarify the US citizenship requirement for voting in New Hampshire elections and clarifies the required supporting documentation needed when registering to vote using an absentee ballot. The statute sections affected are RSA 654:17, RSA 654:19 and RSA 654:17-a. This bill also aligns the required supporting documentation for proof of the voter’s qualifications with the existing RSA 654:12. With the number of undocumented immigrants allowed into the country over the last few years, there is a widespread impetus that our election processes verify US citizenship and the identity of the registrant or voter. US citizenship and identity should also be verified for absentee ballots. In summary, the bill helps to clarify and align voting requirements when using absentee ballots and the majority recommends Ought to Pass. **Vote 10-8.** Rep. Russell Muirhead for the **Minority** of Election Law. This bill would compel registered New Hampshire voters who need to vote by absentee ballot to prove they are US citizens in order to receive a ballot. This bill would force voters to prove citizenship every single time they apply for an absentee ballot – unlike other registered voters, who are never compelled to prove citizenship when exercising their right to vote. The bill’s sponsors and advocates offered no evidence in the public hearing that the bill would make voting more “secure.” For instance, no evidence was adduced to show that non-citizens are impersonating registered voters or are otherwise using absentee ballots. The minority is not surprised by the absence of any relevant evidence, as noncitizens face up to one year in federal prison for voting in federal elections – and also risk deportation. Given these penalties and the absence of any evidence for illegal voting by non-citizens, the minority believes that the bill will not realize any benefit to the public. But it does make absentee voting more burdensome for New Hampshire citizens. For these reasons, the minority recommends Inexpedient to Legislate.

HB 274, relative to the verification of voter rolls annually. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for the **Majority** of Election Law. This bill proposes changing the RSA 654:39 interval for the verification of voter rolls from every ten (10) years to annually. This verification looks to remove voters who have not voted in a number of elections or have moved but did not inform the state or have died. The ten-year interval has proven to be inadequate as indicated by almost a quarter-million voters being removed across the state during the 2021 verification. A more frequent interval might inadvertently remove a less frequent voter, and therefore the look back period has been extended from four to five years to address this concern. These changes will result in (a) more accurate voter checklists, (b) lower and less stressful workloads for the supervisors of the checklists, and (c) more consistency in the voter verification practices. **Vote 10-8.** Rep. Connie Lane for the **Minority** of Election Law. This bill requires an annual purging of voter registration records using a 5-year look-back period, replacing the current 10-year purge using a look-back period of 4 years. Put another way, if you have not voted in the past 5 years, you will be purged from the voting records. While the minority supports purging more than once every 10 years, purging annually will be expensive for each municipality and will result in many voters being wrongly disenfranchised. A less expensive and more reliable alternative would be for NH to join the Electronic Registration Information Center (ERIC), which is a bipartisan group of state election officials that responsibly share their data for these purposes. ERIC has made its members' voting rolls more accurate, which helps states steer voters to the right precincts to minimize confusion and ensure access on election day. It has enabled states to catch rare instances of double-voting. And because its membership agreement requires states to reach out to the eligible but unregistered citizens it identifies, it has facilitated millions of new registrations, fostering a more engaged citizenry and a more representative government. ERIC will update our records continuously, not just annually, and will do it with better data than is available under this bill. For these reasons, the minority recommend Inexpedient to Legislate on this bill.

HB 311-FN, relative to permissible campaign contributions by business organizations and labor unions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ross Berry for the **Majority** of Election Law. Participating in a labor union is not a voluntary act in New Hampshire. As such, the majority feels strongly that allowing labor unions to make direct political contributions without the use of a segregated fund violates the 1st Amendment by, in effect, being forced speech. Should membership be voluntary, like with corporations, non-profits, and other associations, then the majority is open to reconsidering their current position. The majority has long held that compelled speech is an affront to the constitution, holding it on par with suppressed speech. Unions are free (and encouraged) to make political statements and participate in the political process but as long as their dues, whether that be through an agency fee or otherwise, are compelled by the state then the majority will hold the position that they should separately solicit their political use funds. **Vote 10-7.** Rep. Connie Lane for the **Minority** of Election Law. Current law prohibits direct political contributions made by a labor union but does not prohibit direct political contributions made by a corporation. This bill will bring needed equity between these two types of entities, which impact the political influence between and among them. The bill accomplishes this goal by prohibiting both corporations and unions from making political contributions directly. Rather, both corporations and unions must donate through separate segregated funds accumulated from voluntary contributions from individuals. Before 1999, no difference existed in how corporation and union donations were treated. In that year, US District Court Judge McAuliffe found the broad rejection on corporate political contributions was overly restrictive and unconstitutional in *Kennedy v. Gardner*. Judge McAuliffe suggested that the legislature narrow the prohibition for both corporations and labor unions to permit the solution offered in this bill. The legislature rejected that recommendation, allowing corporations unfettered rights to contribute directly but limiting those of unions to those of segregated funds specifically designated for political donations. This bill levels the playing ground for political donations by corporations and labor unions.

HB 356, enabling school districts to adopt partisan school district elections. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for the **Majority** of Election Law. This bill enables the establishment of a partisan ballot system for school district elections as a means of increasing voter engagement. This enabling legislation does not mandate partisan elections. Instead, the bill allows school districts to adopt a partisan ballot system if the voters choose to do so. If the voters choose this approach, the partisan ballot system will provide additional information on the school district elections to the voters, which should increase voter awareness and voter turnout. The bill also provides appropriate methods for adopting and rescinding the partisan ballot system. The amendment amends the 91-A provisions to allow for caucus meetings between the school district elected members of the same political party. **Vote 10-7.** Rep. James Newsom for the **Minority** of Election Law. Many bills have been said to be a solution in search of a problem and this is another one. It seeks to enable school district elections to become partisan elections. The committee heard zero testimony in support of it. We heard no constituents asking for this change. Towns and cities already have this partisan option for local

elections, and we heard testimony that only 1 city has gone this way. Arguments in favor include that this bill acknowledges the reality that these elections are already partisan, or that it will be easier for a voter to decide who to vote for based on party affiliation rather than the person behind the name. These arguments ignore the importance of community unity and the need for less vitriol at local levels. As for the potential argument that voter turnout will increase, that is pure speculation with no actual proof other than absolute conjecture. With no known constituent interest in this bill, and a whopping 2% support in online testimony, the minority suggests the representatives give the people of NH what they are not asking for and achieve this with a vote of Inexpedient to Legislate on this bill.

HB 363, establishing redistricting criteria. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Ross Berry for the **Majority** of Election Law. This bill ignores the fundamental reality that redistricting is an inherently political process. While we support fairness and compliance with federal and state law, this bill would force those drawing maps to disregard the largest and most natural communities of interest—political ones. By attempting to strip politics from a process that is, by nature, political, this bill would only empower unelected judges to impose their own interpretations of fairness, overriding the decisions of elected representatives who are directly accountable to voters. The legislature, as the body closest to the people, should maintain control over redistricting to ensure the process remains transparent and responsive to those it serves. **Vote 10-8.**

Rep. Connie Lane for the **Minority** of Election Law. This bill implements criteria that must be followed when redistricting occurs. It will make our redistricting process fairer and more transparent. Right now, our legislature has almost no criteria that it needs to follow when redistricting. It must follow the US Constitution, the NH Constitution, federal laws and state laws. This bill adds additional criteria that have become considered traditional districting principles and emerging criteria that have been used increasingly. About 23 states have adopted the criteria that are proposed in this bill, including AL, AK, AZ, AR, GA, ID, MO, NE, NV, OK and SD. Granite Staters overwhelmingly support creating fair maps in a transparent process. Seventy-four towns in NH passed resolutions asking for fair maps in 2021, but they were ignored. The process in 2021 was not transparent and the majority of the Redistricting Committee did not address the many pleas that we heard in all 10 public hearings for fair and transparent maps. We each represent constituents of both parties and have taken an oath to represent all of them to the best of our ability – not just those of our party. We must put our constituents above party. We may never be able to remove politics totally from redistricting, but we certainly owe it to our constituents and our constitutional democracy to remove them as much as possible. The amendment removes one criteria and adds school districts as a possible indicia of community interest, which were suggested at the public hearing. For these reasons, the minority supports a motion of Ought to Pass with Amendment.

HB 367, changing the method for adopting partisan town elections to be the same as rescinding partisan town elections. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Ross Berry for the **Majority** of Election Law. Due to an oversight from the chairman, this bill is being reported out incorrectly. There was a missed formal reconsideration vote that occurred without objection. There were two subsequent improper votes taken that were both unanimous. As such, this report reflects the actual unanimous disposition of the committee. The committee unanimously adopted an amendment which will be brought as floor amendment and then unanimously recommended Ought to Pass with Amendment on a vote of 17-0. Current regulations allow for towns to utilize one of three (3) different types of ballot systems for town elections. Either an unofficial ballot system, or a non-partisan ballot system or a partisan ballot system may be used. An unofficial ballot system uses slips of paper on which voters write their selection. A partisan ballot identifies the candidates by party, and a non-partisan ballot does not identify the candidate's party affiliation. The choice of which system to use is adopted by a town warrant article. This bill clarified the process for adopting a partisan ballot system and removed outdated language regarding town size. The bipartisan amendment makes clarifications to the bill's original language and establishes a process for adopting an unofficial ballot system (which had not been previously codified). **Vote 10-7.** Rep. Connie Lane for the **Minority** of Election Law. While well-intentioned, this bill as originally drafted created unintended confusion in RSA 669:11-13. The minority believed that an amendment would eliminate these unintended consequences and confusion, so voted Inexpedient to Legislate in the executive session held on March 11. Following that executive session, the minority and majority worked together to craft an amendment that addressed the minority's concerns. That amendment was adopted at an executive session on March 18 following a reconsideration motion, but there was a procedural error in its adoption. Consequently, the authors of the amendment will present a floor amendment that the minority endorses and recommends that the bill be passed as Ought to Pass with Amendment.

HB 385-FN, reestablishing voter identification exceptions. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Robert Wherry for the **Majority** of Election Law. This bill seeks to reverse a bill that was signed into law in 2024, HB 1569. The new law put in place reasonable requirements for identity and proof of US citizenship during registration and voting. It is common sense to have the identity of the voter proven and the voter

qualifications established in a meaningful and verifiable way. New Hampshire has an obligation to know who is voting to ensure that elections are safe and secure, and this obligation is not overly burdensome to the voter. With the number of undocumented immigrants allowed into the country over the last few years, there is a widespread impetus that our election processes verify US citizenship and the identity of the registrant or voter. This bill is not necessary since the current law is reasonable and not unduly burdensome. Accordingly, this bill should be found Inexpedient to Legislate. **Vote 10-8.** Rep. Connie Lane for the **Minority** of Election Law. This bill repeals the now infamous HB 1569 (2024), which was adopted last year and is being challenged as unconstitutional in the NH Federal District Court, costing NH taxpayers an anticipated multi-million dollars in attorney fees. HB 1569 (2024) upended the voting process in NH, enacting one of the most restrictive voting laws in the US. No state has successfully done what HB 1569 (2024) does by requiring documentary proof of citizenship to register to vote without an affidavit option. Federal courts have weighed in on this issue previously, determining that a similar Kansas law, which imposed a proof of citizenship requirement for state and federal elections, violated both the US Constitution and National Voter Registration Act of 1993. The court found that the state's interests did not outweigh the disenfranchisement of 31,000 citizens of the state. The same will be found true here at the end of the current lawsuit. Despite the proven accuracy, reliability, and security of New Hampshire's elections, HB 1569 (2024) introduced fundamental changes to the state's election law that make it materially harder, if not impossible, for thousands of New Hampshire citizens to exercise their right to vote — changes that violate the First and 14th Amendments of the US Constitution. The documentary proof of citizenship required under HB 1569 (2024) is a birth certificate that shows your current name, a passport, or naturalization papers. Not all qualified individuals possess these types of documents or keep them readily available, and obtaining them can be expensive and time-consuming. It can cost up to \$100 to obtain a birth certificate, up to \$600 to obtain citizenship papers and \$150 to get a passport. All three can take months to obtain. The average NH citizen does not have enough savings to cover \$400 of unexpected fees. HB 1569 (2024) was enacted despite broad skepticism about its utility and constitutionality. When introducing the bill to the Senate on April 23, 2024, the prime sponsor admitted that he was not addressing a present problem with voter fraud in New Hampshire. Later that month, Senator Gray expressed doubts about the constitutionality of HB 1569 (2024), stating that he told the bill's sponsor that "I don't think that we can withstand the court challenge the way the bill was written." Secretary of State Scanlan estimated that removing the qualified voter affidavit for citizenship would affect "tens of thousands" of voters who could not otherwise be quickly verified as being previously registered through the centralized voter database. The minority urges the repeal of HB 1569 (2024) before our state spends millions of dollars on attorneys fees to defend its constitutionality, which its own sponsors are on record doubting. Moreover, HB 1569 (2024) is not designed to reduce fraud - it is designed to disenfranchise voters without any evidence of fraud related to fake citizenship documentation. For these reasons, the minority recommends that the motion for this bill be Ought to Pass with Amendment.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 357, relative to the department of health and human services' rulemaking authority regarding immunization requirements. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Matt Drew for the **Majority** of Health, Human Services and Elderly Affairs. The mandating of a new vaccine is a direct exercise in government coercion. As such, it should be under the control of the legislature, not left to the rule-making process. **Vote 10-8.**

Rep. Gary Woods for the **Minority** of Health, Human Services and Elderly Affairs. The minority of the committee believes a recommendation of Inexpedient to Legislate for this bill is needed as it is not consistent with the basic charge of the legislature to support the general welfare of the citizens of New Hampshire. In general, childhood vaccinations are considered one of the ten great public health achievements in the US. This bill would keep some of the current vaccine requirements, but allows the vaccine requirement for some of the most virulent diseases (varicella (chicken pox), Hepatitis B, Hemophilus influenza B (Hib)) to expire in June of 2026. This bill would also remove modification of the list of required vaccines from the rule making process and transfer this to the legislature, making the response to any emergency lengthy, cumbersome and not timely. If adopted, New Hampshire would be the only state in the nation not requiring varicella or Hib and only one of three not requiring Hepatitis B vaccine. For these reasons, the minority does not support this bill.

HB 358, relative to exemption from immunization requirements on the basis of religious belief. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda McGrath for the **Majority** of Health, Human Services and Elderly Affairs. The original bill that provided that a parent or legal guardian may claim an exemption from childhood immunization requirements on the basis of religious belief by providing a signed statement did not intend for a specific government form to be created. This bill simply removes the statutory reference to a form used for such purpose. **Vote 10-8.** Rep. Gary Woods for the **Minority** of Health, Human Services and Elderly Affairs. Members of the

minority believe a recommendation of Inexpedient to Legislate for this bill is appropriate. If the exemption is requested, it should be on the existing standard form which is typically on a single 8x11 sheet (not just a scrap of paper) and contain appropriate information. The information needed is minimal and no more complex than the requirement for a student on a day trip. In this case, the information as to which vaccine and the appropriate dates are needed for data collection. This data in turn is crucial should an outbreak arise so all student families, including those choosing not to vaccinate, can be accurately notified so as to undertake appropriate medical decisions. This minimal but accurate data is common sense and a real informational service to families of both the vaccinated and unvaccinated.

HB 377-FN, relative to health care professionals administering hormone treatments and puberty blockers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Mazur for the **Majority** of Health, Human Services and Elderly Affairs. The majority of this committee finds that the current evidence does not support the use of puberty blockers and cross-sex hormones for minors due to the substantial risks and lack of proven long-term benefits. In recent years, seven countries across Europe and many states across the USA have taken significant steps to restrict or halt the use of puberty blockers and cross-sex hormones for minors. Their decisions were driven by comprehensive reviews of the available evidence, which revealed profound concerns about the long-term impact of these medical interventions on young people. As amended, this bill requires minors to wait until 18, just like they have to do when getting tattoos, going to tanning salons and buying scratch tickets. It does allow for a “weaning off” period as well. Evidence from desistance studies suggests that a significant percentage of children with gender dysphoria resolve their distress without medical intervention when allowed to go through natural puberty. Minors deserve protection from experimental medical interventions that could cause lasting harm. The bill prioritizes their long-term well-being over short-term solutions that may seem compassionate but carry significant risks. **Vote 10-8.**

Rep. Jessica LaMontagne for the **Minority** of Health, Human Services and Elderly Affairs. There are four main problems with this bill: 1) It is discriminatory by singling out care for trans kids, unfairly targeting a very small minority (less than 1%) of minors from getting the care that they, their parents, and medical providers believe they need. It does not ban the use of hormone therapies which are used for many other purposes and are safe and effective, it only bans their use for gender dysphoria. Puberty blockers delay puberty to allow kids more time to figure things out with their therapists and their effects are reversible. 2) It denies parental rights, because the bill denies parents of trans kids the ability to make informed decisions with their medical doctors and counselors about what is best for their children. 3) It criminalizes the free speech of medical providers to provide any gender dysphoria therapy whatsoever. 4) In addition to the restraint on free speech, it is unwarranted government intrusion into patient provider relationships. We had many young and older trans adults, and trans teenagers and their families from NH who testified that being allowed to transition changed their lives for the better, improving mental and physical health. We also had medical providers and educators from NH who came to testify in strong opposition to the bill. We had few that testified in support of the bill and most of them were from out-of-state. One notable proponent described going through “a trans phase” and his father put a stop to it. This only reinforces that parents do know their children and the process works. It does not mean that all trans children are “just going through a phase.” This bill makes an exemption for minors born with “a medically verifiable disorder of sex development” which includes physical manifestations such as ambiguous genitalia. For such conditions parents are often advised by medical providers to correct with hormonal treatments or surgery. Often the only reason for this medical treatment is to affirm a sexual identity, one way or another. But who are we to say that gender dysphoria, observed by parents “since my child could talk” (as we heard several parents testify) is not also real and should not be allowed to be treated? This bill essentially tells trans kids that they are not real and do not exist. It punishes a very small vulnerable minority of children rather than admit that we just don’t understand. The cruelty of not allowing puberty blockers until children are 18 years of age is that trans children will not be able to escape developing secondary sexual characteristics they are hoping to avoid and will live with those for the rest of their lives. The minority is concerned about the despair the minors denied treatment by this bill will experience. Denying one distinct class of minors their right to appropriate medical treatment and one distinct class of parents their right to make medical decisions in the best interests of their minor children is not only discriminatory but also exceptionally cruel.

HB 548-FN, relative to licensing requirements for health care facilities that operate on a membership-based business model. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark McLean for the **Majority** of Health, Human Services and Elderly Affairs. This bill as amended extends the direct pay model currently available for primary care to the operation of health care facilities. The bill would open the door to the possible creation of a sector within the health care marketplace that is completely price transparent and potentially attractive to uninsured or self-insured patients. The bill would help bring competition to the health sector, and might expand access by attracting providers desiring to oper-

ate in an environment free of the heavy administrative burden created by the all-payer model. Because the uptake rate of direct primary care has been modest, it is believed that the bill will have no significant impact on the state's critical access hospitals, but that it will provide an opportunity for new modes of health care delivery to be explored. **Vote 10-8.**

Rep. William Palmer for the **Minority** of Health, Human Services and Elderly Affairs. This bill would exempt direct-pay health care facilities from certain licensing requirements. The amendment improves the bill somewhat by excluding nursing homes and skilled nursing facilities. Even as amended, the concern is that for-profit entities could still siphon off those who can pay adequately for services and leave rehab and other facilities in financial difficulty. The terms "membership based" and "direct payment" are not defined, leaving ambiguity about what sorts of facilities might take advantage of the bill. The bill which apparently intends to increase access does not offer a clear path to that goal. It could, in fact, decrease access to care for those less able to pay.

HB 559, relative to staffing requirements in emergency medical transport vehicles. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Wayne MacDonald for the **Majority** of Health, Human Services and Elderly Affairs. The majority of the committee, in its deliberations on the bill, decided that staffing shortages are a real concern and that this change in the statute could help to address that problem. The committee heard from a cosponsor of the bill, who has practical experience with the issue and knows the challenges of medical transport firsthand. This legislation provides that "not more than one emergency medical care provider shall be required to provide care to a patient during transport" It does not limit the circumstances to only one. In many cases, however, one is enough. In others, perhaps not. The medical professionals, closest to the scene, are enabled to make this important decision. This flexibility could be especially helpful in more rural areas, where staffing can be especially acute. **Vote 10-8.**

Rep. Janet Lucas for the **Minority** of Health, Human Services and Elderly Affairs. This bill would allow for a single emergent care provider to attend a patient during the process of emergency transport. The minority finds, after consultation with qualified professionals, that this bill may result in a situation in which one person is put in the impossible position of performing unaided cardiopulmonary resuscitation of a patient who is rapidly declining. In addition, by reducing the number of mandatory trained attendants, this bill may actually contribute to staffing burnout rather than correct it.

HB 679, relative to immunization requirements. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jim Kofalt for the **Majority** of Health, Human Services and Elderly Affairs. The bill stipulates that any vaccines that are mandated by the state under RSA 141-C:20-a must have undergone clinical trials that prove its efficacy in preventing the transmission of a disease. **Vote 10-8.**

Rep. Trinidad Tellez for the **Minority** of Health, Human Services and Elderly Affairs. This bill introduces an impossible standard. The bill prohibits all childhood immunization requirements for any vaccine that has not been shown in clinical trials to prevent all transmission of any disease. This ill-advised bill is not based on science. Vaccines work by imitating an infection to engage the body's natural defenses and stimulating the immune system. Vaccines are not created, nor tested, to prevent transmission, rather to decrease disease severity and prevalence. The impact of this bill will be to eliminate entirely the requirement of most of the currently required childhood vaccines. Realistically, pharmaceutical companies will not go back and re-do clinical trials with this endpoint. Important vaccine requirements are already fewer in New Hampshire than in other states. All parents currently have the option to decline vaccines. Our state's children stay healthy and safe because of the herd-immunity provided by the high vaccination rates in NH, and the decreased transmission rates from lower burden of infection. While parents will still have the option to choose to vaccinate their children, this bill will definitely result in less uptake of childhood immunizations. New Hampshire will then follow other states in dealing with outbreaks of preventable illnesses, many of which have devastating and long-lasting consequences.

HB 712-FN, limiting breast surgeries for minors. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Mazur for the **Majority** of Health, Human Services and Elderly Affairs. The majority of this committee agrees that this legislation strikes a necessary balance between safeguarding minors from premature, elective procedures and ensuring that those with legitimate medical needs can access care. The Journal of Sexual Medicine just published a new study this month. Of over 100,000 patients, they found that those who underwent transition surgery had significantly higher rates of depression, anxiety, suicidal ideation and substance use disorder versus matched controls without surgery. This study found that "gender-affirming surgery" is associated with increased risk of mental health issues. Already, hospitals and medical facilities across the world and our country, including Boston, are curtailing and ending minors' access to these harmful procedures. Children will never, ever be able to come back from these life-altering surgeries that remove perfectly healthy body parts. This bill would protect the well-being of young individuals while allowing room for appropriate medical discretion. **Vote 10-8.**

Rep. Janet Lucas for the **Minority** of Health, Human Services and Elderly Affairs. As a threshold note, breast surgery as a treatment for gender dysphoria is extremely rare or non-existent in New Hampshire. However, providers and counselors need to be able to discuss options and make referrals in cases where that is appropriate. This bill completely eliminates access to breast surgery as a treatment for gender dysphoria in minors. In so doing, it violates the rights of certain patients and their parents by arbitrary disqualification. This bill also has the potential for unintended consequences. Because this bill sets out a specific and limited list of exceptions, the bill would inevitably infringe upon care plans for patients whose diagnoses and surgical needs have nothing to do with this bill. Additionally, this bill allows for government intrusion into the patient-provider relationship and presents a punitive format to the provider who is making a decision on whether to practice in the state of New Hampshire. The effect of the bill is to deny one distinct class of minors their right to appropriate medical treatment or referral, and one distinct class of parents their right to make medical decisions in the best interest of their minor children.

JUDICIARY

HB 584-FN, relative to public health, safety, and state sovereignty. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Mannion for the **Majority** of Judiciary. This bill simply states that the World Health Organization, the United Nations, and the World Economic Forum shall have no jurisdiction in New Hampshire. The bill also removes a reference to medical schools recognized by the World Health Organization and replaces it with a reference to the World Directory of Medical Schools. The amendment specifically exempts the reference to the World Health Organization's world directory of foreign pharmacy schools from the bill so it can still be used. This bill also creates a cause of action against counties, cities, towns, precincts, water districts, school districts, school administrative units, or quasi-public entities or any employee, trustee, or director of such when acting in the scope of such person's elected or appointed capacity, who enforces policies, mandates, orders, requirements, edicts, or directives of the World Health Organization, the United Nations, and the World Economic Forum. The amendment also narrows the language upon which liability may be predicated from "relying on claims" to "enforcing mandates" of the designated organizations. **Vote 10-8.** Rep. Marjorie Smith for the **Minority** of Judiciary. The organizations this bill identifies have never and will never issue an enforceable mandate on the State of New Hampshire and local and state entities, or any other state, nor would an action of any of the organizations identified have any force of law. If that were all, we could agree to the bill as feel-good, but meaningless, legislation. However, the state, its local subdivisions, and other private and public institutions in New Hampshire take appropriate pride in basing decisions on due diligence in which they evaluate the broadest possible range of well researched information, assessing the credibility of the source, experience in other jurisdictions, and other valid measurement tools. Adoption of this bill would have a chilling effect on the decision-making process of public and private entities across the state. New Hampshire honors many diverse approaches to problem solving, this bill is not in that tradition.

HB 620-FN, relative to the exercise of the freedom of religion. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: The free exercise of religion is basic, and no government should have the authority to take it away. In 1993, Congress passed the Religious Freedom Restoration Act (RFRA) to restore the "compelling interest" test under federal law for statutes that substantially burden religious freedom. However, a later US Supreme Court decision held that the federal statute could not be applied to state laws that negatively impact religion, thus creating a need for a state statute to address this problem. Twenty-eight states have enacted similar laws, and New Hampshire is one of ten states that have a favorable state court decision to require the "compelling interest" test. (See *State v. Mack*, 2020). This bill would codify existing judicial protection in state statute as a protection against any future changes in New Hampshire jurisprudence or federal statute. The bill also allows for civil remedies.

Rep. Katy Peternel

Statement in support of Inexpedient to Legislate: This bill is legislation to put certain protections for religious liberty in state statute. This legislation is unnecessary and due to some language issues, may cause complications in already settled law in New Hampshire. Our Supreme Court has already defined in *State v. Mack* exactly what this bill wishes to cover. It is already part of our law. If a later NH Supreme Court decision would alter that, it would govern our law as opposed to a state statute if contrary. Additionally, federal law also covers much, if not all of what this legislation seeks to enable. If that were not enough, the NH Constitution in Part 1 Article 5 guarantees each NH citizen the right to worship God according to their conscience, without limitation, except as to disturbing the peace or others in their practice of their religion. This bill adds no rights nor any additional protections. However, it contains several problematic parts, in that it contains no definition of religion or religious belief and there is no provision regarding laws of general applicability, as discussed by the US Supreme Court in the *Smith* and *Flores* cases. The defects in this bill suggest possible future litigation on a statute that provides no value added.

Rep. Paul Berch

HB 666-FN, relative to adding restitution payment for violations of the confidentiality of the library use records and adding library cards and membership status to the list of confidential matters. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Alexander for the **Majority** of Judiciary. The majority of the Judiciary Committee believes this bill, as amended, adds much needed protections to an individual's privacy. The bill would restrict public libraries and staff from disclosing an individual's personal library card or user data information. Additionally, it would impose a civil penalty on the staff who discloses someone's private library card information to the public. During the public hearing, the Judiciary Committee heard testimony that libraries are receiving legal advice that it is legal to disclose someone's private library card and user information. This bill would update the statute to make it clear to everyone that library cards are personal and there is no public interest in knowing who does or does not have a library card. **Vote 10-8.** Rep. Marjorie Smith for the **Minority** of Judiciary. As they explained to the committee, problems that some legislators experienced in their town's public library caused them to bring to the Judiciary Committee multiple bills to address their concerns. While the courts ruled against them on at least one matter, and a majority of the town's voters did not agree to their concerns, nonetheless the committee supported two of the bills that came before us. The majority of the committee also supported this bill, but the minority believes that the language of this bill exceeds responsible standards. The bill, as amended, states that, "any library or library staff member who discloses any individual's library card or membership without a court order or explicit consent of the individual in question shall be in violation of this section and subject to a civil penalty of \$1000, made payable from the violator to the aggrieved individual. Furthermore, the violator shall issue an apology to the aggrieved individual. The apology shall be notarized and sent via certified mail to the aggrieved individual." In many towns, libraries are staffed by volunteer or part-time employees who are committed to helping the citizens of their town have access to one of the most important town resources - the town library. It is possible that an employee or volunteer might inadvertently make an error in disclosing information that is confidential. The minority does not condone such a breach, but if the punishment is to fit the crime, then a penalty of \$1,000 seems excessive and inappropriate. If the alleged violation involves 10 or 20 or 100 individuals, then the \$1,000 penalty would be multiplied accordingly. The minority does not believe that any NH law should appear to be based on revenge or retribution.

HB 687-FN, relative to class action settlements and consent decrees. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bob Lynn for the **Majority** of Judiciary. This bill provides that no portion of a class action settlement or judgment shall be paid to anyone other than members of the class or for the payment of attorneys' fees. It also provides that any monies collected under the settlement or judgment that cannot be distributed as just stated will escheat to the state and cannot be diverted to other purposes pursuant to the cy pres doctrine. This doctrine allows courts to apply monies that have been specified to be used for one charitable purpose to another purpose if the court determines that the original intended purpose cannot be achieved. Lastly, the bill provides that in awarding class action attorneys' fees the court should utilize the Laffey Matrix unless the court determines to use another method. The Laffey Matrix is a process developed and utilized by courts in the Washington, DC area for awarding attorneys' fees based on the imputation of certain hourly rates of compensation for attorneys, paralegals, and others involved in the litigation based on their level of experience, the complexity of the case, and other factors. The majority of the committee feels that this bill is necessary to prevent the situation, which has occurred with some regularity in recent years, whereby class action settlement monies which properly belong to members of the class are diverted to ideologically-focused charitable causes based on the desires of the attorneys and the court and without significant input from the majority of the injured parties. **Vote 10-8.** Rep. Paul Berch for the **Minority** of Judiciary. This bill seeks to govern practice in NH Courts as to settlements in state class action suits. NH has no statute regarding class action suits, but does have a Superior Court Civil Rule. Not widely used, the minority has been able to find only a handful of state class actions, comprising suits against the state to enforce voting rights, rights of the mentally ill and disabled and similar civil rights litigation. None, to the knowledge of the minority, have involved leftover money that needs to be distributed. The purpose and application of this part of the bill is unclear. In federal courts, including the First Circuit governing NH, there are cases of leftover settlement money, and the prevailing rule in federal courts is that it either gets further distributed to the known and available claimants or distributed by the courts "as close as possible" to a charity that reflects the values of the victim. This is because settlement money belongs to the victims, not the state. As to attorneys' fees, the bill sets the so-called Laffey Matrix as the default method, with an escape hatch that the court can do what it feels is just. The Laffey Matrix has never been adopted in either NH state court nor the First Circuit and has largely been rejected nationwide. The NH Courts already review proposed attorneys fees at part of the settlement process - the Fairness Hearing - to determine that they are reasonable and proportionate to the outcome achieved and it is designed to prevent excessive fees that could diminish the compensation available to class members. That is already the law and practice in NH, and this bill just confuses that. Since there are apparently no problems in the application of current law and this bill would only add potential confusion to a simple and fair process, the minority recommends Inexpedient to Legislate.

MUNICIPAL AND COUNTY GOVERNMENT

HB 200, relative to the procedure for overriding a local tax cap. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. The bill as amended modifies the method of overriding a local tax cap adopted under RSA 32:5-b. Current statute enables the voters of a town, village district, or school district to adopt a local tax cap by a 3/5 majority vote and further allows the legislative body to override the tax cap by a simple majority vote. Therefore, at present, a tax cap serves simply to limit the total appropriations proposed by the governing body or official budget committee and presented to the voters at an annual meeting. The bill modifies the current method of overriding a local tax cap to require a 3/5 majority vote, by ballot, to approve any appropriation that would exceed the tax cap. This is same override method currently used in the school district budget cap under RSA 32:5-e. By requiring a 3/5 majority vote instead of a simple majority to override the tax cap, this ensures that any approved appropriations above the tax cap are well supported by local taxpayers. Furthermore, it is logical that a local tax cap that was adopted by a 3/5 majority vote shall require the same vote threshold for the tax cap to be overridden. Additionally, the bill aligns the override procedure for a town, village district, or school district tax cap with the supermajority override vote threshold for a city and municipal charter tax cap under RSA 49-C:33, providing consistency in the application of the tax cap override provision across political subdivisions. Importantly, this bill upholds local control by providing flexibility in spending while at the same time maintaining fiscal responsibility for towns, village districts, or school districts that have adopted a local tax cap. **Vote 10-8.**

Rep. Stephanie Grund for the **Minority** of Municipal and County Government. When there is a new provision of law, like this one, the voters have traditionally been required to ask the voters if they want to enable this new law. This bill does not require this and overrides the current process. This bill calls out that “School districts shall place the warrant article for the SAU budget at the beginning of the warrant, immediately after any warrant articles proposing bonds or notes.” (When a committee member asked for clarification because most SAU’s do not have a separate SAU warrant article on their ballot, there was no clear explanation given.) Currently, SAU’s have a choice under RSA 194-C:3 to separate the SAU budget. However, the committee was not given all of the information. HB 564 currently in the Education Policy and Administration Committee is changing RSA 194-C:9-a by requiring SAU budgets to be on a separate warrant article. These two bills should have been combined into one bill and heard by one committee in order for the full understanding of the language to be considered. The minority believes this bill is removing local choice by deceptively separating RSA language changes in different committees.

HB 284-FN, requiring tax impact statements on municipal warrant articles. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John MacDonald for the **Majority** of Municipal and County Government. The majority of the committee believes this bill is a very simple, common-sense, and needed piece of legislation on behalf of all voters. The majority believes that it is important to provide and share all available information to voters as it relates to the estimated tax impact to both proposed warrant articles and the budget. This bill would require the municipality to include the following printed statement at the end of each warrant article and budget “if this warrant article passes, there will be an estimated tax impact of \$X.XX per \$1,000 of property evaluation.” **Vote 10-8.** Rep. Dylan Germana for the **Minority** of Municipal and County Government. As amended, this bill needlessly clutters the ballot and requires “projections” of future years tax impacts on municipal budgets and warrant articles. There is no way of knowing what the impact on future years will be, so whatever number put down will be a guess that could be misleading the public. It feels the ultimate goal of this bill is to spread misinformation and scare people based on “projections” to vote down critical budgets and warrant articles.

HB 372-LOCAL, relative to lease agreements of equipment for building or facility improvements. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. Under current law, towns, village districts, and school districts can propose a warrant article for a multi-year lease or lease-purchase of equipment at an annual or special meeting, under the Municipal Budget Law (RSA 32) and the Municipal Finance Act (RSA 33). As multi-year expenditures, such leases are passed by a 3/5 majority ballot vote of the legislative body at an annual or special meeting. Additionally, RSA 33:7-e, Lease Agreements of Equipment, provides for a special case of a lease or lease-purchase agreement for equipment containing a non-appropriation clause, commonly referred to as an escape clause, allowing for the lease agreement to be terminated early without penalty by returning the equipment. These types of lease agreements allow for leasing of non-fixed equipment, such as police cruisers, fire trucks, and department of public works equipment as these capital items can be easily returned to the vendor in future years without penalty should the governing body choose not to continue the lease or should funding be unavailable to continue the lease. Under RSA 33:7-e, a lease agreement of equipment with an escape clause is approved by a simple majority vote. Moreover, RSA 33:7-e also currently states that “building or facility improvements related to the installation, purpose, or operation of such

equipment shall be deemed to constitute equipment” and can also be leased under the same lease agreement with an escape clause. Any building or facility improvements allowed in a lease agreement were intended to be small incidental costs to hook-up the piece of equipment. However, this provision is being used by towns and school districts to lease fixed, non-returnable equipment such as boilers, elevators, HVAC equipment, and LED lighting, etc. Further, this provision is also being used to fund extensive building renovations to include: framing, drywall, paint, flooring, electrical, plumbing, HVAC, windows, doors, etc. all of which, once installed, become permanent fixtures. Testimony provided during the hearing cited two dozen cases statewide in which a lease agreement with an escape clause was used to fund significant building renovations ranging from \$295,000 to \$25.2 million with lease terms up to 20 years. Clearly, such renovation projects cannot be practically “escaped” as it is highly impractical for a governing body to return “leased” building materials and installed fixtured equipment used in a renovation. Undoubtedly, an expensive lease agreement with an escape clause makes no sense. Moreover, this practice of leasing versus bonding renovations also greatly increases costs to taxpayers, as interest rates for lease agreements are typically much higher than bond interest rates for the same term due to the flexibility of the escape clause and the ability to terminate the lease early. For the \$25.2 million lease, taxpayers will be paying \$6 million more in interest payments than if a simple bond had been used. Importantly, this bill addresses the misuse of RSA 33:7-e by modifying the statute so that leases containing building renovations and equipment that become fixtures do not qualify under RSA 33:7-e. Appropriately, the bill requires the same 3/5 majority vote approval to either lease or bond equipment that becomes a fixture as well as any associated building renovations or improvements associated with the installed equipment. A simple majority vote threshold to approve such lease agreements is inappropriate when taxpayers must pay significantly more in comparison to a bond. Most notably, the leasing of building renovations and fixtured equipment, as well as energy performance contracts (RSA 21-I:19-d), are still permitted under RSA 32 and RSA 33 and are approved by a 3/5 majority vote under this bill. Lastly, under this bill, RSA 33:7e still supports lease agreements of non-fixtured equipment such as vehicles, which can be easily returned, and these leases are approved by a simple majority vote. **Vote 10-8.** Rep. Dylan Germana for the **Minority** of Municipal and County Government. This bill states that all building or facility improvements for municipalities and school districts that become fixtures shall not be financed through lease agreements. This is a function that is not abused, but used responsibly and in tandem with bonds to best fund projects and regular maintenance. Using leases also allows for maintaining lower bond rates. School districts also use leases for energy performance contracts which can help save money. This bill was vetoed by the Governor last year as he called it bad for business.

HB 373-LOCAL, relative to the management and regulation of town real property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. The bill with amendment clarifies statutory language in RSA 41:11a, Town Property, and provides flexibility for towns to enter into long term leases of unused municipal property. Towns across the state are misinterpreting and misapplying RSA 41:11a which has led to a great deal of confusion as well as an inconsistent application of the law across the state. For example, a number of towns are requiring that their legislative bodies vote every five years to re-authorize their select boards the ability to continue to lease unused, town property under lease agreements with terms longer than five years, otherwise the lease shall terminate. This bill with amendment, clarifies the statute in order to avoid misinterpretation and prevent the resulting patchwork of application across the state. The bill also adds two additional authorities to RSA 41:11a for leases under this section. First, if the proposed lease is for more than one year but no greater than five years, then the legislative body may vote to authorize the selectmen to enter into the proposed lease for a specific, unused municipal property by a simple, majority vote. This provision is especially useful if the optional blanket “five-year” authority has not been granted by the legislative body via the enabling statute provision. Second, and more importantly, if the proposed lease is for more than five years, then the legislative body may vote by a 3/5 majority ballot vote, at an annual or special meeting, to grant the selectmen the authority to rent or lease a specific, unused municipal property for a period exceeding five years and up to 99 years. As with other long-term financial commitments incurred by a political subdivision which raise and appropriate taxpayer dollars over many years such as bonds and long-term equipment leases, it is reasonable to require a 3/5 majority vote in order to ensure that any such long-term commitment, in which municipal property may be tied up, is supported by a super-majority of the legislative body. Unfortunately, the applicability clause which grandfathered any lease in effect before the effective date of the act was inadvertently omitted in drafting the committee amendment to the bill, therefore, a floor amendment will be offered to correct this oversight. In conclusion, this bill with amendment clarifies and expands the options that voters can grant to selectmen in order to better facilitate utilization of unused municipal property as appropriate and generate revenue in an effort to reduce local property taxes. **Vote 10-8.** Rep. Stephanie Grund for the **Minority** of Municipal and County Government. At a time when municipalities and school districts are looking for avenues to reduce the increasing burden to taxpayers, the minority of the committee believes this bill makes it more difficult. This bill increases the requirement to pass lease agree-

ments to a 3/5 majority instead of a simple majority as the law currently states. The committee was given 12 examples of leases of which 10 were revenue generating and over half of those generating thousands of dollars each year for the respective towns. We should not be advocating for further restrictions when it comes to generating revenue and reducing the burden to taxpayers. Also, the amendment changes the wording to may from shall making the law ambiguous. The amendment states that the legislative body “may vote” instead of “shall vote.” The majority was more concerned about ensuring the 3/5 voting requirement made it into the bill rather than including the statutory language that ensures this law will be followed. Finally, there is not a grandfathering clause for leases currently in place that were voted on by a simple majority. The minority of the committee believes this bill presents multiple concerns in ambiguous language, effect on current leases, and not aiding our municipalities and school districts to reduce the burden to taxpayers.

HB 374, relative to clarifying references under local tax cap and budget laws. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. The bill as amended is house-keeping legislation for 2024 SB 383, to clarify the local tax cap and its adoption pursuant to RSA 32:5-b and 32:5-c and the new school district budget cap and its adoption pursuant to RSA 32:5-e and 32:5-f. Statutory language is updated to correct paragraph and definition references in several RSAs, to provide more clear definitions of school attendance and town population including important statutory references, as well as, to clarify the definition of “last year’s base” and “this year’s base” pertaining to local tax caps. The bill also adds missing statutory wording for the question to adopt a local tax cap using the inflation and attendance method for school districts or the population method for towns. Additionally, for both the local tax cap and school district budget cap, the annual date of the inflation index is changed from January 1 to October 1 to ensure that the reported figure for the inflation index is available for the annual budgeting season. Lastly, the updated language in the bill clarifies that an adjustment to an existing local tax cap or school district budget cap may be made by a vote of the legislative body without requiring that the cap be first rescinded and subsequently re-adopted with the proposed change. Importantly, these statutory modifications ensure clarity and consistency in both the adoption and application of local tax caps and school district budget caps across the state. **Vote 10-8.**

Rep. Jim Maggiore for the **Minority** of Municipal and County Government. In 2024, SB 383 was introduced to amend local tax cap law in RSA 32:5 and several relevant subsections. The bill required amending in the Senate and was voted Ought to Pass with Amendment and was sent to the House Municipal and County Government committee where it required further amendments before passing the committee by a 10-8 vote. SB 383 was ultimately signed into law and went into effect in September and October of 2024. This bill, HB 374, was introduced in 2025 to amend the very same local tax cap laws in RSA 32:5 and several relevant subsections that went into effect a mere five and six months prior in SB 383. The minority of the committee believes this bill is unnecessary because the existing law has only been in effect for 6 months. The minority also believes the language in the amendment restricts the rights of residents. The bill as amended permits the governing body to use the inflation index from either the US Bureau of Labor and Statistics or the Municipal Cost Index published by American City and County in the wording of the official ballot question to adopt the tax cap. However, the amendment prohibits the legislative body from amending the question, therefore the public cannot choose at their own town meeting which index they believe the town should use in calculating the tax cap. This is a restriction of the public’s right to amend warrant articles at their town meetings. Once a local tax cap is adopted, any changes to the tax cap require a 3/5 supermajority voting in favor of the change. This means that if a community discovers a flaw or error in their tax cap, they could be saddled with the flaw or error if the 3/5 supermajority could not be reached to make the correction. For these reasons, the minority oppose the Ought to Pass with Amendment motion.

HB 413, relative to subdivision regulations on the completion of improvements and the regulation of building permits. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John MacDonald for the **Majority** of Municipal and County Government. This bill extends the existing five year grandfathering for subdivision plats to seven years and increases the preliminary step achieving active and substantial development from two years to three years. The grandfathering includes exemptions to any changes in subdivision regulations, site plan review regulations, impact fee ordinances, and zoning ordinances, except those that protect public health standards. It also changes the building code and fire code appeals process, limiting the jurisdiction of the local building code board of appeals to hearing decisions made under local amendments to those codes. Further, the bill provides that decisions of the building code review board regarding decisions of the fire marshal and local building code board of appeals may be appealed to superior court or the housing appeals board. Section 6 of the bill corrects an oversight in statute, and will allow both appointed and elected zoning boards of adjustment to act as the local building code board of appeals. Notably, under the bill, existing subdivision approvals granted on or after July 1, 2023 will be granted the extension to start the project and will also be grandfathered from any zoning changes. If this bill were to be enacted into law, it would not constitute a retroactive law since such projects would have been approved

no more than two years from the proposed effective date of the legislation. This bill as presented would be a positive step in addressing the housing shortage in New Hampshire, by reducing risk to developers and encouraging them to take on larger housing projects with the flexibility of slightly extended time lines. **Vote 11-7.** Rep. Jim Maggiore for the **Minority** of Municipal and County Government. This bill is substantially the same as HB 1215 from 2024 which died in committee of conference. The bill significantly alters RSA 674:39, by extending the time period a subdivision plat or site plan is exempt from subsequent changes in subdivision regulations, site plan regulations, impact fee ordinances, and zoning ordinances. Currently, recorded plats and plans are exempt for a period of five years, if “active and substantial development” began within 24 months of the approval. The bill would change this period to seven years, and extend the “active and substantial development” period to three years. The minority of the committee did not receive evidence that increasing the exemption will increase housing development. On the contrary, the minority believes extending the time to complete a project could add significantly to the costs for both materials and labor. Additionally, this bill would also alter the local appeal process in RSA 674:34 for building and fire codes when the zoning board of adjustment or the select board serves as the local building code of appeals. When the appeal is of a locally adopted amendment to either the building or fire code, the appeal would stay with the zoning board of adjustment and maintain local control of local issues. However, when the appeal is of the state the appeal would go to the state building code board of appeals usurping local control. Perhaps the most problematic new statutory language extends the seven year period and three year exemption to any approval granted on or after July 1, 2023. The New Hampshire Constitution prohibits retroactive laws, meaning laws that apply to actions or events that occurred before the law’s enactment, as stated in Article 23 of the Bill of Rights. This article explicitly states that “Retrospective laws are highly injurious, oppressive, and unjust. No such laws, therefore, should be made, either for the decision of civil causes, or the punishment of offenses.”

HB 432, relative to recovery houses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tom Dolan for the **Majority** of Municipal and County Government. The committee considered this bill after convening a subcommittee of five members. The subcommittee voted 4-1 to recommend Inexpedient to Legislate to the full committee. While it was generally recognized that more recovery house beds are needed in the state, this legislation is flawed for several reasons. First, safety measures would be sacrificed for the residents of the houses. Sprinklers, exit signs, and smoke alarms, may not be used for vulnerable recovery house residents. Meeting ADA requirements are not required. Second, the importance of local control is disregarded as local planning and zoning board approval/review is not required. Third, the planners indicate a dramatic change in funded beds to change from approximately 1,300 beds to 15,000 beds. This increase would take place without local community approval. **Vote 11-7.** Rep. Dylan Germana for the **Minority** of Municipal and County Government. This bill attempts to find a solution for the housing, homelessness and drug crisis that we have here in New Hampshire. The minority of the committee can admit that without an amendment, this bill isn’t perfect and cuts out local control. However, in a time when we have 1,300 beds for the most vulnerable people in our community who are left out on the streets and it is estimated that we need over 15,000 beds throughout the state, we need to do better than Inexpedient to Legislate legislation that could help accomplish that with a little bit of work.

HB 475-LOCAL, relative to the reductions from the default budget for official ballot town meetings. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. Default budgets are currently required for towns, village districts, and school districts that have adopted the official ballot referenda form of town meeting under RSA 40:13, commonly referred to as SB2. The legislative intent of a default operating budget is to provide an alternative operating budget to voters free of excess and unnecessary appropriations providing a minimal level of spending in order to maintain existing operations and services. Unfortunately, the current statutory language in RSA 40:13 IX(b) has been found to be vague and inexact. As a result, default budgets improperly include excess spending and unnecessary appropriations. The bill with amendment addresses these important issues. First, the bill requires that the default budget shall include “obligations previously incurred by law” or “required by law” and eliminates appropriations made “by preference.” Second, the bill clarifies that all salaries and benefits for vacant positions that remain open and unfilled for more than a year shall not be included in the default budget. Testimony provided during the bill hearing indicated that recurrently budget line items for numerous open positions remain in default budgets and are, therefore, raised and appropriated year after year. Due to the fact these positions continue to be unfilled, the governing body will then spend these excess funds for other purposes by transferring these appropriations to other line items in the “bottom-line” budget under RSA 32. Third, the bill ensures that default budget line items for positions filled by new hires before the budget hearing reflect the actual salary and benefits of these positions for the next fiscal year. Fourth, the bill provides that any budget line item in the operating budget authorized for the previous year from which a transfer was made for any one-time expenditure shall be reduced by the amount of the transfer in the default budget. Importantly, this update will ensure that all one-time

expenditures are removed, and are not included in the default budget. In summary, the bill with amendment makes important statutory clarifications pertaining to the accounting methods for budget line items in the calculation of the default budget, ensuring that default budgets do not include excess expenditures for the same level of service as the previous year, thereby avoiding the unnecessary over-taxation of hard-working Granite Staters. **Vote 10-8.**

Rep. Eleana Colby for the **Minority** of Municipal and County Government. The minority of the committee believes this bill imposes an unreasonable expectation on towns and school districts, demanding they predict the exact timing of essential staff turnover in relation to their fiscal years. Municipalities cannot foresee when police officers, firefighters, or educators will apply for or accept positions. Moreover, school districts cannot anticipate when a child with unique needs might move into their area. Legally, public schools must provide services to these children, regardless of their budget constraints. This often requires hiring experienced and specialized personnel on short notice. By preventing local administrators and town officials from accurately accounting for open positions in their budgets, this legislation threatens to compromise vital services. Concerns have been raised by the minority about the claims suggesting that unspent funds for open positions are being mismanaged to balance budgets. Municipalities must retain the flexibility to allocate these funds from open positions to cover necessary expenses, such as supplementing costly overtime lines for police, fire, and public works, or to outside contracts for critical services due to employee recruitment and retention struggles plaguing police and fire departments. Residents and students depend on many vital services provided at the municipal level, and the inability to afford them due to this legislation would be detrimental to communities throughout New Hampshire.

HB 613, relative to enabling local political subdivisions to vote and set a reduced default budget option. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. This bill is enabling legislation providing towns, village districts, and school districts that have adopted the official ballot referenda under RSA 40:13, commonly referred to as SB2, an optional provision enabling them the ability to adopt a reduced default budget. The bill provides that a legislative body may adopt, by a 3/5 majority vote, a reduced default budget option which is defined as the default budget reduced by an adopted fixed percentage, R, from 1% to 10%. Once this provision has been adopted, each year the official ballot for the balloting session on town election day will contain two (2) consecutive warrant articles for the operating budget. The first of these articles appearing on the warrant shall be the proposed operating budget determined by the voters at the deliberative session. If the warrant article for the proposed operating budget is defeated, then the subsequent warrant article shall provide voters with the option to adopt either the default budget or the reduced default budget. If a majority of voters vote "No" on both of these consecutive operating budget warrant articles, then the adopted operating budget shall be the default budget reduced by R percent. The bill also provides that once the optional reduced default budget provision has been adopted by the legislative body, a change to the reduced default budget percentage, R, shall be approved by a 3/5 majority vote of the legislative body without requiring that the reduced default budget provision be first rescinded and subsequently re-adopted with the proposed change. Notably, as with most enabling legislation, there is a provision to rescind the reduced default budget option entirely by a 3/5 majority vote. Importantly, this enabling statute provides an optional local budgetary tool for voters to help to address the monotonically increasing default budgets, which have been found to increase at a rate that is unsustainable for taxpayers across the Granite State. **Vote 10-8.** Rep. Julie Gilman for the **Minority** of Municipal and County Government. This bill provides for a second method for adopting default budgets. The minority's opinion is that when presented with both questions, voters will be confused by the choice. The method presented, if adopted, would reduce the default by 1% to 10% of the proposed default. The legislative body is prohibited from amending the percentage, a method of disenfranchisement of democratic rights. Further, the provision may be adopted or rescinded every year adding to the difficulty in understanding the method of default budget calculations. There is also concern that a percentage cut to the default may be in conflict with the actual current definition of default budgets. The bill also requires a 3/5 affirmative vote calculated by only those voting on the question to pass. The current definition of default budget approval, by up or down vote, goes unchanged but this bill makes a special calculation for the second option default budget. The minority of the committee questions that the purpose behind this bill is to decrease budgets every year and forces a race to the bottom. Cutting a community's ability to provide services of some percent, year after year by default, will see thriving communities die.

RESOURCES, RECREATION AND DEVELOPMENT

HB 568, allowing subdivision regulations concerning water supply. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tanya Donnelly for the **Majority** of Resources, Recreation and Development. The concerns surrounding this bill are not wide spread, according to NH Department of Environmental Services. While ensuring adequate water supply and quality is crucial, these proposed changes appear to create unnecessary regulatory burdens

on smaller-scale water users. By exempting community water systems and large groundwater withdrawals regulated under RSA 485 and RSA 485-C, the changes proposed by this bill inadvertently target individual property owners and smaller developments. Moreover, the proposed changes would impose additional costly tests and financial burdens on applicants, as they could be required to pay for abutter notifications and cover local administrative or investigative expenses. This could create barriers for property owners seeking to develop their land and hinder overall growth in the state. Considering these concerns, the majority of the committee believes it would be prudent to vote Inexpedient to Legislate on the proposed bill and explore alternative ways to address water supply issues without unduly impacting our constituents or stifling development in New Hampshire. **Vote 9-7.** Rep. Linda Ryan for the **Minority** of Resources, Recreation and Development. This bill would enable but not require town planning boards to request a water supply study in accordance with local regulations to ensure water adequacy as housing density increases. This allows towns to ensure there is a sufficient water quantity to support existing, proposed, and reasonably anticipated future land development and to ensure protection of water dependent natural resources. The NH Department of Environmental Services has previously developed draft ordinances around hydrology studies, but this bill will clarify that they can be adopted by towns. The minority of the committee supports these protections of existing homeowners, as development can impact existing residents' water quantity.

SCIENCE, TECHNOLOGY AND ENERGY

HB 460-FN, relative to utility investments in distributed energy resources. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Harrington for the **Majority** of Science, Technology and Energy. This bill addresses many topics presently being adjudicated at the Public Utilities Commission (PUC), including tariffs, metering, data sharing, consolidated billing, and load estimation and settlement processes. It is therefore premature to make changes based on technical issues still being worked out, especially as some of them could involve cost shifting. Avoided costs credits for transmission and distribution remain unknown at this time. **Vote 10-8.** Rep. Kat McGhee for the **Minority** of Science, Technology and Energy. This bill adds specific language into the statute concerning the factors to be considered by the Public Utilities Commission (PUC) when reviewing and approving utility investments in distributed energy resources. The minority wants to clarify the items in the value stack that the PUC should consider when reviewing these projects. These factors are common to rate-cases, and we still believe there is a benefit to placing this language in statute to bring clarity to rate case criteria.

HB 537, relative to electric rates approved by the public utilities commission for residential condominium property. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas Thomas for the **Majority** of Science, Technology and Energy. This bill would require that public utilities charge the same electric rates for certain condominium associations as they do for residential units, and it amends provisions related to rural electric cooperatives and condominium use for commercial enterprises. Since condos are inherently commercial, the committee did not feel this bill accurately reflects nor fixes any issue. A similar bill, HB 539, was thought to potentially consider this issue, but was also found to not adequately fix it. **Vote 10-8.** Rep. Thomas Cormen for the **Minority** of Science, Technology and Energy. This bill, along with HB 539 and HB 680, was intended to solve a specific problem related to condominiums. The committee voted Inexpedient to Legislate on HB 539 and HB 680, an amendment to HB 537 was proposed to roll the solutions within all three bills into one. The problem to be solved relates to residential condominium units, typically paired, that share a single electric meter for a well pump or septic system, especially when not all units share such meters. Although the uses of these meters are entirely for residential use, these meters are billed to the homeowner's association (HOA). And because the HOA is, by statute, a commercial enterprise, these meters are billed at commercial electric rates, which are higher than residential rates. Considering that the uses of these meters are entirely for residential purposes in residential units, applying commercial rates is unfair. A compounding problem is that because these meters are billed to the HOA, the cost to the HOA is spread over all unit owners, even those with individual meters. The amendment solves both problems, first by requiring residential rates specifically for shared electric meters that serve only well pumps and septic systems for residential units, and second by allowing the HOA to bill the owners of units with shared meters directly, with the cost for each meter divided equally between the units it serves. During the executive session, the majority of the committee opined that a non-legislative solution would suffice: have the customer of record for each shared meter be an individual unit owner within the condominium, perhaps one of the unit owners sharing the meter or perhaps the president of the HOA. The minority of the committee disagrees with this approach. Unless a formal agreement is signed between the individual unit owners, which is unlikely, if a unit owner is negligent in paying their share of the bill, then the unit owner of record has no legal recourse to collect. Unnecessary animosity between neighbors would result. If, instead, the bill for the shared meter goes to the HOA, as the amendment would require, then because each unit owner has signed

an agreement to pay HOA assessments, unit owners with shared meters would have a legal obligation to pay their share. For these reasons, the minority of the committee opposes the Inexpedient to Legislate motion and urges Ought to Pass with amendment.

HB 690-FN, directing the department of energy to investigate the state's withdrawal from ISO-New England and other strategy decisions that impact ratepayers in relation to New England's environmental policy. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James Summers for the **Majority** of Science, Technology and Energy. This bill directs the Department of Energy (DOE) to investigate the state's withdrawal from ISO-New England and other strategic decisions affecting ratepayers in relation to New England's environmental policy. This bill would finally find the result of the cost and the benefits of being a member of the regional six-state ISO-New England. (a) What are the current functions of ISO-New England? What function could New Hampshire itself not replace? (b) What has happened when other utilities have left their Regional Transmission Organization? How do vertical utilities interact with their Regional Transmission Organization? (c) What capabilities would the state of New Hampshire and its utilities need to develop? (d) What are the benefits of leaving ISO-New England? Are there long-term costs associated with market outcomes that may be avoided? Are there direct costs associated with participating in ISO-New England that may be avoided? (e) What costs would be associated with leaving ISO-New England? Would there be duplicative functions, exit fees, or operational costs? (f) Would there be reliability impacts, negative or positive, associated with leaving? (g) Would there be costs associated with ISO-New England that could not be avoided, even if New Hampshire were to leave? (h) What are the benefits of participating in ISO-New England? What opportunities exist to improve outcomes? (i) How can a regional market balance varying policy goals? Where do ISO-New England markets currently shift costs, and how can those cost shifts be limited? (j) What state laws or Public Utilities Commission orders conflict with leaving ISO New England? How would they need to be modified to allow New Hampshire to leave? (k) Would any changes need to be made to the ISO-New England tariff to allow New Hampshire to leave? (l) When operating independently of ISO-New England, what restrictions would be placed on the state by the Federal Power Act or principles of federalism? What powers are beyond the state's purview? (m) What alternative regulatory structures could the state explore that would better allow it to serve reliable, affordable electricity to its citizens? **Vote 10-8.** Rep. Wendy Thomas for the **Minority** of Science, Technology and Energy. This bill is an unnecessary and costly exercise that risks destabilizing New Hampshire's energy future. ISO-New England provides critical grid management, market efficiency, and reliability that New Hampshire alone cannot replicate without incurring significant expenses. Withdrawing from the regional system could lead to higher electricity costs, increased vulnerability to outages, and burdensome infrastructure investments. The state would also face legal and regulatory hurdles, making the process complex and uncertain. Instead of diverting resources into a speculative investigation, lawmakers should focus on working within ISO-New England to advocate for policies that benefit ratepayers while maintaining the reliability and affordability of electricity.

WAYS AND MEANS

HB 402, relative to liability as taxable income of education freedom account payments. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Murphy for the **Majority** of Ways and Means. This bill proposes to repeal RSA 194-F:2 paragraph VI which states that funds deposited in an education freedom account (EFA) do not constitute taxable income. Testimony was heard from a business owner who said that if this provision was removed, he would hesitate to donate money to employees who had children in the program. Each family can make the determination of whether or not the EFA is taxable to them after consulting with their tax advisor about their unique situation. A tax preparer who testified stated that he did not believe it has been an issue yet due to the current EFA restriction of the program to low-income families who typically pay little or no taxes. EFA scholarships are currently limited to families at 350% of the poverty level which is similar to federal means testing to qualify for the welfare program Children's Health Insurance Program (CHIP) which may vary up to 318% of the federal poverty level. Also, the committee heard testimony from a tax preparer that the bill, as it is currently written, might result in unintended consequences. **Vote 11-8.** Rep. Susan Almy for the **Minority** of Ways and Means. When Bill Ardinger talks, folks ought to listen. Our state's foremost tax attorney told the Ways and Means Committee that he had noticed a problematic statement in the original education freedom account law, section RSA 194-F:2 that reads: "VI. Funds deposited in an EFA shall not constitute taxable income to the parent or the EFA student." He did not speak up because the original law restricted the beneficiaries of the program to persons too poor to attract the attention of the Internal Revenue Service (IRS). He spoke up now because the program has been expanded to 350% of poverty and is being considered to expand to everyone. RSA 194-F:2, VI is incorrect as stands. Attorney Ardinger brought us a list of the 15 types of expenses which the Children's Scholarship Fund says are eligible for reimbursement, five of which are in his lawyerly caution "likely taxable" by the IRS auditors, two are "likely not taxable," and eight of which are "probably taxable." The higher up the income span the EFAs reach, the more families will be investigated by the IRS

for breaking with federal tax law and required to pay back the money and fines. A comment in the on-line data for this bill stated, with respect to the IRS, that “everyone knows that the EFAs are not taxable.” For the sake of the public and the program, we need to re-word RSA 194-F:2, VI to read “VI. Funds deposited in an EFA shall not constitute taxable income to the parent or the EFA student by the state of New Hampshire, but may be subject to federal taxation.” This language and section 1 will warn users and provide the IRS form that will help them decide if they would be in violation of federal law by making certain expenditures without reporting them on their tax forms.

HB 483-FN, relative to the definition of a scholarship organization for purposes of the education tax credit. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James Tierney for the **Majority** of Ways and Means. This is a very short bill that would only allow “scholarship organizations” to operate that are incorporated in NH. Currently, the only scholarship organization operating in NH is incorporated in New York. If this bill were passed, it would effectively remove The Children’s Scholarship Fund which is incorporated in the State of New York from managing the Education Freedom Accounts (EFAs) of the State of New Hampshire. With this one bill, the Education Freedom Accounts would be terminated unless a new management charitable organization incorporated in New Hampshire was willing and capable of overseeing and managing the EFA program stepped forward. **Vote 11-8.** Rep. Dennis Malloy for the **Minority** of Ways and Means. This bill would require the Children’s Scholarship Fund (CSF) of New York which manages the Education Freedom Accounts to be incorporated in NH just like the arrangement in other states. The minority believes that such a large program should be fully audited to make sure that we know how our tax dollars are being spent. A small audit found errors that have been corrected and a broader audit is needed. Finally, we need transparency about the 10% fee charged by CSF for administration of the program and the NH organization should file its own tax form.

HB 530-FN, increasing the amount of revenue transferred from the real estate transfer tax to the affordable housing fund. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mary Murphy for the **Majority** of Ways and Means. It is the majority opinion that this bill would jeopardize the Education Trust Fund’s ability to meet the state’s obligations to fund an adequate education and might result in reductions to other state-provided services due to a reduction in the general fund. The majority feels that enough funding is already being provided through a combination of transfers and tax incentives to stimulate affordable housing construction in the state, including the Low-Income Housing Tax Credit (LIHTC), the Affordable Housing Fund (AHF), and the Community Development Finance Authority (CDFA) Tax Credit Program. New Hampshire also provides the Construction Lending Program and GNMA/FNMA (Ginnie Mae/Fannie Mae) loans. The Real Estate Transfer Tax Fund already transfers \$5 million to the Affordable Housing Fund. This bill seeks to double the amount to \$10 million which would result in a reduction of \$3,350,000 from the general fund and \$1,650,000 from the Education Trust Fund. The state is currently appealing education-related lawsuits which might result in settlements that will come in part from the Education Trust Fund. It would be ill advised to reduce the Education Trust Fund for any purpose at this time and before we know the outcome of these lawsuits. Furthermore, this bill does not address the most significant impediments home builders are facing, as stated by the President of the NH Homebuilders Association at their recent annual event, which are excessive and uncoordinated regulations from both the federal and state governments. The president claimed these regulations add 25% to the cost of an average single-family home. This bill will harm funding of education and other state government services without solving the affordable housing problem. **Vote 11-9.** Rep. Thomas Oppel for the **Minority** of Ways and Means. New Hampshire faces a housing crisis, not least acknowledged by this House’s creation of a standing Committee on Housing this year. While there are myriad causes for this crisis, it should be obvious that additional funding is required to build or rehabilitate housing that is affordable to working and middle-class families at or below the median income in our state. This bill adds \$5 million to the state’s affordable housing fund by doubling the distribution from the real estate transfer tax, an essential first step toward addressing our housing crisis.

COMMITTEE MEETINGS

FRIDAY, MARCH 21

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

9:00 a.m. Regular meeting.

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a),

3:00 p.m. Regular meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/86117818803?pwd=cWRXdlgwQnQvc2ZRbkNOBhGc3M0dz09>

Meeting ID: 861 1781 8803

Passcode: 669915

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

10:00 a.m. Regular meeting. Join Teams: Meeting ID: 282 387 535 833 Passcode: qAxqEj

FINANCE - DIVISION I, Room 212, LOB

1:15 p.m. Budget work session.

FINANCE - DIVISION II, Room 209, LOB

1:00 p.m. Division work session on **HB 129-FN**, relative to the definition of the term “evidence-based” within public education; **HB 133-FN**, modifying the new resident drivers’ license transfer requirements, specifying when the division of motor vehicles shall send violation notices, and appropriating funds to the division for technological upgrades required for legal compliance; **HB 671-FN-A**, establishing a kindergarten literacy readiness program; **HB 781-FN**, requiring school districts to adopt policies establishing a cell phone-free education. Continuing budget work as needed.

FINANCE - DIVISION III, Room 210-211, LOB

1:00 p.m. Division work session on **HB 570-FN**, repealing the prescription drug affordability board. Continuing Budget work as needed.

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

11:00 a.m. Regular meeting.

NEW HAMPSHIRE-IRELAND TRADE COUNCIL (RSA 12-O:22-a), Department of Business and Economic Affairs, 100 North Main Street, Suite 100, Concord

1:30 p.m. Regular meeting.

MONDAY, MARCH 24

FINANCE - DIVISION I, Room 212, LOB

9:00 a.m. Division work session on **HB 219-FN**, relative to changes to the minimum electric renewable portfolio standards; **HB 365-FN**, relative to proof of United States citizenship for indigent voters; **HB 552-FN**, relative to coverage of children under the state retiree insurance plan; **HB 572-FN**, establishing the “partners in housing” program, an initiative under the housing champions fund to assist municipalities, counties, and developers in building workforce housing, and making an appropriation therefor; **HB 611-FN**, relative to repayment regarding appointed counsel for indigent criminal defendants; **HB 639-FN**, relative to the use of and disputes over blockchain and digital currencies; **HB 733-FN**, relative to reporting requirements for persons or entities financing lawsuits. Continuing budget work as needed.

FINANCE - DIVISION II, Room 209, LOB

10:00 a.m. Budget work session.

FINANCE - DIVISION III, Room 210-211, LOB

10:00 a.m. Budget work session.

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2), Room 103, SH

1:00 p.m. Regular meeting.

NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2), DHHS Brown Building Auditorium, 129 Pleasant Street, Concord

9:30 a.m. Regular meeting.

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4), Department of Environmental Services, 29 Hazen Drive, Rooms 111-113, Concord

9:00 a.m. Regular meeting.

RULES, Room 206-208, LOB

10:00 a.m. Regular Meeting

TUESDAY, MARCH 25

CHILDREN AND FAMILY LAW, Room 206-208, LOB

10:00 a.m. Subcommittee on Family Court organizational meeting and work session.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306-308, LOB

10:00 a.m. **HB 493**, requiring education on child abuse and neglect for certain healthcare providers as a condition for licensure.

10:30 a.m. **HB 538-FN**, reallocating positions in the liquor commission.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE - DIVISION I, Room 212, LOB

9:00 a.m. Budget work session.

FINANCE - DIVISION II, Room 209, LOB

10:00 a.m. Budget work session.

FINANCE - DIVISION III, Room 210-211, LOB

10:00 a.m. Budget work session.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

10:00 a.m. Full committee work session on **HB 25-A**, making appropriations for capital improvements.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

STATE HEALTH ASSESSMENT AND STATE HEALTH IMPROVEMENT PLAN ADVISORY COUNCIL (RSA 126-A:88), New Hampshire Hospital Association/Foundation for Healthy Communities, Room 1, 125 Airport Road, Concord

9:00 a.m. Regular meeting.

WAYS AND MEANS, Room 202-204, LOB

10:00 a.m. **HB 302**, relative to enabling the state treasury to invest in precious metals and digital assets.

10:30 a.m. **HB 696-FN**, exempting electricity generators from the utility property tax and including them under the statewide education property tax, and relative to communications services tax revenues.

11:00 a.m. Executive session on **HB 224-FN**, relative to rebates to ratepayers from the renewable energy fund; **HB 524-FN**, repealing the New Hampshire vaccine association.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FRIDAY, MARCH 28

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13), Room 205-207, LOB

1:00 p.m. Regular meeting.

HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:5), Room 100, SH

9:45 a.m. or directly following the Joint Committee meeting. Regular meeting.

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

9:15 a.m. Regular meeting.

PUBLIC SCHOOL INFRASTRUCTURE COMMISSION (RSA 198:15-z), Department of Education, Room 302, 25 Hall Street, Concord

9:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

MONDAY, MARCH 31

EDUCATION FUNDING , Room 205-207, LOB

10:00 a.m. Subcommittee work session on retained **HB 742-FN-A**, requiring catastrophic special education state aid funding to be drawn from the education trust fund.

TUESDAY, APRIL 1

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

5:00 p.m. Regular meeting.

FRIDAY, APRIL 4

JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1), Room 212, LOB

10:00 a.m. Regular meeting.

MONDAY, APRIL 7

COMMISSION TO STUDY REVENUE ALTERNATIVES TO THE ROAD TOLL, ROAD TOLL REGISTRATION CHARGES, AND REVENUE ALTERNATIVES TO VEHICLE REGISTRATION FEES, INCLUDING ELECTRIC VEHICLE REGISTRATION FEES, TO FUND IMPROVEMENTS TO THE STATE'S HIGHWAYS AND BRIDGES AND THEIR RESULTING IMPROVEMENTS TO THE ENVIRONMENT (RSA 21-J:49), Room 201, LOB

11:00 a.m. Regular meeting.

FRIDAY, APRIL 11

COMMISSION TO STUDY THE INCIDENCE OF POST-TRAUMATIC STRESS DISORDER IN FIRST RESPONDERS (RSA 281-A:17-e), NH Fire Academy, 98 Smokey Bear Blvd., Classroom 1, Concord

10:00 a.m. Regular meeting.

MONDAY, APRIL 14

ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b), 25 Hall Street, Concord

9:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

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

9:30 a.m. Regular meeting.

MONDAY, APRIL 21

STATE COMMISSION ON AGING (RSA 19-P:1), NH Hospital Association, 125 Airport Road, Concord

10:00 a.m. Regular meeting.

TUESDAY, MAY 6

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

5:00 p.m. Regular meeting.

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB 66, HB 85, HB 86, HB 112, HB 211, HB 215, HB 240, HB 284, HB 327, HB 369, HB 378, HB 494, HB 496, HB 498, HB 502, HB 505, HB 506, HB 508, HB 509, HB 511, HB 514, HB 517, HB 518, HB 521, HB 523, HB 524, HB 525, HB 526, HB 528, HB 534, HB 535, HB 536, HB 538, HB 542, HB 546, HB 547, HB 553, HB 572, HB 574, HB 575, HB 581, HB 583, HB 586, HB 607, HB 608, HB 609, HB 615, HB 616, HB 619, HB 621, HB 622, HB 624, HB 630, HB 633, HB 635, HB 637, HB 639, HB 646, HB 648, HB 650, HB 651, HB 652, HB 653, HB 654, HB 657, HB 658, HB 659, HB 662, HB 665, HB 669, HB 671, HB 672, HB 674, HB 677, HB 680, HB 681, HB 683, HB 686, HB 687, HB 688, HB 690, HB 691, HB 696, HB 702, HB 708, HB 710, HB 711, HB 712, HB 716, HB 719, HB 720, HB 721, HB 725, HB 726, HB 727, HB 729, HB 730, HB 731, HB 736, HB 738, HB 739, HB 741, HB 743, HB 750, HB 753, HB 755, HB 756, HB 759, HB 760, HB 761, HB 762, HB 763, HB 767, HB 769, HB 770, HB 771, HB 775, HB 782. SB 60, SB 73, SB 147, SB 160, SB 201.

OFFICIAL NOTICES

MEMBERS' NOTICES

The following notices are published in the House Record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

All Representatives are invited to a Bible study and prayer during the lunch break on Session Days. We will meet in the Upham Walker House with Pastor Peter Chamberland for this time together. Come and be refreshed both physically and spiritually during our lunch hour. Looking forward to seeing you there!

Rep. Vanessa Sheehan

Members who receive constituent inquiries into their client case with the Department of Health and Human Services are welcomed to forward the inquiry to DHHS for follow-up. You will not receive any information back other than the case is being placed in a queue and being reviewed. Contact Ms. Kathie Capron, Executive Administrative Assistant, Office of the Commissioner, (603) 271-9445, Kathleen.A.Capron@dhhs.nh.gov

Reps. Lucy Weber and Jess Edwards

The spate of measures in front of this body that have dire consequences for New Hampshire renters proves that the perspective of those who rent their homes is needed to ensure fairness for us as well as property owners. We representatives who rent must join together to make sure our voices are heard. If any of my colleagues are interested in forming a bipartisan renters' caucus, please see me in person or email me.

Rep. Lily Foss

Pocket-Size Copies of the NH Constitution are available. The passage of HB 1323 (2024), RSA 5:5-b, allowed for copies of State Constitution to be furnished. These pocket-size copies of the NH Constitution are now available in the Secretary of State's office for \$1 each.

Reps. Peternel, Drye and Dan McGuire

Legislators are invited to join the University System of New Hampshire for a Legislative Lunch on **Thursday, March 27 from 11:30 a.m. - 1:30 p.m.** at St. Paul's Church, Concord, NH. We invite you to meet our college and university presidents and learn more about our efforts to attract, equip, and retain a highly skilled NH workforce. Lunch will be provided.

Reps. Jason Osborne and Alexis Simpson

Please join the Community College System of New Hampshire for a meet and greet in the State House cafeteria **Wednesday, April 2nd, from 11:00 a.m. to 1:00 p.m.** Legislators and staff are invited to join college and system leaders and discuss issues of importance to your region and the state. Refreshments, prepared by culinary students from Lakes Region Community College and White Mountains Community College, will be proudly served by students and faculty. The committee that leaves us the most business cards will win a delicious cake made by the colleges' culinary students.

Reps. Steven Smith and Alexis Simpson

All legislators and staff are cordially invited to join the New Hampshire Automobile Dealers Association (NHADA) for our annual Legislative Crossover Reception on **Thursday, April 10, 2025** at 3:30 p.m. (or following the end of the session day) at the Hotel Concord, 11 South Main Street, New Hampshire Room, (third floor), Concord. NHADA has historically hosted this event which offers legislators a wonderful opportunity to unwind and enjoy the company of fellow legislators and staff in a fun, social gathering.

Speaker Packard

Legislators are invited to join the New Hampshire YMCA's for a Legislative Lunch on **Thursday, April 10th** during the House Session lunch break at St. Paul's Church, Concord, NH (adjacent to State House). Enjoy a delicious lunch and learn about our work supporting New Hampshire children and families.

Reps. Jason Osborne and Alexis Simpson

Legislators & staff are cordially invited to the annual Walmart lunch and health screening in the State House cafeteria on **Thursday, April 10th** starting at **11:30 a.m.**

Rep. Steven Smith

To all my friends in the New Hampshire Legislature. Always inspired by my Mom who dealt with the challenges of rheumatoid arthritis her entire life, I am honored to be named the Medical Honoree for the 2025 New Hampshire Arthritis Foundation Walk to Cure Arthritis, the premier event of the arthritis community committed to conquering arthritis for the nearly 60 million Americans, including hundreds of thousands of children, who live with this debilitating disease's daily pain and challenges. I invite you to join my team, "Make No Bones About It." The event begins at Delta Dental Stadium in Manchester on **May 10, 2025 at 10:00 a.m.** You can walk, run, crawl, or wheel your way. The walk ends on the infield. Those who contribute \$10 or more receive a free ticket to the Fisher Cats game to follow. See me for more details on how to sign up. This event raises money to advance arthritis treatments and find a cure, develop resources, and take action to improve people's lives. Your help is needed now more than ever. Together, we can improve the lives of 1 in every 4 Americans who battle arthritis and ultimately cure the disease. Please join us. Thank you!

Rep. David Nagel

The House of Representatives is cordially invited to join behavioral health crisis stakeholders to "Coffee for the Crisis Line" on **Tuesday, April 22 from 7:30 a.m. to 10:00 a.m.** in the State House Cafeteria. Please drop by for fresh coffee and donuts and learn about the crisis system and sustainable funding for the 988 call centers.

Rep. Mark Pearson

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 50 (2025-1029h)

Proposed by the Majority of the Committee on Education Policy and Administration—r

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

AN ACT relative to intentional or knowing violation of the prohibition on teaching discrimination.

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

1 Education; Pupils; Discrimination in Public Schools; Prohibition on Teaching Discrimination. RSA 193:40, II-V is repealed and reenacted to read as follows:

II. Nothing in this section shall be construed to prohibit discussion by educators, or others as part of a larger course of academic instruction, the historical existence of ideas and subjects identified in this section.

III. Prohibitions in this section apply only to teaching, instruction, and inculcation targeting members of any racial group, including but not limited to, white people or people of European descent, black people or people of Sub-Saharan African descent, Hispanic or Latino.

IV. Intentional or knowing violation of this section by an educator shall be considered a violation of the educator code of conduct, which shall justify investigation and, potentially, disciplinary sanction by the state board of education.

V. Any person claiming to be aggrieved by an intentional or knowing violation of this section, including the attorney general, may initiate a civil action against a school or school district in superior court for legal or equitable relief, or with the commission for human rights as provided in RSA 354-A:34.

VI. Discrimination shall not be justified by special considerations for any racial group. The intent of this section is to equally protect all New Hampshire citizens from discrimination, regardless of race.

VII. For the purposes of this section, "educator" means a professional employee of any school district whose position requires certification by the state board pursuant to RSA 189:39. Administrators, specialists, and teachers are included within the definition of this term.

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

2025-1029h
AMENDED ANALYSIS

This bill:

I. Allows a person aggrieved by the intentional or knowing violation of the prohibition on teaching discrimination to initiate civil action against the offending school or district.

II. Deems the intentional or knowing violation of the prohibition by an educator a violation of the educator code of conduct.

**Amendment to HB 90-FN
(2025-0912h)**

Proposed by the Majority of the Committee on Education Policy and Administration-r

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

1 New Section; Part-Time Teacher; Defined. Amend RSA 189 by inserting after section 39-b the following new section:

189:39-c Part-Time Teacher; Defined.

I. A part-time teacher is not required to hold a state board of education credential provided that the individual:

(a) Works up to 20 hours per week.

(b) Seeks a criminal history record check clearance authorization from the department of education as outlined in RSA 189:13-a prior to receiving a final offer of employment.

(c) Is employed or contracted as a full time or adjunct faculty member by a university system of New Hampshire or a community college system of New Hampshire member institution.

(d) Has expertise or significant professional experience to teach in a subject-area offered by the school or district or an approved college dual or concurrent enrollment course in the high school that has the same quality and rigor as the courses offered on-campus at the sponsoring college or university.

II. Part-time teachers shall practice the principles identified in the New Hampshire code of conduct and ethics for educational professionals.

III. Any person who has had an educator credential, educator license, or other educator certification revoked under RSA 189:14-c or RSA 189:14-d, or who has been rendered ineligible to be employed as an educator under another provision of law, shall not be eligible to teach under this section.

IV. The state board of education shall adopt rules pursuant to RSA 541-A to implement this section.

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

**Amendment to HB 108
(2025-0839h)**

Proposed by the Committee on Education Policy and Administration-c

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

1 Pupil Safety and Violence Prevention; District Responsible for Investigation. Amend RSA 193-F:4, II(j) to read as follows:

(j) A written procedure for investigation of reports, to be initiated within 5 school days of the reported incident, identifying either the principal or the principal's designee as the person responsible for the investigation and the manner and time period in which the results of the investigation shall be documented. The superintendent or designee may grant in writing an extension of the time period for the investigation and documentation of reports for up to an additional 7 school days, if necessary. The superintendent or superintendent's designee shall notify in writing all parties involved of the granting of an extension. ***In cases of bullying and/or cyberbullying across multiple school districts, the principals or designees of all districts involved shall be responsible for conducting an investigation and are encouraged to collaborate. In such cases, the investigation shall be initiated by the principal or designee of the first district to learn of the incident. In cases of bullying and/or cyberbullying across multiple states, the principal or designee of the first district located within New Hampshire to learn of the incident shall contact the New Hampshire attorney general's office***

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

**Amendment to HB 118
(2025-0882h)**

Proposed by the Committee on Legislative Administration-c

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

AN ACT repealing certain committees and commissions.

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

1 Offshore Wind Industry Workforce Training Center Committee; Reference Deleted. Amend RSA 12-O:51-a, III to read as follows:

III. The committee shall report annually by November 1 to the governor[, the chair of the New Hampshire offshore wind and port development commission under RSA 374-F:10,] and the president of the Business and Industry Association.

2 Advisory Council on the Education of Children Who Are Deaf or Hard of Hearing; Reference Deleted. Amend RSA 186-C:35, V to read as follows:

V. On or before November 1, the council shall submit an annual report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the education committees in the house and senate, [~~the New Hampshire commission on deafness and hearing loss established in RSA 125-Q;~~] the house clerk, the senate clerk, the governor, and the state library.

3 Repeal. The following are repealed:

I. RSA 4:9-p through 4:9-r and the subdivision heading preceding RSA 4:9-p, relative to the New Hampshire recovery monument commission.

II. RSA 10:5 through 10:10 and the subdivision heading preceding RSA 10:5, relative to the lakeshore redevelopment planning commission.

III. RSA 12-P:7-b, II(b), relative to the office of offshore wind industry development and energy innovation supporting the offshore wind commission.

IV. RSA 12-O:55-a, relative to the commission on demographic trends.

V. RSA 12-O:76, relative to the housing champion program advisory committee.

VI. RSA 17-J:5, relative to the joint legislative parking garage oversight committee.

VII. RSA 72:8-f, relative to the study commission on the assessing of power generation.

VIII. RSA 105-D:2-a, relative to the commission to develop recommendations for legislation to establish a single statewide entity to receive complaints alleging misconduct regarding all sworn and elected law enforcement officers.

IX. RSA 125-Q, relative to the commission for the deaf and hard of hearing.

X. RSA 126-A:17, II(a) and II(b), relative to the house and senate members of the advisory council on child care.

XI. RSA 127:12, relative to the commission to study the delivery of public health services through regional public health networks.

XII. RSA 276-B, relative to the task force on work and family.

XIII. RSA 284:6-c, relative to the study commission to study the effect of recent changes made to charitable gaming laws.

XIV. RSA 329:1-f and the subdivision heading preceding it, relative to the commission to study telehealth services.

XV. RSA 374-F:10, relative to the offshore wind and port development commission.

XVI. 2022, 278:2, relative to the repeal of the commission to study the delivery of public health services through regional public health networks.

XVII. 2023, 79:463, relative to the repeal of the housing champion advisory program.

XVIII. 2023, 79:586, relative to the repeal of the study commission to study the effect of recent changes made to charitable gaming laws.

XIX. 2023, 192:5 and 192:6, relative to the repeal of the joint legislative parking garage oversight commission.

XX. 2024, 318:2, relative to the repeal of the study commission on the assessing of power generation.

4 Effective Date.

I. Paragraphs VI and XIX of section 3 of this act shall take effect January 1, 2026.

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

2025-0882h

AMENDED ANALYSIS

This bill repeals various committees and commissions, and removes the house and senate members of the advisory council on child care.

Amendment to HB 124

(2025-0861h)

Proposed by the Committee on Municipal and County Government-c

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

AN ACT enabling a municipal forest committee or conservation commission to offer surplus money to the municipality for deposit in the municipal unreserved fund balance.

Amend the bill by replacing section 1 with the following:

1 Forestry Committee; Conservation Commission; Forest Maintenance Fund; Surplus. Amend RSA 31:113 to read as follows:

31:113 Appropriations Authorized. For the purposes of establishing or maintaining a city or town forest, a city or town may raise and appropriate such funds as it deems necessary. The proceeds from said forest shall be placed in a special forest maintenance fund and shall be allowed to accumulate from year to year, unless otherwise voted by the legislative body of such city or town. *Notwithstanding RSA 31:95-b, if the forestry*

committee or conservation commission determines that the special forest maintenance fund has a surplus, such committee or commission may, after a majority vote to do so, offer the surplus to the municipality for deposit in the unreserved fund balance. The legislative body of the municipality shall vote to accept the surplus for deposit.

2025-0861h

AMENDED ANALYSIS

This bill enables a municipal forest committee or conservation commission to determine there is a surplus in the special forest maintenance fund and offer such surplus to the municipality for deposit into the municipal unreserved fund balance.

Amendment to HB 132-FN

(2025-0927h)

Proposed by the Committee on Judiciary-r

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

AN ACT relative to liability for familial support under RSA chapter 165, aid to assisted persons.

Amend the bill by replacing section 1 with the following:

1 Liability for Support. Amend RSA 165:19 to read as follows:

165:19 Liability for Support. The relation of any poor person in the line of father, mother, stepfather, stepmother, son, daughter, husband, or wife shall assist or maintain such person when in need of relief. Said relation shall be deemed able to assist such person if [his] ***their*** weekly income is more than sufficient to provide a reasonable subsistence compatible with decency and health. ~~[Should a relation refuse to render such aid when requested to do so by a county commissioner, selectman, or overseer of public welfare, such person or persons shall upon complaint of one of these officials be summoned to appear in court. If, after hearing, it is found that the alleged poor person is in need of assistance, and that the relation is able to render such assistance, the court shall enter a decree accordingly and shall fix the amount and character of the assistance which the relation shall furnish. If the relation neglects or refuses to comply with the court order without good cause, as determined by the court at a hearing, or by refusing to work or otherwise voluntarily places himself in a position where he is unable to comply, he shall be deemed to be in contempt of court and shall be imprisoned not more than 90 nor fewer than 60 days:]~~ If a poor person has no relation of sufficient ability, the town or city in which [he] ***they*** [resides] ***reside*** shall be liable for [his] ***their*** support. ***Aid to a person who is otherwise eligible for assistance under this chapter shall not be withheld due to the failure of a legally liable relative to respond to the welfare administrator, or their refusal to provide aid. Any town or city furnishing aid may seek reimbursement from any legally liable relative with sufficient means to provide the reimbursement without financial hardship.***

2025-0927h

AMENDED ANALYSIS

This bill changes the standard of responsibility of relatives to support poor persons.

Amendment to HB 145-FN

(2025-0564h)

Proposed by the Majority of the Committee on Executive Departments and Administration-r

Amend RSA 326-H:12-b as inserted by section 1 of the bill by replacing it with the following:

326-H:12-b Criminal History Record Checks.

I. Every applicant for initial licensure shall submit to the office of professional licensure and certification a criminal history record release form, as provided by the New Hampshire division of state police, department of safety, which authorizes the release of his or her criminal history record, if any, to the executive director of the office of professional licensure and certification or its designee within the office of professional licensure and certification. For the purposes of this section, a designee may be the office's agency counsel, administrative law judge, director of licensing and board administration, licensing service representative, or board administrator.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency, an authorized employee of the office of professional licensure and certification, or an authorized employee of the department of safety. If the first set of fingerprints is invalid due to an insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to an insufficient pattern, the office of professional licensure and certification may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The office of professional licensure and certification shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check,

the division of state police shall release copies of the criminal history records to the executive director of the office of professional licensure and certification or its designee within the office of professional licensure and certification. The executive director of the office of professional licensure and certification or its designee within the office of professional licensure and certification shall maintain the confidentiality of all criminal history records information received pursuant to this section.

IV. The applicant shall bear the cost of a criminal history record check.

**Amendment to HB 146-FN
(2025-0591h)**

Proposed by the Committee on Criminal Justice and Public Safety-c

Amend the bill by replacing section 1 with the following:

1 Use of Body-Worn Cameras. Amend RSA 105-D:2, XVII(a) to read as follows:

(a) If there is any other legal requirement for retaining the recording, including but not limited to litigation, a pending criminal *or violation-level* case, or a valid court or administrative order, then the recording shall be retained only as long as is legally required; and

2025-0591h
AMENDED ANALYSIS

This bill modifies the scenarios requiring retention of body-worn camera recordings to include violation-level cases.

**Amendment to HB 151
(2025-0580h)**

Proposed by the Committee on Election Law-c

Amend the bill by replacing sections 1 and 2 with the following:

1 Choice and Duties of Town Officers; Election of Supervisors of the Checklist; Changing Term. Amend RSA 41:46-a to read as follows:

41:46-a Election of Supervisors of the Checklist.

The board of supervisors of the checklist shall consist of 3 legal voters of the town. At the annual town election held ~~[in] every [even-numbered] year,~~ the voters of each town shall elect, by ballot, one supervisor for a term of ~~[6] 3~~ years, provided that the supervisor elected at the ~~[state general]~~ *annual town* election in ~~[1974] 2026~~ shall serve until the annual town election in ~~[1980] 2029~~, ~~and that the supervisor elected at the state general election in 1976 shall serve until the annual town election in 1982.~~ *There shall be no election for supervisor of the checklist in 2027, unless there is a vacancy.*

2 Election of Supervisors of the Checklist; Changing Term; Applicability. The changes in terms of supervisors of the checklist established by this act shall not affect constituencies or terms of office of supervisors of the checklist presently in office. If there shall be a vacancy in a supervisor of the checklist position for any reason prior to the 2026 annual town election, the vacancy shall be filled as provided in law for supervisors of the checklist that existed for the 2025 annual town election.

**Amendment to HB 157
(2025-0762h)**

Proposed by the Minority of the Committee on Legislative Administration-r

Amend the bill by replacing sections 3 and 4 with the following:

3 Membership and Compensation.

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

(a) Five members of the house of representatives, which shall include:

(1) One member of the house finance committee from each political party, appointed by the speaker.

(2) One member of the house ways and means committee from each political party, appointed by

the speaker.

(3) One other member of the house, appointed by the speaker.

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

(c) Notwithstanding RSA 14:49, the legislative budget assistant or designee.

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

4 Duties. The committee's study shall include, but not be limited to:

I. Review and recommend any changes to requirements in current statute for when a fiscal note is required.

II. Review and recommend any changes to requirements in current statute for what a fiscal note should include; specifically:

(a) How feasible is it to include not only the estimated costs of a proposed new law but also the estimated economic benefits as well.

(b) Guidelines or thresholds on when a detailed cost/benefit analysis could or could not be completed.

(c) What additional resources would the office of legislative budget assistant and/or affected state agencies need in order to complete such cost/benefit analyses.

III. Determine whether the current requirement that a fiscal note is required if the estimated fiscal impact is \$10,000 or more should be increased.

IV. Review and recommend any changes to the current guidelines for preparing fiscal notes developed by the office of legislative assistant and distributed to affected state agencies.

V. Review house and senate rules pertinent to filing periods and the development of fiscal notes, and the expediency of state agencies in completing their mandated work.

VI. Evaluate whether the current staffing and budget of the office of legislative budget assistant is sufficient to process the number of fiscal notes the office is required to provide and whether resources are in line with similar offices in other states.

VII. Evaluate whether state agencies have the staffing and resources they need to provide the office of legislative budget assistant with the detailed analysis and input that it requires for the fiscal notes it is required to complete. Focus should be given to the state's largest agencies, such as the department of health and human services and department of education.

**Amendment to HB 175
(2025-0461h)**

Proposed by the Minority of the Committee on Election Law-r

Amend the bill by replacing section 7 with the following:

7 Effective Date. This act shall take effect January 1, 2027.

**Amendment to HB 191-FN
(2025-0756h)**

Proposed by the Majority of the Committee on Criminal Justice and Public Safety-r

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

AN ACT providing criminal and civil penalties for the transporting of an unemancipated minor in order to obtain a surgical procedure without parental permission.

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

1 New Section; Criminal Code; Illegal Transporting of a Minor for a Surgical Procedure. Amend RSA 633 by inserting after section 4 the following new section:

633:4-a Illegal Transporting of a Minor for a Surgical Procedure.

I. A person is guilty of a class A misdemeanor if such person intentionally transports a unemancipated minor within this state for the purpose of obtaining a surgical procedure for the minor without the express written consent of the minor's parent or guardian.

II. A person shall be guilty of a class B felony if the person is convicted of violating this section and has previously been convicted of 2 or more offenses under paragraph I.

III. For the purpose of this section, an unemancipated minor shall mean any minor child under 18 years of age who is not married or has not by court order otherwise been freed from the care, custody, and control of his or her parents.

IV. This section does not apply to:

- (a) The parents or legal guardian of the unemancipated minor;
- (b) A person who has obtained the written, notarized consent of the unemancipated minor's parent or legal guardian;
- (c) A common carrier transporting passengers in the course and scope of their business; or
- (d) An ambulance driver or operator and any corresponding emergency medical services personnel acting within the course and scope of their duties.

V. It shall not be a defense to a prosecution under this section that the unemancipated minor consented to the actions prohibited by paragraph I.

2 New Chapter; Private Right of Action for Transporting a Minor for a Surgical Procedure Contrary to Law. Amend RSA by inserting after chapter 507-H the following new chapter:

**CHAPTER 507-I
PRIVATE RIGHT OF ACTION FOR TRANSPORTING A MINOR
FOR A SURGICAL PROCEDURE CONTRARY TO LAW**

507-I:1 Liability; Who May Bring Suit.

I. A person who violates RSA 633:4-a, I, may be held liable in a civil action.

II. The civil action may be brought on behalf of the minor child by:

- (a) The parent or guardian of the minor child; or
- (b) The minor, after reaching 18 years of age, and within 7 years of reaching 18 years of age.

507-I:2 Damages. In a civil action arising from a violation of this chapter, the plaintiff may recover from the person who violated this chapter:

- I. Economic damages;
- II. Noneconomic damages, including damages for pain and suffering;
- III. Punitive damages; and
- IV. Reasonable attorney's fees and court costs.

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

2025-0756h

AMENDED ANALYSIS

This bill provides criminal penalties for transporting an unemancipated minor without parental consent for the purpose of obtaining a surgical procedure. This bill further authorizes a civil suit in certain circumstances following a violation of the criminal prohibition.

Amendment to HB 192-FN

(2025-0587h)

Proposed by the Committee on Executive Departments and Administration—c

Amend RSA 94:1-a, I(b) as inserted by section 2 of the bill by inserting in salary grade GG the following:

GG	Department of corrections	deputy director of medical services
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Amendment to HB 195-FN

(2025-0890h)

Proposed by the Majority of the Committee on Judiciary—r

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

1 New Chapter; Protections from Disclosure of Personal Information. Amend RSA by inserting after chapter 507-H the following new chapter:

CHAPTER 507-I

PROTECTIONS FROM DISCLOSURE OF PERSONAL INFORMATION

507-I:1 Definitions. In this chapter:

I. "Available to the public" means personal information about an individual which is widely known or readily accessible to the public and in which an individual could not have a reasonable expectation of privacy.

II. "Government entity" means municipal, county state or federal department, agency, board, commission, or employee, elected official, or contractor. "Government entity" shall not apply to a federal government agency to the extent that federal statute or the United States Constitution preempts such application.

III. "Personal information" means an individual's name, date or place of birth; social security number; address; employment history; credit history; financial and other account numbers; cellular telephone numbers; voice over Internet protocol or landline telephone numbers; location information; biometric identifiers including fingerprints, facial photographs or images, retinal scans, genetic profiles, and DNA/RNA data; or other identifying data unique to that individual.

IV. "Third party providers of information and services" means individuals or organizations that collect personal information about an individual in connection with providing the following kinds of services to that individual: cellular and land-line telephone, electric, water, or other utilities; Internet service providers; cable television; streaming services; social media services; email service providers; banks and financial institutions; insurance companies; and credit card companies.

507-I:2 Protection from Disclosure of Personal Information; Consent.

I. An individual shall have a reasonable expectation of privacy in personal information, including content and usage, given to or held by third party providers of information and services, and not available to the public. Unless specifically authorized by law, third party providers of information and services shall not disclose to anyone personal information of an individual that is not available to the public unless:

(a) Such individual has given explicit consent for the disclosure of such information to one or more others;

(b) The third-party provider of information and services has reason to believe that such disclosure is necessary to prevent, detect, protect against, or respond to past, present, or expected criminal or fraudulent conduct, identity theft, harassment, or deceptive or malicious activity;

(c) An emergency exists where there is an immediate danger of death or serious physical injury to an individual or substantial loss or destruction of property if the information is not disclosed;

(d) The information is disclosed in accordance with RSA 507-I:3; or

(e) The information is disclosed in order to provide the service that the individual has requested.

II. If a third-party provider of information and services seeks to obtain consent from an individual to disclose to others personal information given to or held by such provider, the procedure by which it does so shall meet the following requirements:

(a) The communication to the individual by which consent is sought shall be simple, clear, and unambiguous; and shall state the purpose or purposes for which the information is to be disclosed;

(b) The communication shall be separate from any other communication sent to the individual by the third-party provider of information and services; and

(c) The communication shall be structured so that the individual is required to respond by performing an affirmative act to “opt in” in order to grant consent.

507-I:3 Disclosure of Personal Information to Government Entities.

I. A third-party provider of information and services may disclose to a government entity personal information of an individual without the consent of the individual in the following circumstances:

(a) When requested to do so by a government investigative, law enforcement, regulatory, administrative, or adjudicative body or agency acting within the scope of its authority.

(b) When required to do so by a subpoena duly issued by a government investigative, law enforcement, regulatory, administrative, or adjudicative body or agency acting within the scope of its authority, by a duly empaneled grand jury, or by a court.

(c) When compelled to do so pursuant to a duly issued search warrant or pursuant to a judicially recognized exception to the requirement for a search warrant.

(d) When requested by the division of emergency services and communications for purposes of responding or assisting with emergency 911 telecommunications.

(e) In an emergency, where the immediate danger of death or serious physical injury to an individual or substantial loss or destruction of property requires the disclosure, without delay, of personal information concerning a specific individual, telephone number, username, or other unique identifier, and where judicial process cannot be obtained in time to prevent the identified danger.

(f) When specifically authorized by other law.

II. Unless the government entity can show good cause for requiring compliance more promptly, when a government entity seeks the disclosure of personal information from a third-party provider of information and services pursuant to RSA 507-I:3, I(a) or I(b), the request or demand for such information shall not require production of the information sooner than 10 days from the date the request or demand is made. Within 5 days of receiving such request or demand, the third-party provider shall notify the individual to whom the information pertains that the request or demand has been made so that such individual has an opportunity to pursue judicial remedies to prevent compliance with the request or demand if there are valid grounds to do so; provided, however, that no such notice shall be given if (a) the government entity seeking the information requests that such notice not be provided and demonstrates good cause for making such request; or (b) a court has issued an order that such notice not be given.

III. When a third-party provider of information and services discloses personal information of an individual in an emergency situation covered by RSA 507-I:2, I(c), or when a government entity seeks disclosure of personal information from a third-party provider of information and services pursuant to RSA 507-I:3, I(c), I(d), or I(e), the provider shall promptly after such disclosure provide notice that it has made the disclosure to the individual to whom the information pertains; provided, however, that no such notice shall be given if (a) the government entity seeking the information demands that such notice not be provided and demonstrates good cause for making such request; or (b) a court has issued an order that such notice not be given.

507-I:4 Waivers. No third-party provider of information and services may require a waiver from the provisions of this chapter as a condition for any individual to do business with it.

507-I:5 Remedies.

I. Any person who knowingly violates the provisions of this chapter shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person.

II. The attorney general shall have exclusive authority to bring a civil action against any third party provider of information and services who violates this chapter to obtain declaratory or injunctive relief and to recover monetary damages on behalf of the public or any individual or entity aggrieved by such violation. In any such action, the attorney general shall be entitled to recover the greater of actual damages or \$1,000 for each violation of this chapter.

III. Nothing in this chapter shall be construed as providing the basis for, or be subject to, a private right of action for violations under this chapter.

507-I:6 Federal Preemption. If federal law preempts any provision of this chapter, that provision shall not apply.

2 Regulation of Biometric Information; Collection of Biometric Data Prohibited. Amend RSA 359-N:2, I(c) to read as follows:

(c) Obtain, retain, or provide any individual’s biometric data except as set forth in this chapter **or in RSA 507-I.**

3 Effective Date. This act shall take effect on January 1, 2026.

**Amendment to HB 200
(2025-0573h)**

Proposed by the Majority of the Committee on Municipal and County Government-r

Amend the bill by replacing section 1 with the following:

1 Municipal Budget Law; Method to Override Local Tax Cap. RSA 32:5-b, III is repealed and reenacted to read as follows:

III. The legislative body may override the cap by the usual procedures applicable to annual meetings of the legislative body, provided that: when a proposed appropriation will cause the amount of local taxes raised by the town or district to exceed the tax cap under this section or the total amount already raised and appropriated has caused the amount of local taxes raised by the town or district to exceed the tax cap under this section, voting on the appropriation question shall be by ballot, but the question shall not be placed on the official ballot used to elect officers, except in the case of a legislative body that uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D. If a 3/5 majority or the super majority as determined under a charter pursuant to RSA 49-D of those voting on the question vote "yes," the appropriation is approved. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority or the super majority as determined under a charter pursuant to RSA 49-D.

(a) When using the official ballot form of meeting under RSA 40:13, if the warrant article for the operating budget results in appropriations exceeding the tax cap under this section and receives less than 3/5 majority "yes" vote, the adopted operating budget shall be reduced by appropriations already raised to remain compliant with the tax cap under this section.

(b) School districts shall place the warrant article for the SAU budget at the beginning of school district warrant, immediately after any warrant articles proposing bonds or notes. For school districts using a traditional meeting and when the outcome of the SAU budget vote is pending on balloting from the other school districts in the SAU, the higher of the school district's assigned portion of the proposed SAU budget or the school district's assigned portion of the adjusted SAU budget shall be assumed as raised and appropriated for the purpose of determining when the override provisions under paragraph III apply.

**Amendment to HB 210
(2025-0617h)**

Proposed by the Committee on Executive Departments and Administration-c

Amend RSA 3:2-a, I-III as inserted by section 2 of the bill by replacing it with the following:

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

(a) Three members of the house of representatives, one of whom shall be from the house executive departments and administration committee, appointed by the speaker of the house of representatives. At least one member of each party shall be chosen.

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

(c) The president of the New Hampshire Historical Society, or their designee.

(d) The head of the New England Vexillological Association, or their designee.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall:

(a) Review the history of the state flag of New Hampshire.

(b) Examine vexillological principles of flag design, particularly as they pertain to state flags of the United States.

(c) Develop a criteria, process for accepting, and deadline for submission of flag designs.

(d) Determine how many designs to consider and how to narrow down the number of design submissions. The commission shall hold a public hearing on the submissions once the commission's top submissions are chosen.

**Amendment to HB 214-FN
(2025-0845h)**

Proposed by the Committee on Executive Departments and Administration-c

Amend RSA 326-J:7 as inserted by section 2 of the bill by replacing it with the following:

326-J:7 Criminal History Record Checks.

I. Every applicant for initial licensure shall submit to the office of professional licensure and certification a criminal history record release form, as provided by the New Hampshire division of state police, department of safety, which authorizes the release of his or her criminal history record, if any, to the executive director of the office of professional licensure and certification or its designee within the office of professional licensure and certification. For the purposes of this section, a designee may be the office's agency counsel, administrative law judge, director of licensing and board administration, licensing service representative, or board administrator.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency, an authorized employee of the office of professional licensure and certification, or an authorized employee of the department of safety. If the first set of fingerprints is invalid due to an insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to an insufficient pattern, the office of professional licensure and certification may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The office of professional licensure and certification shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the executive director of the office of professional licensure and certification or its designee within the office of professional licensure and certification. The executive director of the office of professional licensure and certification or its designee within the office of professional licensure and certification shall maintain the confidentiality of all criminal history records information received pursuant to this section.

IV. The applicant shall bear the cost of a criminal history record check.

**Amendment to HB 226-FN
(2025-0624h)**

Proposed by the Minority of the Committee on Criminal Justice and Public Safety-r

Amend RSA 318-B:2-f, I(b) as inserted by section 7 of the bill by replacing it with the following:

(b) Possess, transport, deliver, or provide drug paraphernalia for, or during, analysis by drug checking equipment; or

**Amendment to HB 250
(2025-0896h)**

Proposed by the Committee on Environment and Agriculture-c

Amend RSA 466:39 as inserted by section 1 of the bill by replacing it with the following:

466:39 City or Town Bylaws. The local governing body may make such additional bylaws and regulations concerning the licensing, ***muzzling of vicious dogs as defined in RSA 466:31***, and restraining of dogs as it deems reasonable, and may affix penalties not exceeding \$50 for a breach thereof. Such bylaws and regulations shall relate only to dogs owned or kept in such city or town, and the annual fee required for a license shall in no case be more than \$1 in addition to the sum hereby required.

**Amendment to HB 270
(2025-1053h)**

Proposed by the Committee on Election Law-c

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

1 Preservation of Election Material. Amend RSA 33-A:3-a, XXXVI and XXXVII to read as follows:

XXXVI. Elections-federal elections: ballots and absentee ballot applications, affidavit envelopes, [and] lists, ***and electronic ballot counting device memory cards***: by the town clerk until the contest is settled and all appeals have expired or at least 22 months after the election, whichever is longer. ***Extra electronic ballot counting device memory cards programmed for, but not used during the election are exempt from preservation.***

XXXVII. Elections-not federal: ballots and absentee ballot applications, affidavit envelopes, [and] lists, ***and electronic ballot counting device memory cards***: by the town clerk until the contest is settled and all appeals have expired or at least 60 days after the election, whichever is longer. ***Extra electronic ballot counting device memory cards programmed for, but not used during the election are exempt from preservation.***

2 Electronic Data; Electronic Ballot Counting Devices. Amend RSA 656:42, VIII to read as follows:

VIII.(a) Before each election, the vendor for any electronic ballot counting device shall provide the secretary of state with an exact electronic record of the data written to each memory card to be used in the election.

(b) Whenever the town or city clerk receives a programmed memory device from the vendor, the clerk shall lock any programmed memory device not inserted into an electronic ballot counting device in a safe and record the names of individuals that have access to such safe in the activity log.

~~[(b)] (c)~~ (c) The town or city clerk shall preserve each memory device used at each election ~~[until after the recounts for such election are complete and any and all legal challenges to the outcome of that election are adjudicated]~~ ***as provided in RSA 33-A:3-a or as directed by the secretary of state.***

~~[(c) The town or city clerk shall securely preserve each memory device used in any election as directed by the secretary of state.]~~

(d)(1) To help ensure that the counting device cannot be tampered with or improperly accessed, the town or city clerk shall employ electronic ballot counting device seals and seal the electronic ballot counting device in all places specified by the secretary of state in the election procedure manual published pursuant to RSA 652:22.

(2) The town or city clerk shall update an activity log supplied by the secretary of state to keep a record each time a counting device seal is broken and a new one installed, and the reason for which the seal was broken.

(3) No person shall break a counting device seal without the presence of 2 witnesses. Upon breaking such seal, the person responsible shall update the activity log, obtain the signatures of each witness, record the reason for breaking such seal, ensure that it is resealed with a new seal immediately, and properly record the new seal number in the activity log.

(4) Before the moderator places into service a counting device on election day, the moderator and clerk shall certify on the pre-election certificate required by RSA 658:32 all counting device seals have been maintained intact, and any seals which have been broken in accordance with this section have been appropriately resealed and the activity log properly recorded and signed.

(5) If, on election day, the moderator notices that any seal on the counting device appears tampered with or broken without an adequate record in the activity log, the moderator shall refrain from using the counting device in that election, and shall report the apparent tampering to the attorney general, the secretary of state, the town or city clerk, and the selectmen.

(6) The counting device and the activity log shall be subject to review by the attorney general or secretary of state at any time.

~~[(7) Whenever the town or city clerk receives a memory device from the vendor, the clerk shall break the memory device seal, insert the memory device in the electronic ballot counting device, and apply a new seal. The clerk shall lock any programmed memory device not inserted into an electronic ballot counting device in a safe and record the names of individuals that have access to such safe on the activity log.~~

~~(8) Whenever the town or city clerk removes the memory device from the electronic ballot counting device, the clerk shall immediately return it to the memory card programmer or, if programmed locally, secure the device in a safe and reseal the empty memory device slot or port.]~~

(e)(1) The town or city clerk shall give public notice of the date and time of a pre-election test of the electronic ballot counting device and ballots.

(2) Upon receipt of the official ballots from the secretary of state, the town or city clerk shall remove the number of ballots needed to test the electronic ballot counting device from among the official ballots and keep them separate and secure from the remaining official ballots thereafter.

(3) The town or city clerk shall mark any ballots used for testing with the words "TEST."

(4) The town or city clerk shall mark the test ballots in such a way as to demonstrate a vote for each candidate on at least one test ballot, as well as votes for less than and more than the number of candidates that may be voted for an office, write-ins, multiple votes for a candidate who appears in more than one party column for the same office on a general election ballot, and ballots on which there are no votes. The clerk shall mark as many as possible of the combinations of choices that a voter may indicate on the ballot.

(5) The town or city clerk shall run each of the test ballots through the counting device in the following orientations: Top first with side one face up, bottom first with side one face up, top first with side one face down, and bottom first with side one face down.

(6) The town or city clerk shall count the votes marked on the test ballots run through the electronic ballot counting device and multiply the results by 4 to account for the 4 different orientations, and check these results against the tally from the electronic ballot counting device.

(7) If the electronic ballot counting device's tally does not match the count of the town or city clerk, the clerk shall notify the moderator, who shall order that the electronic ballot counting device not be used at the election.

(8) The pre-election test shall be completed no later than the Wednesday immediately prior to the election.

(9) The town or city clerk shall document the pre-election test by preserving:

(A) The test ballots.

(B) The count of votes on the test ballots made by the town or city clerk.

(C) The results from the electronic ballot counting device that was tested.

(10) The clerk shall test all electronic ballot counting devices and memory devices in the possession of the town or city.

(11) Prior to placing the electronic ballot counting device or any memory device into service in an election, the moderator and the clerk shall certify on the pre-election certificate required by RSA 658:32 that there is evidence that pre-election testing was conducted on each electronic ballot counting device and each memory device in the town or city clerk's possession, and that these ballot counting devices and memory devices have passed the test. The moderator and clerk shall also certify on the pre-election certificate required

by RSA 658:32 that all electronic ballot counting device seals are present, all seals have been maintained intact, and that any seals which have been broken in accordance with this section have been appropriately resealed and the activity log properly recorded and signed.

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

**Amendment to HB 271-FN
(2025-0495h)**

Proposed by the Committee on Executive Departments and Administration—c

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

1 Licensed Social Work Associate: Initial License. Amend RSA 330-A:18-c, I(a)(5) to read as follows:

(5) Pass a [~~national proctored examination approved by the board~~] ***uniform competence assessment examination of social work knowledge, skills, and abilities approved by the New Hampshire board of mental health practice.***

2 Licensed Social Work Associate: Initial License. Amend RSA 330-A:18-c, I(b)(5) to read as follows:

(5) Pass a [~~national proctored examination approved by the board~~] ***uniform competence assessment examination of social work knowledge, skills, and abilities approved by the New Hampshire board of mental health practice.***

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

2025-0495h

AMENDED ANALYSIS

This bill changes the national proctored examination requirement for initial licensure for licensed social work associates to a uniform competence assessment examination of social work knowledge, skills, and abilities approved by the New Hampshire board of mental health practice.

**Amendment to HB 276
(2025-1033h)**

Proposed by the Committee on Commerce and Consumer Affairs—c

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

AN ACT establishing a liquor license where beverages, wine, and liquor can be sold without food.

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

1 New Paragraph; Definitions; Tavern License. Amend RSA 175:1 by inserting after paragraph LXIV-cc the following new paragraph:

LXIV-ccc. "Tavern license" means an on-premise license in an enclosed place of business kept, used, maintained, advertised, and held out to the public as a place operated for the purpose of serving liquor and beverages without the benefit of food.

2 New Sections; Tavern License. Amend RSA 178 by inserting after section 22 the following new sections:
178:22-a Tavern License.

I. The commission may issue a tavern license in any town which has voted to accept the provisions of RSA 663:5, I(b), (c), and (d).

II. The license issued shall entitle the licensee to serve beverages or specialty beverages by the glass, by the bottle with cap removed, or in any other suitable container, wines by the glass, by the bottle with the cork or cap removed or in any other suitable container, or liquor by the glass or other suitable container, as defined in rules adopted by the commission under RSA 541-A.

III. No person under the age of 21 shall be allowed in the tavern license premises.

IV. Except as provided in this paragraph, no beverages, specialty beverages, or liquor shall be consumed in the licensed areas except those that are sold by the licensee.

V. No beverages, specialty beverages, or liquor shall be removed from the licensed premises by patrons, except as provided by RSA 179:27-a.

178:22-b Local Option.

I. Any town or city may allow the operation of tavern licenses under RSA 178:21-a according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of Tavern Licenses as defined in RSA 178:22-a within the town or city?"

II. If a majority of those voting on the question vote "Yes," tavern licenses may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of tavern licenses may consider rescinding its action in the manner described in paragraph I of this section.

V. An unincorporated place may allow the operation of tavern licenses by majority vote of the county delegation, after a public hearing is held.

3 Fees; Expiration Dates; Transfers; Tavern License Included. Amend RSA 178:29, I to read as follows:

I. On-premises licensees shall pay the following applicable fees annually:

	Supplemental Only	Beverages and Wine	Beverages and Liquor	Cocktail Lounge
Airport				\$1,200
Ballroom	\$ 45			\$1,200
Bed and Breakfast		\$ 480	\$ 840	
Beer and Specialty Beverage Festival				
	One-day	\$ 250		
	Two-day	\$ 300		
	Three-day	\$ 350		
Catering (all)				\$1,200
Catering (off-site only)				\$ 840
Catering (on-site only)				
	18 events	\$ 5		
	36 events	\$ 5		
	52 events	\$ 5		
Club Military				\$ 100
Club Social				
	9 events	\$ 250		
	18 events	\$ 450		
	36 events	\$ 750		
	52 events	\$1,200		
Club Private				\$1,200
Club Veterans				
	9 events	\$ 250		
	18 events	\$ 450		
	36 events	\$ 750		
	52 events	\$1,200		
College Club				\$1,200
Convention Center				\$2,400
Dining Car		\$ 480		\$ 840
Fairs		\$ 112		
Hotel			\$ 840	\$1,200
Liquor Festival				
	One-day			\$250
	Two-day			\$300
	Three-day			\$350
One day License				\$ 100
Performing Arts				\$ 360
Racetrack/Motor Vehicle				\$1,800
Racetrack/Pari-Mutuel				\$3,000
Rail Cars				\$1,200
Restaurant		\$ 480	\$ 840	\$1,200
Special License			\$ 25	
Sports/Entertainment Complex				\$1,800
	9 events	\$ 250		
	18 events	\$ 450		

	36 events	\$ 750	
	52 events	\$1,200	
Sports Recreation Facility			\$1,200
Tavern License			\$6,480
Tobacco Retailer		\$ 840	
Vessel	\$ 480	\$ 840	\$1,200
Wine Festival			
	One-day	\$ 250	
	Two-day	\$ 300	
	Three-day	\$ 350	

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

2025-1033h

AMENDED ANALYSIS

This bill establishes a tavern license allowing the sale of beverages, wine, and liquor without the sale of food.

Amendment to HB 284-FN (2025-0571h)

Proposed by the Majority of the Committee on Municipal and County Government—r

Amend the bill by replacing sections 2 and 3 with the following:

2 Municipal Budget Law; Preparation of Budgets; Budget Preparation; Warrant Article Tax Summaries. RSA 32:5, V-b is repealed and reenacted to read as follows:

V-b.(a) A town shall require that the annual budget and all special warrant articles having a tax impact, as determined by the governing body, contain a notation stating the estimated tax impact of the article. Such notation shall be phrased as follows:

“If this warrant article passes, there will be an estimated tax impact of \$X.XX per \$1,000 of property valuation.”

Any special warrant articles with multi-year tax impacts, or containing lease agreements with or without non-appropriation clauses, shall contain a notation stating the estimated tax impact each year for the first 5 years, or each year if the tax impact is less than 5 years. Such notation shall be phrased as follows:

“If this warrant article passes, there will be an estimated tax impact of \$X.XX per \$1,000 of property valuation (year 1), \$X.XX per \$1,000 of property valuation (year 2), \$X.XX per \$1,000 of property valuation (year 3), \$X.XX per \$1,000 of property valuation (year 4), \$X.XX per \$1,000 of property valuation (year 5).”

In multi-town districts, the notation shall be included for each town by prefixing the notation with the name of each town. The determination of the estimated tax impact shall be subject to approval by the governing body.

(b) The town shall also require that a total tax impact summary statement be placed at the end of the warrant article. If the town has adopted use of the official ballot under RSA 40:13 or a charter adopted pursuant to RSA 49-D, the total tax impact summary shall also be included on the official ballot before the first warrant article question. The total tax impact summary statement shall describe the estimated tax impact if all proposed articles having a tax impact were to pass. Such notation shall be phrased as follows:

“If all warrant articles with a tax impact pass, there will be an estimated tax impact of \$X.XX per \$1,000 of property valuation.”

In multi-town districts, the notation shall be included for each town by prefixing the notation with the name of each town. The determination of the total estimated tax impact shall be subject to approval by the governing body.

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

Amendment to HB 292 (2025-1030h)

Proposed by the Majority of the Committee on Education Police and Administration—r

Amend the bill by replacing section 3 with the following:

3 Membership and Compensation.

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

(a) Five members of the house of representatives, appointed by the speaker of the house of representatives;

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

(c) One member from the department of education, appointed by the commissioner of education;

(d) Two superintendents, one from a single district and one from a co-op district, and both appointed by the New Hampshire School Administrators Association;

(e) One member appointed by the School District Governance Association;

- (f) One member appointed by the NH School Boards Association;
- (g) One director of the New Hampshire Association of Special Education Administrators or designee;
- (h) One director of a career technical education center, appointed by the commissioner of education;
- (i) The chair of the state board of education, or designee; and
- (j) One member appointed by the New Hampshire Association of School Business Officers;

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall be administratively attached to the department of education. Staff support and technical assistance when requested by the chairperson shall be made available from the department. Amend paragraph III and IV as inserted by section 4 of the bill by replacing it with the following:

III. Identify implementation challenges for consolidating school administrative units into one per county, except for counties with populations exceeding 100,000 residents, and maintaining individual school administrative units for the cities of Nashua and Manchester, as well as establishing one local education agency (LEA) for the state;

IV. Review RSA 194-C:2 and assess the current processes and incentives for merging school administrative units to determine and recommend any necessary amendments;

**Amendment to HB 296
(2025-0797h)**

Proposed by the Committee on Housing-c

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3: 2 New Paragraph; Subdivisions Creating New Lots. Amend RSA 674:41 by inserting after paragraph I the following new paragraph:

I-a. Subdivisions creating new lots, after review and comment from the planning board, or existing lots with frontage on private or class VI roads built to town standards, shall be issued a building permit. These lots shall meet all other dimensional requirements set by the local municipality.

2025-0797h

AMENDED ANALYSIS

This bill adds an alternative condition and provides another pathway to authorization for local governing bodies to erect buildings along private roads and adds additional requirements for subdivisions creating new lots.

**Amendment to HB 310
(2025-0943h)**

Proposed by the Committee on Commerce and Consumer Affairs-c

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

AN ACT establishing a commission to study the creation of a regulatory framework for stable tokens, tokenized real-world assets, and blockchain-based trusts in New Hampshire.

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

1 New Subdivision; Commission to Study Stable Tokens, Tokenized Real-World Assets, and Blockchain-based Trusts Frameworks. Amend RSA 383 by inserting after section 25 the following new subdivision:

Commission to Study Stable Tokens, Tokenized Real-World Assets,
and Blockchain-based Trusts Frameworks

383:26 Commission to Study Stable Tokens, Tokenized Real-World Assets, and Blockchain-based Trusts Frameworks. There is hereby established a commission to study the creation of regulatory frameworks for stable tokens, tokenized real-world assets (RWAs), and blockchain-based trusts in New Hampshire.

I. The commission shall study and make recommendations regarding the following:

(a) The current landscape of stable token, tokenized RWA, and blockchain-based trust regulation within and outside New Hampshire.

(b) Legal, regulatory, financial, and technological considerations for a state-level regulatory framework.

(c) Best practices and ongoing regulatory efforts from other jurisdictions, including federal jurisdictions, for stable token, RWA, and blockchain-based trust regulation.

(d) Potential benefits and risks associated with the adoption of stable token, RWA, tokenization, and blockchain-based trust frameworks in New Hampshire.

(e) Mechanisms for consumer protection, privacy concerns, environmental protection, and risk management.

(f) Economic opportunities related to blockchain technology and digital assets, including fostering innovation and job creation.

II. Notwithstanding RSA 14:49, the commission shall consist of the following members:

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

(b) Two members of the senate, appointed by the senate president.

(c) The commissioner of the banking department, or designee.

(d) The secretary state, or designee.

(e) The attorney general, or designee.

(f) Two representatives from the blockchain technology industry, appointed by the governor.

(g) One representative from the New Hampshire banking industry with experience with digital assets, appointed by the governor.

(h) One representative from the academic community with expertise in financial regulation or blockchain technology, appointed by the governor.

III. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the study commission shall be held within 30 days of the effective date of this section. Five members of the study commission shall constitute a quorum. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house commerce and consumer affairs committee, the senate commerce committee, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2026. The report shall describe the activities, findings, and any legislative or regulatory recommendations of the commission.

2 Repeal. RSA 383:26 and the subdivision heading preceding RSA 383:26, relative to the commission to study stable tokens, tokenized real-world assets, and blockchain-based trust frameworks, are repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2026.

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

Amendment to HB 347

(2025-0473h)

Proposed by the Minority of the Committee on Legislative Administration-r

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

1 New Section; Employment Protections for Members of the General Court. Amend RSA 14-A by inserting after section 6 the following new sections:

14-A:7 Right to Leave Work.

I. An employer shall permit an employee who is also a current member of the general court to leave work to attend general court voting each calendar year, regardless of whether the employee has accrued paid time off.

II. Before an employee may leave work under this provision, the employee shall provide the employer with a copy of the notice for each general court session day they will attend within a reasonable period of time.

III. An employer shall not discharge an employee who is a member of the general court for attending a noticed and disclosed session of the general court.

IV. An employer may require a member of the general court to use the employee's accrued vacation time, personal leave time, or paid time off to attend a noticed and disclosed voting session of the general court. If the employee does not have accrued paid time off, their absence to attend general court voting shall be granted as unpaid time off.

V. Any employer who violates this section shall be subject to a civil penalty, to be imposed by the labor commissioner in accordance with the procedures established in RSA 273:11-a. An employer aggrieved by the commissioner's assessment of such penalty may appeal in accordance with RSA 273:11-c.

VI. This section shall apply to employers with 25 or more employees.

14-A:8 Enforcement. The labor commissioner shall have the power and it shall be his or her duty to enforce the provisions of RSA 14-A:7 through appropriate actions in response to complaints.

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

2025-0473h

AMENDED ANALYSIS

This bill provides members of the general court with employment protection during voting sessions from employers with 25 or more employees.

Amendment to HB 356

(2025-0619h)

Proposed by the Majority of the Committee on Election Law-r

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 8:

7 Public Officers and Employees; Access to Governmental Records and Meetings; Meetings Open to Public. Amend RSA 91-A:2, I(c) to read as follows:

(c) A caucus consisting of elected members of a public body of the same political party who were elected on a partisan basis at a state general election or elected on a partisan basis by a town, ***school district***, or city which has adopted a partisan ballot system pursuant to ~~[RSA 669:12 or RSA 44:2]~~ ***RSAs 44:2, 671:30-b, or 669:12***; or

**Amendment to HB 363
(2025-0682h)**

Proposed by the Minority of the Committee on Election Law-r

Amend RSA 14:14-d as inserted by section 2 of the bill by replacing it with the following:

14:14-d Redistricting; Criteria for Redistricting. Any districts created by the New Hampshire senate, house of representatives, or any subcommittee thereof, shall comply with the following criteria:

I. Districts shall comply with the United States constitution and all applicable federal laws, and shall be drawn on the basis of total population.

II. Districts shall comply with the New Hampshire constitution and all applicable state laws.

III. Districts shall form single boundaries and shall not be bisected or otherwise divided by other districts, and shall respect the geographic integrity of cities, towns, and unincorporated areas to the extent practicable without violating the requirements of state law.

IV. Districts shall consider the integrity of communities of interest to the extent practicable. For purposes of this paragraph a community of interest is defined as an area with recognized similarities of interests, including but not limited to racial, ethnic, economic, social, cultural, school districts, geographic, or historic identities. Communities of interest shall not include common relationships with political parties or political candidates.

V. The plan as a whole shall not have the intent or the effect of favoring or disfavoring any political party, incumbent, or candidate for office.

VI. Districts shall not have the intent or the effect of unduly favoring or disfavoring any racial or language group.

**Amendment to HB 373-LOCAL
(2025-0836h)**

Proposed by the Majority of the Committee on Municipal and County Government-r

Amend the bill by replacing section 1 with the following:

1 Choices and Duties of Town Officers; Selectmen; Town Property. Amend RSA 41:11-a, II, to read as follows:

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

(a) If the proposed lease is for one year or less, then the selectmen may lease the property without further action by the legislative body;

(b) If the proposed lease is for more than one year but no greater than 5 years, then the legislative body may vote to authorize the selectmen to enter into the proposed lease for a specific municipal property by majority vote; or

(c) If the proposed lease is for more than 5 years, then the legislative body may vote by a 3/5 majority at an annual or special meeting to grant the selectmen the authority to rent or lease a specific municipal property for an amount of time specified in the question, not to exceed 99 years. Voting on the question shall be by ballot, but the question shall not be placed on the official ballot used to elect officers, except in the case of a legislative body that uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D. Polls shall remain open and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion on the question.

2025-0836h
AMENDED ANALYSIS

This bill:

I. Requires selectmen to attain an approval vote to rent or lease a specified real property owned by the town for a period of more than one year and up to 5 years.

II. Requires selectmen to attain a 3/5 majority ballot vote to rent or lease a specified real property owned by the town for a period of more than 5 years and up to 99 years.

III. Provides that selectmen can enter into leases of any real property owned by the town for up to one year without action by the legislative body, and that selectmen may be granted universal authority by an approval vote of the legislative body to enter into leases of any real property owned by the town for up to 5 years.

**Amendment to HB 374
(2025-0572h)**

Proposed by the Majority of the Committee on Municipal and County Government-r

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

AN ACT relative to local tax cap and budget laws.

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

1 Preparation of Budgets; Local Tax Cap. RSA 32:5-b, I, I-b, and II are repealed and reenacted to read as follows:

I. In a town or district that has adopted this section, the estimated amount of local taxes to be raised for the fiscal year shall include the operating budget and all other warrant articles with a tax impact, certified by the governing body or the budget committee and posted on the warrant for the annual meeting pursuant to RSA 32:5. The estimated amount of local taxes to be raised for the fiscal year shall not exceed the local taxes raised for the prior year, as shown on the same budget and adjusted as provided in paragraph I-a and II, by more than the tax cap authorized when this section was adopted.

I-a. If the local taxes raised for the prior year were reduced by any fund balance brought forward from previous years, the amount of such reduction shall be added back and included in the amount to which the tax cap is applied under paragraph I.

I-b.(a) In a town or district that has adopted this paragraph, a tax cap limiting the base amount to be raised by property taxes to last year's base shall be adjusted to account for inflation and change in population for towns or village districts, or attendance for school districts, according to the following formula: This year's base = (Last year's base) x (1 + CPI) x (This year's population or attendance / Last year's population or attendance).

(b) In this paragraph:

(1) "Attendance" shall mean the average daily membership in residence (ADMR) of the school district, pursuant to RSA 198:38 I-a. "This year's attendance" shall be the annual ADMR reported to the department of education as of October 1 preceding the date of the budget hearing held pursuant to RSA 32:5 I. "Last year's attendance" shall be the annual ADMR reported to the department of education as of October 1 of the year prior to the annual ADMR reported for "This year's attendance".

(2) "Base amount" or "base" shall mean the local taxes raised for the year. "This year's base" shall be the "base" proposed at the annual budget hearing held pursuant to RSA 32:5 I. "Last year's base" shall be the "base" of the year prior to the "base" reported for "This year's base".

(3) The increase for inflation, or CPI (consumer price index) in the formula above, shall be the annual percentage change of an inflation index published by the U.S. Bureau of Labor Statistics as of October 1 or the annual percentage change of the Municipal Cost Index (MCI) published by American City and County as of October 1, preceding the date of the budget hearing held pursuant to RSA 32:5 I.

(4) "Population" shall mean the annual population figures for the town or district calculated by the department of business and economic affairs, office of planning and development pursuant to RSA 78-A:25, I. "This year's population" shall be the "Population" preceding the date of the budget hearing held pursuant to RSA 32:5 I. "Last year's population" shall be the "Population" of the year prior to the "Population" reported for "This year's population".

II. The tax cap shall be either a fixed dollar amount, a fixed percentage, or a multiplication factor applied to the amount of local taxes raised by the town or district for the prior fiscal year as reported to the department of revenue administration as provided in paragraph I-b, subject to adjustment as provided in paragraph I-a.

2 Preparation of Budgets; Adoption of Local Tax Cap; Phrasing of Question. Amend RSA 32:5-c, IV to read as follows:

IV. [The] ***For a tax cap using a fixed dollar amount or a fixed percentage, the*** wording of the question shall be:

"Shall we adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the governing body (or budget committee) shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than _____ (insert either a fixed dollar amount or a fixed percentage)?"

For a tax cap using multiplication factor per RSA 32:5-b, I-b, the wording of the question shall be:

"Shall we adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the governing body (or budget committee) shall not submit a recommended budget that increases the amount to be raised by local taxes (this year's base), that is higher than the prior fiscal year's actual amount of local taxes raised (last year's base), adjusted for inflation using the inflation index _____ (insert index) and the change in _____ (insert population or attendance), in accordance with RSA 32:5-b, I-b?"

3 Towns, Cities, Village Districts, and Unincorporated Places; Municipal Budget Law; Adoption of Local Tax Cap. Amend RSA 32:5-c, V to read as follows:

V. *The question shall not be subject to amendment by the legislative body.* Voting on the question shall be by ballot, but the question shall not be placed on the official ballot used to elect officers, except in the case of a legislative body that uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D. Polls shall remain open and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion on the question. If a 3/5 majority of those voting on the question vote “yes,” RSA 32:5-b shall apply within the local political subdivision beginning with the following fiscal year and for all subsequent years until it is ***changed as provided in paragraph V-a or rescinded as provided in paragraph VI.***

4 New Paragraph; Towns, Cities, Village Districts, and Unincorporated Places; Municipal Budget Law; Adoption of Local Tax Cap. Amend RSA 32:5-c by inserting after paragraph V the following new paragraph:

V-a. Any local political subdivision which has adopted RSA 32:5-b may consider adoption of a new tax cap, using any method described in RSA 32:5-b II, in the manner described in paragraphs I through V. If the adoption of a new proposed tax cap fails, the existing tax cap shall continue to apply.

5 Towns, Cities, Villages Districts, and Unincorporated Places; Municipal Budget Law; Preparation of Budgets; School District Budget Cap. RSA 32:5-e is repealed and reenacted to read as follows:

32:5-e School District Budget Cap. Upon adoption under RSA 32:5-f, the following shall apply:

I. In a school district that has adopted this section, the total amount raised and appropriated for the fiscal year, including the operating budget and all other warrant articles with a tax impact, as shown on the budget certified by the school board or the budget committee and posted with the warrant for the annual meeting pursuant to RSA 32:5, shall not exceed the current per pupil cost, as defined herein, times the average daily membership in residence (ADMR), pursuant to RSA 198:38, I-a, of the school district as of October 1 of the year immediately preceding the proposed budget year as reported to the department of education times (1+ IF), where IF is an amount for an annual increase for inflation. The first year after the budget cap is adopted, the current per pupil cost shall be the per pupil cost adopted in the warrant article per RSA 32:5-f, IV. In subsequent years, the current per pupil cost shall be the previous year’s current per pupil cost times (1+IFP), where IFP is the previous year’s IF.

II. The annual increase for inflation (IF) shall be either a fixed percentage, annual percentage change of an inflation index published by the U.S. Bureau of Labor Statistics as of October 1, preceding the date of the budget hearing held pursuant to RSA 32:5, I, or annual percentage change of the Municipal Cost Index (MCI) published by American City and County as of October 1, preceding the date of the budget hearing held pursuant to RSA 32:5, I.

III. The legislative body may override the budget cap by the usual procedures applicable to annual school meetings of the legislative body, provided that when a proposed appropriation will cause the total amount raised and appropriated to exceed the budget cap or the total amount already raised and appropriated has exceeded the budget cap, voting on the appropriation question shall be by ballot, but the question shall not be placed on the official ballot used to elect officers, except in the case of a legislative body that uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D. If a 3/5 majority, or the supermajority as determined under a charter pursuant to RSA 49-D, of those voting on the question vote “yes,” the appropriation is approved. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority or the supermajority as determined under a charter pursuant to RSA 49-D.

IV.(a) When using the official ballot form of meeting under RSA 40:13, if the warrant article for the operating budget results in appropriations exceeding the budget cap and receives less than 3/5 majority “yes” vote, the adopted operating budget shall be reduced by appropriations already raised to remain compliant with the budget cap.

(b)(1) School districts shall place the warrant article for the SAU budget at the beginning of school district warrant, immediately after any warrant articles proposing bonds or notes.

(2) For school districts using a traditional meeting and when the outcome of the SAU budget vote is pending on balloting from the other school districts, the higher of the school district’s assigned portion of the proposed SAU budget or the school district’s assigned portion of the adjusted SAU budget shall be assumed as raised and appropriated for the purpose of determining when the override provisions under paragraph III apply.

6 Towns, Cities, Villages Districts, and Unincorporated Places; Municipal Budget Law; Preparation of Budgets; Adoption of School District Budget Cap. Amend RSA 32:5-f, IV and V to read as follows:

IV. *If, under RSA 32:5-e, II, a fixed percentage is used for the annual increase for inflation, the* [The] wording of the question shall be: “Shall we adopt the provisions of RSA 32:5-e, and implement a budget cap whereby the school board (or budget committee) shall not submit a recommended budget that is higher than _____ dollars per pupil cost times the average daily membership in residence of the school district as of October 1 of the year immediately preceding the proposed budget year plus a _____ percent annual increase for inflation. Requires a 3/5ths majority of the school district.” Alternatively, if an annual inflation index is

used, the wording of the question shall be: “Shall we adopt the provisions of RSA 32:5-e, and implement a budget cap whereby the school board (or budget committee) shall not submit a recommended budget that is higher than _____ dollars per pupil cost times the average daily membership in residence of the school district as of October 1 of the year immediately preceding the proposed budget year plus an annual increase for inflation using (the index) published by (the U.S. Bureau of Labor Statistics or American City and County) as of [January] **October** 1. Requires a 3/5ths majority of the school district.”

V. The question shall not be subject to amendment by the legislative body. Voting on the question shall be by ballot, but the question shall not be placed on the official ballot used to elect officers, except in the case of a legislative body that uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D. Polls shall remain open and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion on the question. If a 3/5 majority of those voting on the question vote “yes,” RSA 32:5-e shall apply within the school district beginning with the following fiscal year and for all subsequent years until it is **changed as provided in paragraph V-a or rescinded as provided in paragraph VI.**

7 New Paragraph; Towns, Cities, Villages Districts, and Unincorporated Places; Municipal Budget Law; Preparation of Budgets; Adoption of School District Budget Cap. Amend RSA 32:5-f by inserting after paragraph V the following new paragraph:

V-a. Any local political subdivision which has adopted RSA 32:5-e may consider adoption of a new school district budget cap, using any method described in RSA 32:5-e II, in the manner described in paragraphs I through V. If the adoption of a new proposed school district budget cap fails, the existing school district budget cap shall continue to apply.

8 Applicability. RSAs 32:5-b, I-II, 32:5-c, IV-V-a, 32:5-e, I, II, and IV, and 32:5-f, IV-V-a, as amended by sections 1 through 7 of this act, shall apply to local tax caps and school district budget caps adopted prior to the effective date of this act and shall not require local amendment or re-adoption by a town or district.

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

Amendment to HB 377-FN (2025-1083h)

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs—r

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

2 New Chapter; Prohibiting Medical Procedures and Treatments Intended to Alter a Minor’s Gender or Puberty. Amend RSA by inserting after chapter 332-M the following new chapter:

CHAPTER 332-N PROHIBITING MEDICAL PROCEDURES AND TREATMENTS INTENDED TO ALTER A MINOR’S GENDER OR PUBERTY

332-N:1 Definitions. As used in this chapter:

I. “Biological sex” shall mean the male and female biological sexes.

II. “Minor” means a person under 18 years of age.

III. “Person” includes any of the following:

(a) Any individual.

(b) Any agent, employee, official, or contractor of any legal entity.

(c) Any agent, employee, official, or contractor of a school district or the state or any of its political subdivisions or agencies.

332-N:2 Prohibitions for Health Care Providers.

I. Except as provided in paragraphs II and III, a person shall not knowingly perform or offer to perform on a minor, or administer or offer to administer to a minor, a medical procedure, including but not limited to a puberty-blocking or cross-sex hormone medication, if the performance or administration of the procedure or medication is for the purpose of altering or attempting to alter the appearance of or affirm the minor’s perception of his or her gender or sex, if that perception is inconsistent with the minor’s biological sex as defined in this chapter:

(a) Enabling a minor to identify with, or live as, a purported identity inconsistent with the minor’s biological sex; or

(b) Treating purported discomfort or distress from a discordance between the minor’s biological sex and asserted identity.

II. Paragraph I shall not apply to a procedure undertaken to treat a minor born with a medically verifiable disorder of sex development as defined in RSA 332-M:2, II.

III. Paragraph I shall not apply to a health care provider who, having prescribed a course of treatment to a minor prior to the effective date of this section that includes the delivery or administration of puberty-blocking or cross-sex hormone medications, determines and documents in the minor’s medical record that immediate termination of the minor’s use of the puberty-blocking or cross-sex hormone medications or drugs would cause harm to the minor, and institutes a systematic reduction or tapering of puberty-blocking or cross-sex hormone medications or drugs that shall conclude prior to January 1, 2026.

IV. A violation of this section is a class B felony.

3 Prospective Repeal. RSA 332-N:2, III, relative to systematic reduction and tapering of puberty-blocking or cross-sex hormone medications, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect January 1, 2026.

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

2025-1083h

AMENDED ANALYSIS

This bill prohibits the performance of a medical procedure or the prescription or issuance of medication, upon or to a minor child, that is intended to alter the minor child's gender or delay puberty. This bill also provides for a limited period in which a health care provider may systematically reduce or taper puberty-blocking or cross-sex hormone medications or drugs to avoid harm to a minor already receiving treatment.

Amendment to HB 380-FN (2025-0130h)

Proposed by the Minority of the Committee on Criminal Justice and Public Safety-r

Amend the bill by inserting after section 1 the following and renumbering the original sections 2 and 3 to read as 5 and 6, respectively:

2 Departmental Administration; Registry Identification Cards. Amend RSA 126-X:4, I(h) to read as follows:

(h) A statement signed by the applicant, pledging not to divert cannabis to anyone who is not allowed to possess cannabis pursuant to this chapter and acknowledging that his or her diversion of cannabis is punishable ~~[as a class B felony and]~~ **by** revocation of his or her registry identification card, in addition to other penalties for the illegal sale of cannabis, **established in RSA 318-B.**

3 Departmental Administration; Registry Identification Cards. Amend RSA 126-X:4, II(f) to read as follows:

(f) A signed statement from the applicant agreeing to act as the designated caregiver for the qualifying patient named in the application and pledging not to divert cannabis to anyone who is not allowed to possess cannabis pursuant to this chapter and acknowledging that the diversion of cannabis is punishable ~~[as a class B felony and]~~ **by** revocation of one's registry identification card, in addition to other penalties for the illegal sale of cannabis **established in RSA 318-B.**

4 Alternative Treatment Centers; Requirements. Amend RSA 126-X:8, XVI(a) to read as follows:

XVI.(a) All cannabis dispensed by an alternative treatment center shall include a label specifying the commercial strain name of the cannabis, the weight of the cannabis, and any other information the department requires to appear on the label. The label shall also specify that the cannabis is for therapeutic use and that diversion ~~[is a class B felony requiring]~~ **may result in** revocation of one's registry identification card, **in addition to other penalties for illegal sale of cannabis established in RSA 318-B.** An alternative treatment center may list the commercial strain names of the cannabis available to be dispensed on its public Internet website.

Amendment to HB 385 (2025-0656h)

Proposed by the Minority of the Committee on Election Law-r

Amend the bill by replacing section 6 with the following:

6 Obtaining a Ballot; Affidavit Ballots Removed. RSA 659:13, I(c) is repealed and reenacted to read as follows:

(c)(1) If the voter does not have a valid photo identification, the ballot clerk shall inform the voter that he or she may execute a challenged voter affidavit. The voter shall receive an explanatory document prepared by the secretary of state explaining the proof of identity requirements. If the voter executes a challenged voter affidavit, the ballot clerk shall mark the checklist in accordance with uniform procedures developed by the secretary of state.

(2) If the voter executes a challenged voter affidavit, the moderator or the moderator's designee shall take a photograph of the voter and immediately print and attach the photograph to, thus making it a part of, the affidavit form. However, if a photograph was taken under RSA 654:12, then a notation shall be made on the challenged voter affidavit stating that the photograph is attached to the qualified voter affidavit or sworn statement on the general election day registration form. The photograph shall be 2 inches by 2 inches, or larger, and may be in color or in black and white. The moderator or his or her designee who took the photograph and the voter shall then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from the camera in the presence of the voter. If the moderator or his or her designee is unable to take the voter's photograph due to equipment failure or other cause beyond the moderator's or his or her designee's reasonable control, the voter may execute a challenged voter affidavit without a photograph.

(3) If the voter objects to the photograph requirement because of religious beliefs, he or she may execute an affidavit of religious exemption in accordance with RSA 659:13-b, which shall be attested to by an election officer and attached to the challenged voter affidavit.

(4) The person entering voter information into the centralized voter registration database shall cause the records to indicate when a voter has not presented a valid photo identification and has executed a challenged voter affidavit.

(5) If the voter objects to the photograph requirement because of religious beliefs, he or she may execute an affidavit of religious exemption in accordance with RSA 659:13-b, which shall be attested to by an election officer and attached to the challenged voter affidavit.

(6) The person entering voter information into the centralized voter registration database shall cause the records to indicate when a voter has not presented a valid photo identification and has executed a challenged voter affidavit.

**Amendment to HB 402
(2025-0588h)**

Proposed by the Minority of the Committee on Ways and Means-r

Amend the bill by replacing section 2 with the following:

2 Education; Education Freedom Accounts; Program. Amend RSA 194-F:2, VI to read as follows:

VI. Funds deposited in an EFA shall not constitute taxable income to the parent or the EFA student ***by the state, but may be subject to federal taxation.***

**Amendment to HB 406-FN
(2025-0960h)**

Proposed by the Committee on Commerce and Consumer Affairs-c

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

1 New Section; Registered Agents Listed in New Hampshire Business Registry. Amend RSA 5 by inserting after section 15-c the following new section:

5:15-d Registered Agents Listed in New Hampshire Business Registry.

I. The following requirements apply to any registered agent required to be appointed by law for any corporation, limited liability company, limited liability partnership, limited partnership, or any other business formation or entity required to be registered with the secretary of state:

(a) If the agent is a natural person, the person shall be 18 years of age or older and be a resident of New Hampshire during all such times as the person is named as agent.

II. If the agent is another registered business entity, such entity shall be in good standing with the secretary of state. For the purposes of this section, "good standing" means the registered business entity is active on the secretary's records and compliant with its legal obligation to file annual reports and/or pay annual fees as applicable, and maintain a registered agent and registered office.

III. No corporation, limited liability company, partnership, or other business entity required to maintain a registered office in this state shall designate the address of a commercial postal box provider, virtual office, mail forwarding service, or any similar service as its registered office address. For the purposes of this section, "commercial postal box provider" means any business or entity primarily engaged in providing mail-receiving, forwarding, or virtual office services, including, but not limited to, those operating under private mailbox agreements or offering mail-handling services without providing a dedicated physical office space for the business entity.

2 Corporations, Associations, and Proprietors of Common Lands; Voluntary Corporations and Associations; Change of Name; Amending Articles. Amend RSA 292:7 to read as follows:

292:7 Change of Name; Amending Articles. Any corporation now or hereafter organized or registered in accordance with the provisions of this chapter, and any existing corporation which may have been so organized or registered, may change its name, increase or decrease its capital stock or membership certificates, merge with or acquire any other corporation formed pursuant to this chapter, ***restate***, or amend its articles of agreement, by a majority vote of such corporation's board of directors or trustees, at a meeting duly called for that purpose, and by recording a certified copy of such vote in the office of the secretary of state and in the office of the clerk of the town or city in this state which is its principal place of business. In the case of a foreign nonprofit corporation registered in New Hampshire, a copy of the amendment or plan of merger, certified by the proper officer of the state of incorporation, shall be filed with the secretary of state, together with the fee provided in RSA 292:5. The surviving corporation in a merger shall continue to have all the authority and powers vested in the merging corporations, including any powers previously conferred upon them by the legislature.

3 Corporations, Associations, and Proprietors of Common Lands; New Hampshire Business Corporation Act; Secretary of State; Powers. Amend RSA 293-A:1.30 to read as follows:

293-A:1.30 Powers.

(a) The secretary of state has the power reasonably necessary to perform the duties required of the secretary [of state] by this chapter.

(b) The secretary of state may take the following necessary measures to prevent the fraudulent submission of data to cancel filings found to be unauthorized or fraudulent from the New Hampshire business registry:

(1) An individual or business may submit a sworn statement in a format prescribed by the secretary of state to report if they know or suspect that their identity or business information has been used to form a business entity without their knowledge or consent.

(2) An individual or business may submit a sworn statement in a format prescribed by the secretary of state to report if an unauthorized party has submitted changes to their business information, including officer, director, manager and/or member information without their knowledge or consent.

4 New Section; Actions Prohibited. Amend RSA 293-A by inserting after section 1.38 the following new section:

293-A:1.39 Actions Prohibited.

I. The following actions are prohibited with respect to any data, document or record submitted to the secretary of state on behalf of a business entity under RSA 292, 293-A, 293-B, 301, 301-A, 301-B, 304-B, 304-C, 305-A, 349, or 564-F:

(a) Including the name of a person on a document filed with the secretary of state under RSA 292, 293-A, 293-B, 301, 301-A, 301-B, 304-B, 304-C, 305-A, 349, or 564-F without the named person's knowledge or consent, if the person is included in the filing as:

(1) The registered agent;

(2) The person causing the document to be delivered to the secretary for filing;

(3) The person incorporating, forming or organizing an entity;

(4) The person named as officer, director, member, manager, partner or other principal of the entity; or

(5) Any other person required under RSA 292, 293-A, 293-B, 301, 301-A, 301-B, 304-B, 304-C, 305-A, 349, or 564-F to be identified in a document filed with the secretary.

(b) Including a business, mailing, or registered office address in a document filed with the secretary of state under RSA 292, 293-A, 293-B, 301, 301-A, 301-B, 304-B, 304-C, 305-A, 349, or 564-F without the consent of the owner or occupant of the included address.

(c) Delivering a document regarding an entity to the secretary of state if the person who makes the delivery lacks the authority to do so.

II. An intentional violation of this section in connection with a filing with the secretary of state shall be subject to a penalty as provided in RSA 293-A:1.29.

5 New Paragraph; Corporations, Associations, and Proprietors of Common Lands; New Hampshire Business Corporation Act; Definitions. Amend RSA 293-A:1.40 by inserting after paragraph (14A) the following new paragraph:

(14B) "New Hampshire business registry" means the data and filing history of all businesses that form or register with the secretary of state under RSA 292, 293-A, 293-B, 301, 301-A, 301-B, 304-B, 304-C, 305-A, 349, and 564-F and made available to the public on the state's centralized business Internet web site.

6 New Paragraph; Corporations, Associations, and Proprietors of Common Lands; New Hampshire Business Corporation Act; Definitions. Amend RSA 293-A:1.40 by inserting after paragraph (19) the following new paragraph:

(19A) "Registered business entity" means any corporation, limited liability company, limited liability partnership, limited partnership, statutory trust or any other business entity on the New Hampshire business registry.

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

Amendment to HB 410-FN (2025-0979h)

Proposed by the Committee on Housing-c

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

AN ACT limiting local authority to adopt restrictions on the building and development of residential properties.

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

1 New Section; Extraordinary Restrictions of Residential Property. Amend RSA 674 by inserting after section 17 the following new section:

674:17-a Extraordinary Restrictions of Residential Property.

I. Notwithstanding any other provision of law, the local legislative body of a city, town, or county in which there are located unincorporated towns or unorganized places may adopt an extraordinary restriction of residential property only if the restriction is narrowly tailored to serve a compelling government interest in public health or safety.

II. Evidence such as written findings of fact, scientific studies, or other quantitative and empirical evidence, may be relevant to whether an extraordinary restriction of residential property is narrowly tailored to serve a compelling government interest in public health or safety, but are not necessarily dispositive.

III. For the purposes of this section, “extraordinary restriction of residential property” means any ordinance or regulation that contains any of the following:

(a) Any minimum square footage requirement for a dwelling or unit in excess of 200 square feet or the square footage required to meet the state building code, whichever is greater.

(b) Any lot size requirement greater than 5 gross acres per primary dwelling unit, or greater than 0.5 gross acres per primary dwelling unit if the lot is served by off-site municipal water and sewer systems.

(c) Any road frontage requirement greater than 200 feet per primary dwelling unit, or greater than 50 feet if the lot is served by off-site water and sewer systems.

(d) Prohibition on residential use in areas zoned for commercial use.

(e) Restriction on in-home business use in areas zoned for residential use, provided such business use does not violate noise, pollution, garbage, or light ordinances.

(f) Restriction on whether any dwelling unit is constructed on or off-site.

(g) Local amendments to the state building code or state fire code regarding materials or methods of construction, which impact residential buildings of not more than 4 units.

IV. Upon the effective date of this section, any extraordinary restriction of residential property shall not be enforced unless it meets the requirements of paragraph I.

2 Effective Date. This act shall take effect 180 days after passage.

2025-0979h

AMENDED ANALYSIS

This bill prohibits the local adoption of extraordinary restrictions on residential property unless the restriction is narrowly tailored to serve a compelling government interest in public health or safety.

Amendment to HB 416-FN (2025-0191h)

Proposed by the Committee on Criminal Justice and Public Safety–c

Amend the bill by replacing section 1 with the following:

1 Penalties; Inappropriate Disposal of Yard Waste. Amend RSA 485-A:15 to read as follows:
485-A:15 Penalties.

I. It shall be unlawful for any person to put or place, or cause to be put or placed into a surface water of the state or on the ice over such waters, or on the banks of such waters, any solid waste as defined in RSA 149-M or hazardous waste as defined in RSA 147-A, including but not limited to bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, tires, old automobiles or parts thereof, **yard waste**, trees or parts thereof, or similar litter.

II. For any violation of this section any authorized member or agent of the department of environmental services [shall] **may** order the immediate removal of material involved in the violation, by the person responsible for the material in question. ***The authority to enforce this section shall extend to all peace officers in the state of New Hampshire.***

III. If the person or persons responsible for a violation of paragraph I refuse or fail to obey the order of any **peace officer or** authorized member or agent of the department of environmental services, the department of environmental services or authorized member or agency may contract for the removal of the material in question and the cost of the removal shall be recoverable by the state in an action of debt brought by the attorney general in the name of the state.

III-a. For a first offense, any person who purposely or recklessly violates paragraph I shall be guilty of a violation.

IV. ~~Any~~ **For any second or subsequent offense, any** person who **purposely or** recklessly violates paragraph I shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

V. Any person who ~~[purposely or]~~ knowingly violates paragraph I shall be guilty of a class B felony.

Amendment to HB 428-LOCAL (2025-0328h)

Proposed by the Majority of the Committee on Executive Departments and Administration–r

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

1 New Hampshire Building Code; Definitions. RSA 155-A:1, III is repealed and reenacted to read as follows:

III. “Local enforcement agency” means, for a municipality as defined in RSA 672:10 that has adopted an enforcement mechanism under RSA 155-A:3, the official qualified and authorized to issue permits, make inspections, and enforce the laws, ordinances, and rules enacted by the state and local government that establish standards and requirements applicable to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure, or any appurtenances connected or attached to such building or structure.

2 State Building Code. Amend RSA 155-A:2, III to read as follows:

III. To the extent that it does not conflict with any other provision of law, and except as otherwise provided in this paragraph, the issuance of permits and the collection of fees pursuant to the state building code is expressly reserved for counties, towns, cities, and village districts where such activities have been authorized in accordance with RSA [674:51 and RSA 47:22] 155-A:3. Pursuant to the state fire marshal's authority to enforce the state building code under RSA 155-A:7, I, the fire marshal may establish for municipalities that do not have a building official or other enforcement mechanism authorized in RSA 155-A:4, with approval of the commissioner of safety and by rules adopted under RSA 541-A, fees to defray the cost of issuing building permits in accordance with the state building code. Such fees shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

3 State Building Code. Amend RSA 155-A:2, VI to read as follows:

VI. For any municipality which has not adopted an enforcement mechanism under RSA 674:51, the contractor of the building, building component, or structure shall notify the state fire marshal concerning the type of construction before construction begins excluding one- and 2-family dwellings. Any municipality that has adopted an enforcement mechanism under RSA [674:51] **155-A:3** may contract with a local enforcement agency or a qualified third party for these services as an alternative to establishing the position of building [inspector under RSA 674:51, II(c)] **official pursuant to RSA 155-A:3**, and such agency or third party shall have the same authority as a building inspector as provided in that section.

4 State Building Code. Amend RSA 155-A:2, VIII to read as follows:

VIII. Nothing in this chapter shall be construed as amending, repealing, or superseding any local law, ordinance, code, or regulation, except local code requirements that are less stringent than the state building code[~~or state fire code~~], or where expressly required by RSA [674:51, or RSA 47:22] **155-A:3**, and all buildings, building components, and structures shall comply with all applicable state or local building [and fire code] requirements, land use restrictions including, but not limited to subdivision regulations, use and location restrictions, density and dimensional limitations, or historic district laws or ordinances.

5 Local Amendments; Application. RSA 155-A:3 is repealed and reenacted to read as follows:

155-A:3 Enforcement mechanism.

I. The local legislative body, as defined in RSA 672:8, is hereby empowered and authorized to establish a local enforcement agency, as defined in RSA 155-A:1, III, to enforce the state building code adopted under RSA 155-A. The local legislative body may adopt a nationally recognized code not included in, and not inconsistent with, the state building code, except for a nationally recognized code which has the same or similar scope or purpose, as determined by the building code review board, that is included in the most recent edition of the state building code adopted under RSA 155-A:1, IV.

II. Amendments to the state building code implementing the issuance of permits and the collection of fees pursuant to RSA 155-A:2, III, and the issuance of permits and certificates of occupancy pursuant to RSA 155-A:2, IV, or other administrative functions shall be reserved for the municipalities, provided they are not less stringent than the state building code and confirmed pursuant to RSA 155-A:3, IV. No amendments to the technical requirements of the state building code are permitted. Municipal amendments to technical requirements of the state building code are permitted if the state building code is more than 2 editions behind the published model codes included in the state building code, provided they are not less stringent than the state building code and confirmed pursuant to RSA 155-A:3, IV.

III. At a minimum, the municipality shall ensure by ordinance that implementation and enforcement includes:

(a) The date of the first enactment of any building code regulations in the municipality and of each subsequent amendment thereto.

(b) Provision for the establishment of a building code board of appeals as provided in RSAs 673:1, V; 673:3, IV; and 673:5.

(c) Provision for the establishment of the position of building official as provided in RSA 673:1.

(d) The building official shall have the authority to:

(1) Accept and review appropriate design documents;

(2) Issue building permits as provided in RSA 676:11-13;

(3) Perform inspections as may be necessary to assure compliance with the state building code; and

(4) Issue any certificates of occupancy as enacted pursuant to paragraph IV.

(e) A schedule of fees, or a provision authorizing the governing body to establish fees, to be charged for building permits, inspections, and for any certificate of occupancy enacted pursuant to paragraph IV.

IV. The regulations adopted pursuant to paragraph I may include a requirement for a certificate of occupancy to be issued prior to the use or occupancy of any building or structure that is erected, remodeled, or undergoes a change or expansion of use subsequent to the effective date of such requirement. The municipality shall be responsible for implementation and enforcement of the requirement under this paragraph.

V. Municipal Employees and Departments.

(a) The provisions of this chapter shall not be construed to restrict or encumber the local governing body's authority relative to the appointment, removal, or duties of municipal employees and the organization of municipal departments.

(b) Any provision of the state building code that conflicts with existing local ordinances, regulations, policies, practices, or procedures regarding the appointment, removal, or duties of municipal employees and the organization of municipal departments shall not apply, provided that the ordinances, regulations, policies, practices, or procedures do not prevent effective enforcement of the state building code.

VI. Any ordinance adopted under paragraph II by a local legislative body shall be submitted to the state building code review board for review and confirmation.

VII. The state building code established in RSA 155-A shall be effective in all municipalities, as defined in RSA 672:10, in the state, without further local modification, except as permitted by this section, and shall be enforced as provided in RSA 155-A:7. Notwithstanding any other provision of law, no local legislative body shall enact or enforce any ordinance, adopt or enforce any rule, or implement any regulation that amends, overrides, or deviates from the state building code, or addresses any subject included in the state building code, except as otherwise permitted by this section or other statute, on or after the effective date of this section. All municipalities with an enforcement mechanism shall enforce and comply fully with the state building code without further local modification, except as otherwise permitted by this section or other statute.

VIII(a). Local amendments and codes adopted pursuant to paragraph III prior to July 1, 2024, and the procedural history of adoption under RSA 155-A:10 shall be submitted for review to the building code review board for confirmation that such additional amendments are not inconsistent with or less stringent than, nor intended to replace, the requirements of the most recent edition of the building code adopted under RSA 155-A. No local amendment shall be enforced if it has not been submitted to the building code review board within 60 days of the effective date of this paragraph. Upon the withholding of confirmation of a submitted local amendment by the state building code review board, the amendment shall not be enforced.

(b) Any such ordinance enacted or adopted pursuant to paragraph III on or after July 1, 2024, shall not be enforced unless confirmed by the building code review board pursuant to RSA 155-A:10, IV(c). The procedural history of local adoption relating to published notice, public hearing, and vote of approval shall be submitted to the board within 30 days of enactment or adoption and prior to enforcement.

IX. No municipality or local land use board, as defined in RSA 672:7, shall enforce any ordinance, regulation, code, or administrative practice requiring the installation of automatic fire suppression sprinklers in any new or existing detached one- or two-family dwelling unit in a structure used only for residential purposes, or in existing buildings that contain, or will contain, no more than four dwelling units, unless fire sprinklers are existing or are required by a nonresidential occupancy. Notwithstanding any provision of law to the contrary, no municipality or local land use board shall enforce any existing ordinance, regulation, code, or administrative practice requiring the installation or use of automatic fire suppression sprinklers in any manufactured housing unit, as defined in RSA 674:31, situated in a manufactured housing park, as defined in RSA 205-A:1, II. Nothing in this paragraph shall affect the ability of an applicant for a local land use permit to include the installation of fire suppression sprinklers pursuant to RSA 674:36, IV, or affect the validity or enforceability of such inclusion.

X. No county, city, town, village district, local land use board, or other subdivision of this state shall adopt any ordinance, regulation, code, or administrative practice that prohibits or restricts a person or entity from installing a safe and commercially available heating or other energy system of their choice, or from engaging the services of an energy provider of their choice to install, connect, or resupply such energy system. In this paragraph, "energy provider" means a qualified and licensed distributor of oil, propane, natural gas, or other company or entity that supplies energy or related services to the public.

6 Local Amendments; Application. Amend RSA 155-A:4, II to read as follows:

II. In municipalities that have adopted an enforcement mechanism pursuant to RSA ~~[674:51 and RSA 47:22]~~ **155-A:3**, the permit under this section shall conform to the locally adopted process. No permit shall be issued that would not result in compliance with the state building code~~[and state fire code]~~.

7 Local Amendments; Application. Amend RSA 155-A:7, I to read as follows:

I. The local enforcement agency appointed pursuant to RSA ~~[674:51 or RSA 47:22]~~ **155-A:3** shall have the authority to enforce the provisions of the state building code and the local fire chief shall have the authority to enforce the provisions of the state fire code, provided that where there is no local enforcement agency or contract with a qualified third party pursuant to RSA 155-A:2, VI, the state fire marshal or the state fire marshal's designee may enforce the provisions of the state building code and the state fire code, subject to the review provisions in RSA 155-A:10, upon written request of the municipality.

8 Local Amendments; Application. Amend RSA 155-A:10, IV(c) – (f) to read as follows:

(c) Municipal ~~[amendments]~~ **ordinances**: municipalities shall submit proposed ~~[amendments]~~ **ordinances** to the state building code ~~[pursuant to RSA 155-A:3]~~ to the board for review and confirmation prior to adoption. Municipalities may submit proposed language to the board for an advisory opinion at any time. Cities

shall submit [the] final proposed [building code amendments] **ordinances** no later than 90 days before final adoption. Towns shall submit [the] final proposed [amendments] **ordinances** no later than 10 days after the conclusion of the final public hearing. Municipal submissions shall include the final text for each [amendments] **ordinance**. The board shall act to review and confirm proposed municipal [amendments] **ordinances** within 90 days of submission for cities, and 45 days for towns. Failure of the board to act within these time frames shall constitute a confirmation of the municipal [amendments] **ordinances**. The board's review shall be limited to a confirmation that the local [amendments] **ordinance** complies with RSA [674:51 or RSA 47:22] **155-A:3**, and a verification with the state fire marshal that there is no conflict with the fire code.

(d) Once an [amendments] **ordinance** is approved by the legislative body, the municipality shall submit documentation to the building code review board within 30 days, pursuant to subparagraph (c), that the public hearing was properly noticed and held, and that the provision was adopted by the local legislative body.

(e) [Repealed.]

(f) [amendments] **Ordinances** adopted by municipalities, submitted to the board [under the provisions of RSA 674:51, II this chapter], and confirmed by the board, shall be published by the board after notification of adoption is received from the municipality.

9 General Requirements. Amend RSA 155-A:11-b, I to read as follows:

I. The board shall hear appeals of final decisions of any local building code board of appeals established under **RSA 155-A:3 and RSA 674**.

10 General Requirements. Amend RSA 674:34, II to read as follows:

II. Appeals of decisions of any local building code board of appeals shall be made within 30 days of the board's decision to the state building code review board as outlined under RSA [155-A:10, IV(c)] **155-A:11-b**.

11 General Requirements. Amend RSA 675:1, II to read as follows:

II. Zoning ordinances proposed under RSA 674:16 **and** historic district ordinances proposed under RSA 674:46 shall be adopted in accordance with the procedures required under RSA **675:2 through 675:5**.

12 Repeal. The following are repealed:

I. RSA 47:22, relative to the municipalities' grant of power.

II. RSA 674:51, relative to the local land use planning board and their power to amend state building codes and establish enforcement procedures.

13 Effective Date. This act shall take effect January 1, 2027.

Amendment to HB 431

(2025-0724h)

Proposed by the Majority of the Committee on Education Policy and Administration—r

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

AN ACT establishing a commission to study the costs of special education.

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

1 New Section; Commission Established; Special Education Costs. Amend RSA 186-C by inserting after section 1 the following new section:

186-C:1-a Commission to Study Costs of Special Education Established.

I. There is established a commission to explore the costs of special education within public schools to school districts based on annual reporting, and to study specific revenue sources for the state to provide greater funding to reduce the reliance on local property taxes.

II. Notwithstanding RSA 14:49, the members of the commission shall be as follows:

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

(b) Two members of the senate, appointed by the president of the senate.

(c) One special education educator, appointed by the New Hampshire Association of Special Education Administrators.

(d) The department of education director of special education, or designee.

(e) The advocate for special education, or designee.

(f) One public member, appointed by the chair of the commission.

(g) Two special education parent advocates, appointed by the governor.

(h) The commissioner of the department of education, or designee.

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

III. The commission shall study the following aspects and costs of special education:

(a) Student referral rates by IDEA category for special education programs.

(b) Why students may be labeled "other health impaired."

(c) The increase in referrals since the COVID school closures.

(d) Whether there are interventions that can be implemented prior to referrals for special education for some IDEA categories.

(e) The cost to provide services which are not “medically necessary” as defined by Medicaid, including services which are required to meet a child’s agreed upon goals as part of their Individualized Education Program (IEP) and services required as part of a 504 Plan.

(f) A comparison of the processes, requirements, and services under federal IDEA law, state law, and the rules of the department of education.

(g) The local district reporting of special education costs to the department of education.

(h) The local district costs for out of district placement and if other options were available.

(i) The analysis and effectiveness of local district developed dispute resolution options.

(j) The use of state funds to provide services.

(k) The Medicaid to Schools program, including:

(1) Who uses service reimbursement funds.

(2) Whether billing is in house or outsourced and its relationship with student data privacy.

(3) Categories of reimbursement and rates therefor.

(l) Use of insurance by local districts to contract for legal services.

(m) Graduation rates for students with disabilities by type of diploma and age and attendance in adult learning programs.

IV. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

V. The members of the commission shall elect a chairperson and vice chairperson from among the members. The first meeting of the commission shall be called by the first named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairpersons of the senate and house committees with jurisdiction over education, the state board of education, the governor, and the state library. An initial report shall be submitted on or before November 1, 2025. A final report shall be submitted on or before July 1, 2026.

2 Repeal. RSA 186-C:1-a, relative to the commission to study special education is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect July 1, 2026.

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

2025-0724h

AMENDED ANALYSIS

This bill establishes a commission to study the cost of special education in public schools.

Amendment to HB 437

(2025-0519h)

Proposed by the Committee on Commerce and Consumer Affairs–c

Amend the bill by replacing section 1 with the following:

1 Limitation on Undischarged Mortgages; Void Unless Continued. RSA 479:28 is repealed and reenacted to read as follows:

479:28 Void Unless Continued.

I. From and after January 1, 2028, all undischarged mortgages in which the term or maturity date is not stated shall be deemed discharged without the necessity of any further action 35 years from the date of recording of the mortgage, unless an extension of the mortgage, or an acknowledgment or affidavit that the mortgage is not satisfied, is recorded before the expiration of the said 35-year period.

II. From and after January 1, 2028, all undischarged mortgages in which the term or maturity date is stated shall be deemed discharged without the necessity of any further action 5 years from the expiration of the term or the maturity date, unless an extension of the mortgage, or an acknowledgment or affidavit that the mortgage is not satisfied, is recorded before the expiration of the term or maturity date.

III. All extensions, agreements, affidavits, and acknowledgments shall be executed by the mortgagor or mortgagor’s heirs, successors or assigns and mortgagee or assignee of record and recorded in the registry of deeds in the county where the land lies. If an extension of the mortgage or an acknowledgment or affidavit that the mortgage is not satisfied is so recorded, such undischarged mortgage shall be deemed discharged without the necessity of any further action 5 years from the expiration of the extension period if stated therein or 5 years from the date of recording of such extension, acknowledgment or affidavit if no extension period is stated therein. Upon the expiration of the applicable time periods provided herein, the undischarged mortgage shall be treated as if it had been properly discharged by the record holder thereof.

**Amendment to HB 446
(2025-0042h)**

Proposed by the Majority of the Committee on Education Policy and Administration-r

Amend the bill by replacing section 1 with the following:

1 Duties of State Board of Education; Administration of Non-Academic Surveys. Amend RSA 186:11, IX-d to read as follows:

IX-d. Require School Districts to Adopt a Policy Governing the Administration of Non-academic Surveys or Questionnaires to Students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. ~~[The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention.]~~ The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian, **and shall notify parents or legal guardians by sending such survey through email and any other means of delivery the district deems appropriate** at least 10 days prior to distribution to students. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

2025-0042h
AMENDED ANALYSIS

The bill requires school districts to email parents copies of non-academic surveys in public schools and removes the exception for the Youth Risk Behavior Survey, requiring parents to opt-in for their children to participate in this survey.

**Amendment to HB 455
(2025-0645h)**

Proposed by the Committee on Health, Human Services and Elderly Affairs-c

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

1 Medicaid Enhancement for Children and Pregnant Women; Reporting Requirement. RSA 167:68, IV(d) is repealed and reenacted to read as follows:

(d) Beginning October 1, 2025, and for the remainder of the biennium ending June 30, 2027, the commissioner of the department of health and human services shall submit quarterly reports to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor regarding the department's administration of the Medicaid enhancement for children and pregnant women for 12 months of continuous coverage for the entire postpartum period. Beginning July 1, 2027, the reports shall be submitted annually. The reports shall include status updates on the department's efforts in reducing administrative burdens for enrollees and the department's progress to expand access and participation to voluntary, evidence-based maternal home visiting programs. Reports submitted under this section shall also be posted on the department's website.

2 Effective Date. This act shall take effect July 1, 2025.

2025-0645h
AMENDED ANALYSIS

This bill requires the department of health and human services to provide quarterly reports regarding Medicaid enhancement for children and pregnant women for the biennium ending June 30, 2027 and to submit such reports annually thereafter.

**Amendment to HB 456
(2025-0908h)**

Proposed by the Majority of the Committee on Legislative Administration-r

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

AN ACT prohibiting the use of certain local funds for lobbying.

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

1 Town Officers' Associations; Lobbyists. Amend RSA 31:8 to read as follows:

31:8 Town Officers' Associations. For the encouragement of equitable taxation and the education of public officials **acting as state agents** in tax problems and other matters pertaining to the proper and efficient discharge of the duties of their respective offices, each town and city shall pay annually to the New Hampshire Association of Assessing Officials, the New Hampshire City and Town Clerks' Association and the New

Hampshire Tax Collectors' Association, such amounts as shall be due for annual membership for its officials therein, providing that the amount paid for any one annual membership hereunder shall not exceed [\$20] **\$75**. Members of these several organizations in addition to the annual membership [fee] **dues**, shall be entitled to receive their actual expenses incurred in attending the annual convention of their respective associations, the same to be audited by the selectmen of towns and the finance committee of cities and paid out of city and town funds. ***In accordance with RSA 15:5, I, no part of the annual membership dues shall be used to pay a lobbyist or an organization that pays part or all of the salary of a lobbyist. However, nothing in this section or in RSA 15:5 shall be construed to prohibit an individual member of such association from recording a position before the general court or a committee thereof.***

2 Authorization to Pay Dues. Amend RSA 31:8-a to read as follows:

31:8-a Authorization to Pay Dues. The ~~[board of selectmen may vote to pay, from amounts appropriated by the town for town officers' expenses, such amounts as shall be payable]~~ ***legislative body may vote to raise and appropriate such sums as required to pay*** for annual membership in the New Hampshire Municipal Association and expenses incurred in attending regular meetings of the said association. ***In accordance with RSA 15:5, I, [provided that the appropriation of such dues has not previously been rejected by a vote at the annual town meeting and provided further that] the association shall not record association positions before the general court or committees thereof, but may provide information to the general court or committees thereof.*** ~~[on matters which do not directly affect New Hampshire towns and cities; nor]~~ ***The association shall not*** engage in partisan political activity by endorsing, or otherwise supporting, any political party or candidate. ***Furthermore, no part of membership dues shall be contributed to or paid to an organization that pays part or all of the salary of a lobbyist, but nothing in this section or RSA 15:5 shall be construed to prohibit an individual public official from recording a position before the general court or a committee thereof.***

3 Prohibited Activities. Amend RSA 15:5 to read as follows:

15:5 Prohibited Activities.

I. Except as provided in paragraph II, no recipient of a grant or appropriation of ***federal, state, or local*** funds may use the state funds to lobby or attempt to influence legislation, participate in political activity, or contribute funds to any entity engaged in these activities.

II. Any recipient of a grant or appropriation of state ***or local*** funds that wishes to engage in any of the activities prohibited in paragraph I, or contribute funds to any entity engaged in these activities, ***may not use the state or local funds for such purpose.*** ~~[shall segregate the state funds in such a manner that such funds are physically and financially separate from any non-state funds that may be used for any of these purposes:]~~ ***Funds from other sources may be used for that purpose if such other funds are not commingled with the state or local funds and are kept physically and financially separate from the state or local funds. The*** mere bookkeeping separation of the state funds from other moneys shall not be sufficient.

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

2025-0908h

AMENDED ANALYSIS

This bill prohibits the use of certain local funds for lobbying activities.

Amendment to HB 457

(2025-0917h)

Proposed by the Committee on Housing-c

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

AN ACT relative to the occupancy of housing units.

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

1 State Commission for Human Rights; Equal Housing Opportunity. Amend RSA 354-A:8 to read as follows:

354-A:8 Equal Housing Opportunity Without Discrimination a Civil Right. The opportunity to obtain housing without discrimination because of age, sex, gender identity, race, creed, color, marital status, familial status, physical or mental disability or national origin is hereby recognized and declared a civil right. In addition, no person shall be denied the benefit of the rights afforded by this section on account of that person's sexual orientation. ***Cities, towns, and municipalities shall not mandate that occupants of housing units be related by blood or marriage.***

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

2025-0917h

AMENDED ANALYSIS

This bill prohibits cities, towns, and municipalities from mandating that occupants of housing units be related by blood or marriage.

**Amendment to HB 461
(2025-0471h)**

Proposed by the Majority of the Committee on Transportation-r

Amend RSA 263:6-e, V as inserted by section 1 of the bill by replacing it with the following:

V.(a) No person may take any portion of a driver's license examination with the assistance of:

(1) An in-person translator.

(2) A mobile translation application on a personal electronic device.

(3) A translation computer program or translation software application on a desktop computer, laptop computer, or tablet.

(4) Any other device distributed to a non-English or non-American Sign Language speaker to assist that person with the translation of English or American Sign Language.

(b) Devices used to aid a person with hearing or seeing the English language or seeing American Sign Language shall be permitted.

VI. The department of safety shall adopt rules in accordance with RSA 541-A regarding this section.

2025-0471h

AMENDED ANALYSIS

This bill requires all printed and digitally available driver's license examination-related materials, including the examination itself, be available and administered in the English language only. This bill also prohibits in-person or electronic translation assistance.

**Amendment to HB 467
(2025-1084h)**

Proposed by the Majority of the Committee on Commerce and Consumer Affairs-r

Amend RSA 178:34, V as inserted by section 1 of the bill by replacing it with the following:

V. The liquor commission shall maintain a list of municipalities where social districts are approved.

Amend RSA 178:35, II as inserted by section 1 of the bill by replacing it with the following:

II. The board of selectmen, town council, city council, or board of alderman shall establish management and maintenance plans for the social district and post these plans, along with a rendering of the boundaries of the social district, on the Internet website of the city or town. The social district shall be maintained in a manner that protects the health and safety of the general public.

**Amendment to HB 473-FN
(2025-0430h)**

Proposed by the Committee on Criminal Justice and Public Safety-c

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 New Section; Controlled Substances-Related Crimes; Applicability. Amend RSA 639-A by inserting after section 4 the following new section:

639-A:5 Applicability. This chapter shall not apply to the therapeutic use of cannabis as authorized by RSA 126-X.

**Amendment to HB 475-LOCAL
(2025-0600h)**

Proposed by the Majority of the Committee on Municipal and County Government-r

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

1 Use of Official Ballot; Definition of Default Budget. RSA 40:13, IX(b) is repealed and reenacted to read as follows:

(b) "Default budget" as used in this subdivision means the amount of the same appropriations as contained in the operating budget authorized for the previous year, reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred by law or mandated by law, and reduced by one-time expenditures contained in the operating budget, by salaries and benefits of positions that have been eliminated in the proposed budget, by salaries and benefits of positions that were vacant before the previous year's budget was approved and have remained vacant, and reflecting the actual salary and benefits of filled positions as of the public hearing for the proposed budget excluding any increases subsequent to the authorization of the previous year's operating budget. For the purposes of this paragraph, one-time expenditures shall be appropriations not likely to recur in the succeeding budget, and eliminated positions shall not include vacant positions under recruitment unless vacant before the previous year's approved budget was approved, as determined by the governing body of the local political subdivision, unless the provisions of RSA 40:14-b are adopted. Any budget line item in the operating budget authorized for the previous year from which a transfer was made for any one-time expenditures shall be reduced by the amount of the transfer in

the default budget. In calculating the default budget amount, the governing body, or the budget committee if the provisions of RSA 40:14-b are adopted, shall follow the statutory formula which may result in a higher or lower amount than the proposed operating budget.

2 Use of Official Ballot; Default Budget Disclosure; One-Time Expenditures. Amend RSA 40:13, XI(a)(3) to read as follows:

(3) One-time expenditures, *including reductions to line items for transfers made for one-time expenditures*, as defined under subparagraph IX(b); and

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

**Amendment to HB 487
(2025-0459h)**

Proposed by the Minority of the Committee on Labor, Industrial and Rehabilitative Services–r
Amend the title of the bill by replacing it with the following:

AN ACT relative to providing hospitality industry employees with advance notice of the work schedule.

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

1 Findings. The general court finds that transparency and advance notice of work schedules for hospitality industry workers, particularly those with either child care or caregiving responsibilities, is critically important to managing child care and caregiving schedules and to minimizing working family costs, including mandatory child care cancellation costs as well as medical and in-home appointment costs. The general court further finds that such notice enhances the ability of employees to pick up shifts or other work when they are not scheduled in order to maximize the value of their time.

2 New Section; Labor; Advance Notice of Work Schedule. Amend RSA 275 by inserting after section 30-a the following new section:

275:30-b Advance Notice of Work Schedule.

I. All hospitality industry employers, including hotels, motels, restaurants, cafes, coffee shops, bars, pubs, casinos, and events spaces, shall provide hourly paid employees notice of the employee's starting hour work schedule at least 7 days in advance of any scheduled shift. The end time of any shift may be included in posted schedules, but the hospitality industry employer is not required to post the end time of each shift 7 days in advance.

II. The requirements of this section shall not apply when regular operations of the employer are suspended due to circumstances beyond the employer's control, such as extreme weather or acts of God. If a work schedule changes due to unforeseen circumstances, the employer shall provide notice to the employee as soon as possible, but hospitality industry employees may not be terminated for failure to work a shift if the shift was not scheduled at least 7 days in advance.

III. No employer shall retaliate against any employee because the employee has exercised, or may exercise, his or her rights under this section.

IV. The requirements of this section may be waived by the parties to a valid collective bargaining agreement.

V. This section shall not apply to employers with fewer than 15 employees or to health care facilities.

VI. In this section:

(a) "Notice" means either posting the work schedule in a conspicuous place accessible to all employees or providing an employee's work schedule in-hand, by electronic mail, or via an application software program.

(b) "Work schedule" means the staffing plan by the employer defining the days and hours to be worked by the employee.

3 Applicability. This act shall not apply to employees and employers subject to a valid collective bargaining agreement on the effective date of this act. Any collective bargaining agreement entered into on or after the effective date of this section may waive the requirements of RSA 275:30-b.

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

2025-0459h
AMENDED ANALYSIS

This bill directs hospitality industry employers to provide hourly employees with advance notice of the work schedule.

**Amendment to HB 505-FN
(2025-0883h)**

Proposed by the Committee on Environment and Agriculture–c

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

1 Homestead Food; License Required. Amend RSA 143-A:12, IV to read as follows:

IV. *Homestead food operations processing and selling freeze dried foods, from the homestead residence, at the owner's own farm stand, at farmers' markets, or at retail food stores shall be licensed under RSA 143-A:4. For the purposes of this section, freeze dried foods means fruits, vegetables, and commercially prepared dairy products.*

V. All homestead food products sold in packages from the home kitchen, farm stand of a homestead food operation, at farmers' markets, or at retail food stores shall have individual labels on each package containing the following information: name, address, and phone number of the homestead food operation; name of the homestead food product; the ingredients of the homestead product, in descending order of predominance by weight; and allergy information. Products made by homestead food operations exempt from licensure shall also be clearly labeled with the following statement: "This product is exempt from New Hampshire licensing and inspection." Products made by nonexempt homestead food operations shall also be clearly labeled with the following statement: "This product is made in a residential kitchen licensed by the New Hampshire Department of Health and Human Services."

2 Effective Date. This act shall take effect 120 days after its passage.

2025-0883h

AMENDED ANALYSIS

This bill requires the licensing of homestead food operations processing and selling freeze dried foods.

Amendment to HB 507-FN

(2025-0993h)

Proposed by the Committee on Commerce and Consumer Affairs-c

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

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

2025-0993h

AMENDED ANALYSIS

This bill requires health carriers to process credentialing applications by mental health providers within 30 days of submission of a complete application.

Amendment to HB 517-FN

(2025-0649h)

Proposed by the Committee on Commerce and Consumer Affairs-c

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

AN ACT repealing certain outreach and marketing requirements under the Granite State paid family leave plan.

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

1 Repeal. The following are repealed:

I. RSA 21-I:108, II, relative to outreach and marketing of the Granite state paid family leave plan.

II. RSA 282-B:6, II relative to outreach and marketing of the Granite state paid family leave plan.

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

2025-0649h

AMENDED ANALYSIS

This bill 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 520

(2025-0842h)

Proposed by the Minority of the Committee on Judiciary-r

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Duties of Commissioner; Power to Subpoena. Amend RSA 21-N:4 by inserting after paragraph XII the following new paragraph:

XIII. Upon request of the commissioner or the commissioner's designee, the attorney general is authorized, for good cause shown, to seek subpoenas for persons, and for books, papers, documents, and other items for the purpose of carrying out investigations pursuant to the code of conduct for New Hampshire educators, as established by RSA 21-N:9, II(cc)(1).

(a) In seeking a subpoena, the department shall present the reasons for seeking such a subpoena to the attorney general, who shall issue the subpoena if the attorney general finds that:

(1) The subpoena is sought in good faith for the purpose of investigating a violation or possible violation of the educator code of conduct by a certified educator; and

(2) The information sought by the subpoena appears reasonably likely to be material and relevant to the investigation.

(b) Subpoenas for persons shall not require compliance in less than 48 hours after receipt of service. Subpoenas for books, papers, documents and other items shall not require compliance in fewer than 15 days after receipt of service.

(c) When a subpoena is authorized by the attorney general:

(1) Service shall be made on licensees and certified individuals by certified mail to the address on file with the department or by hand and shall not entitle such persons to witness or mileage fees; and

(2) Service shall be made on persons who are not licensees or certified individuals in accordance with the procedures and fee schedules of the superior court, and the subpoenas served on such persons shall be annotated "Fees Guaranteed by the New Hampshire Department of Education Bureau of Credentialing."

(d) The person to whom the subpoena is directed may file a motion to quash or modify the subpoena with the attorney general within 10 days after service of the subpoena. Upon consideration of such a motion and any response submitted by the attorney general within such time as he or she directs, the attorney general shall promptly rule upon the same, with or without a hearing, as he or she determines appropriate. If, as a result of said ruling, any part or all of the subpoena is enforced, the attorney general shall determine the time within which compliance with the subpoena must occur.

(e) Any evidence collected pursuant to a subpoena shall be made available to both parties in any adjudicatory proceeding in which it is material and relevant.

(f) In any adjudicatory proceeding resulting from an alleged code of conduct violation, the attorney general may issue subpoenas for the attendance of witnesses and for the production of books, papers, documents and other items on behalf of the department or on behalf of the certified educator alleged to have committed the violation. Any costs incurred in issuing a subpoena shall be the responsibility of the party requesting the subpoena, unless otherwise determined by the attorney general.

2025-0842h

AMENDED ANALYSIS

This bill authorizes the commissioner of the department of education to request the attorney general to issue subpoenas.

Amendment to HB 522-FN

(2025-0929h)

Proposed by the Committee on Judiciary-c

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

1 New Chapter; Expectation of Privacy. Amend RSA by inserting after chapter 507-H the following new chapter:

CHAPTER 507-I

EXPECTATION OF PRIVACY

507-I:1 Definitions. In this chapter:

I. "Available to the public" means personal information about an individual which is widely known or readily available to the public and in which that individual therefore could not have a reasonable expectation of privacy.

II. "Government entity" means municipal, county state or federal department, agency board, commission, or employee, elected official, or contractor. "Government entity" shall not apply to a federal government agency to the extent that federal statute preempts such application.

III. "Personal information" means an individual's name, date or place of birth; social security number; address; employment history; credit history; financial and other account numbers; cellular telephone numbers; voice over Internet protocol or landline telephone numbers; location information; biometric identifiers including fingerprints, facial photographs or images, retinal scans, genetic profiles, and DNA/RNA data; or other identifying data unique to that individual.

IV. "Third party providers of information and services" means individuals or organizations that collect personal information about an individual in connection with providing the following kinds of services to that individual: cellular and land-line telephone, electric, water, or other utilities; Internet service providers; cable television; streaming services; social media services; email service providers; banks and financial institutions; insurance companies; and credit card companies.

507-I:2 Expectation of Privacy in Personal Information.

I. With respect to a government entity, an individual shall have a reasonable expectation of privacy in personal information, including content and usage, given or available to third-party providers of information and services, and not available to the public.

II. Unless specifically authorized by statute, no government entity shall, acquire, collect, retain, or use any personal information of any individual residing in New Hampshire from any third-party provider.

III. Paragraph II shall not apply to:

(a) Personal information acquired, collected, retained, or used by a government entity when such acquisition, collection, retention, or use is for a purpose within the scope of the entity's investigative, law enforcement, regulatory, administrative, or adjudicatory authority.

(b) Personal information sought or obtained pursuant to a subpoena duly issued by a government entity acting within its investigative, law enforcement, regulatory, administrative or adjudicatory authority, by a duly empaneled grand jury, or by a court.

(c) Personal information sought or obtained pursuant to a duly issued search warrant or pursuant to a judicially recognized exception to the requirement for a search warrant.

(d) Personal information sought by the division of emergency services and communications for purposes of responding to or assisting with emergency 911 communications.

(e) An emergency, where the immediate danger of death or serious physical injury to an individual or substantial loss or destruction of property requires the disclosure, without delay, of personal information concerning a specific individual, telephone number, username, or other unique identifier, and where judicial process cannot be obtained in time to prevent the identified danger.

(f) Personal information relating to an individual who has authorized the government entity to access such information, but only for the purpose for which such access was granted.

(g) Other circumstances where the acquisition, collection, retention, or use of personal information by a government entity is authorized by law.

IV. Any person who knowingly violates the provisions of this section shall be guilty of a misdemeanor.

V. A person who is aggrieved by a violation of this chapter shall be entitled to recover the greater of actual damages or \$1,000 from the government entity responsible for each such violation and an award of costs and reasonable attorney fees.

507-I:3 Action Against a Nongovernment Entity. This chapter shall not be construed to create a cause of action against a nongovernment entity for providing information to a government entity.

507-I:4 Federal Preemption. If federal law preempts any provision of this chapter, that provision shall not apply.

2 Regulation of Biometric Information; Collection of Biometric Data Prohibited. Amend RSA 359-N:2, I(c) to read as follows:

(c) Obtain, retain, or provide any individual's biometric data except as set forth in this chapter *or in RSA 507-I*.

3 Effective Date. This act shall take effect on January 1, 2026.

Amendment to HB 528-FN (2025-0488h)

Proposed by the Committee on Criminal Justice and Public Safety—c

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

AN ACT amending the penalties for the possession and use of psilocybin for persons 18 years of age or older.

Amend the bill by replacing section 1 with the following:

1 New Section; Personal Possession of Psilocybin. Amend RSA 318-B by inserting after section 2-e the following new section:

318-B:2-f Personal Possession of Psilocybin.

I. Notwithstanding RSA 318-B:2 and 318-B:26, a person 18 years of age or older who obtains, purchases, transports, possesses, or uses psilocybin shall be subject to the following penalties:

(a) For a first offense, a violation and a fine of not more than \$100.

(b) For a second offense, a class B misdemeanor and a fine of not more than \$500.

(c) For a third offense, a class B misdemeanor and a fine of not more than \$1,000.

(d) For a fourth or subsequent offense, the person shall be subject to the penalties in RSA 318-B:26.

II. Any person under 18 years of age who obtains, purchases, transports, possesses, or uses psilocybin shall be subject to the penalties in RSA 318-B:26.

2025-0488h
AMENDED ANALYSIS

This bill modifies the penalties for a person 18 years of age or older to obtain, purchase, transport, possess, or use psilocybin.

Amendment to HB 537 (2025-0823h)

Proposed by the Minority of the Committee on Science, Technology and Energy—r

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

1 Condominium Instruments; Commercial Use. Amend RSA 356-B:16, I(h) to read as follows:

(h) A statement of the purposes for which the condominium and each of the units are intended and restricted as to use ***and whether any commercial or business enterprises are permitted;***

2 New Paragraph; Submetering. Amend RSA 356-B:45 by inserting after paragraph II the following new paragraph:

II-a Regardless of the condominium instruments, the cost for shared residential meter usage for septic systems and well pumps shall be charged back only to the residential units that share each meter, even if the homeowners association is the customer of the public utility or rural electric cooperative. The chargeback shall be divided among these units, ensuring the cost is equally split according to the number of units sharing the meter.

3 New Section; Public Utility Rates; Condominium Charges. Amend RSA 378 by inserting after section 6 the following new section:

378:6-a Condominium Charges. An electric rate schedule of a public utility filed with the commission shall ensure that condominium associations under RSA 356-B, which do not permit commercial or business enterprises, are charged the same electric rates as condominium residential units for domestic septic and well-pump electric usage, and ensure that the billing for all such residential units is at residential rates, even if the homeowners association is the customer and even if shared meters are used.

4 Public Utility. Amend RSA 362:2, II to read as follows:

II. For the purposes of this title only, rural electric cooperatives for which a certificate of deregulation is on file with the public utilities commission pursuant to RSA 301:57 shall not be considered public utilities; provided, however, that the provisions of RSA 362-A:1, 362-A:2, 362-A:3, 362-A:4, 362-A:5, 362-A:6, 362-A:7, 362-A:8, 363-B, 371, 374:2-a, 374:26, 374:48-56, 374-A, 374-C, 374-F, ***378:6-a***, and 378:37 shall, unless otherwise provided herein, be applicable to rural electric cooperatives, without regard to whether a certificate of regulation or deregulation is on file with the public utilities commission. The provisions of RSA 374-A and the provisions of RSA 374-F:3, V(b) and (f) and RSA 374-F:7 shall be applicable to rural electric cooperatives for which a certificate of deregulation is on file with the public utilities commission to the same extent as municipal utilities.

III. An electric rate schedule of a rural electric cooperative shall ensure that condominium associations under RSA 356-B, which do not permit commercial or business enterprises, are charged the same electric rates as condominium residential units for domestic septic and well-pump electric usage. It shall also ensure that the billing for all such residential units is at residential rates, even if the homeowners association is the customer and even if shared meters are used.

5 New Section; Municipal and County Aggregations; Condominium Charges. Amend RSA 53-E by inserting after section 7 the following new section:

53-E:7-a Condominium Charges. An electric rate schedule of a municipal or county aggregation shall ensure that condominium associations under RSA 356-B, which do not permit commercial or business enterprises, are charged the same electric rates as condominium residential units for domestic septic and well-pump electric usage. It shall also ensure that the billing for all such residential units is at residential rates, even if the homeowners association is the customer and even if shared meters are used.

6 New Section; Municipal Electric Utilities; Condominium Charges. Amend RSA 38 by inserting after section 35 the following new section:

38:35-a Condominium Charges. An electric rate schedule of a municipal electric utility shall ensure that condominium associations under RSA 356-B, which do not permit commercial or business enterprises, are charged the same electric rates as condominium residential units for domestic septic and well-pump electric usage. It shall also ensure that the billing for all such residential units is at residential rates, even if the homeowners association is the customer and even if shared meters are used.

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

2025-0823h

AMENDED ANALYSIS

This bill:

I. Requires that electric rate schedules for public utilities, rural electric cooperatives, municipal or county aggregations, and municipal electric utilities charge the same electric rates for condominium associations that do not permit commercial or business enterprises as they do for residential units.

II. Requires that the billing for all such residential units be at residential rates, even if the homeowners association is the customer and even if shared meters are used.

III. Defines the cost allocation for shared residential meter usage for septic systems and well pumps.

Amendment to HB 546-FN (2025-0732h)

Proposed by the Committee on Legislative Administration-c

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

AN ACT relative to financial disclosures and the public reporting of those disclosures by the secretary of state.

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

1 New Paragraph; Reporting by Political Committees and Individuals to the Secretary of State. Amend RSA 664:6 by inserting after paragraph I the following new paragraph:

I-a. Notwithstanding any other provision of RSA 664:6 to the contrary, any current house member or state senator who receives a contribution or expenditure exceeding \$1,000, shall file an itemized statement with the secretary of state within 48 hours of receiving such funds, detailing the full name and postal address of the donor, the amount of the contribution, and the date received.

2 Reporting Schedule. Amend RSA 664:6, I(i) to read as follows:

(i) Fourth Wednesday after the general election[-];

(j) The first day of each month between the fourth Wednesday after the general election and the first Wednesday in June following the state general election.

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

2025-0732h

AMENDED ANALYSIS

This bill requires timely reporting of significant contributions received by current legislators and establishes an updated schedule for ongoing financial disclosures.

Amendment to HB 548-FN

(2025-0964h)

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs–r

Amend the bill by replacing section 1 with the following:

1 Residential Care and Health Facility Licensing; License or Registration Required; Moratorium; Exception for Membership-Based and Direct Payment Facilities. Amend RSA 151:2, VI(a)(1) to read as follows:

(1) No new license shall be issued for, and there shall be no increase in licensed capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This moratorium shall not apply to:

(A) Any facility that is not a nursing home or skilled nursing facility, that operates on a membership-based business model or exclusively provides services to persons who make direct payment for services;

(B) Any rehabilitation facility whose sole purpose is to treat individuals for substance use disorder or mental health issues; or [to]

(C) Any continuing care facility for which a certificate of authority has been issued by the insurance commissioner pursuant to RSA 420-D:2.

Amend RSA 151:2-f, II as inserted by section 4 of the bill by replacing it with the following:

II. Subparagraph I(a) shall not apply to intermediate care facilities or rehabilitation facilities, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services facilities, that operate on a membership-based business model or exclusively provide services to persons who make direct payment for services. For the purposes of this paragraph, a direct payment is one that is paid directly by the patient and is not reimbursed or otherwise paid by a third party.

2025-0964h

AMENDED ANALYSIS

This bill exempts direct-pay health care facilities from certain licensing requirements and policies in RSA 151:2-f as well as the moratorium on licensing and bed capacity in RSA 151:2, VI(a) provided that the facility is not a nursing home or skilled nursing facility. The bill also establishes a patient's bill of right for direct-pay facilities and directs the department of health and human services to study direct-pay models.

Amendment to HB 553-FN

(2025-1079h)

Proposed by the Majority of the Committee on Children and Family Law–r

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

1 Purpose; Modifications. Amend RSA 169-C:2 to read as follows:

169-C:2 Purpose.

I. It is the primary purpose of this chapter, through the mandatory reporting of suspected instances of child abuse or neglect, to provide protection to children whose life, health or ***physical, emotional, or psychological*** welfare is endangered. The best interest of the child shall be the primary consideration of the court in all proceedings under this chapter.

II. It is a further purpose of this chapter to establish a judicial framework to protect the rights of ~~[all parties involved]~~ **children, parents, and guardians** in the adjudication of child abuse or neglect cases. Each child coming within the provisions of this chapter shall receive, preferably in the child's own home **or the community**, the care, emotional security, guidance, and control that will promote the child's best interest~~[-and, if].~~ **If** the child should be removed from the control of his or her parents, guardian, or custodian, adequate care shall be secured for the child, **preferably in the community**.

III. This chapter seeks to coordinate efforts by parents and state and local authorities, in cooperation with private agencies and organizations, citizens' groups, and concerned individuals, to:

(a) Protect the ~~[safety]~~ **physical, emotional, and psychological welfare** of the child, **acknowledging the trauma caused to the child by abuse and neglect**.

(b) Take such action as may be necessary to prevent the abuse or neglect of children.

(c) ~~[Determine if the preservation of family unity is in the best interest of the child:]~~ **Presume that family unity is in the best interest of the child; but, if it is determined to not be in the child's best interest, to secure placement in the least restrictive setting, as provided in RSA 169-C:19-h. There shall be frequent review of each child removed from the home with the goal to return the child home or to the community as quickly as possible.**

(d) Provide protection, treatment, and rehabilitation, as needed, to children ~~[placed in alternative care]~~ **under the care and custody or legal supervision of the department, whether placed in the home or in out-of-home care.**

(e) Provide assistance to parents **and guardians** to deal with and correct problems in order to ~~[avoid]~~ **prevent** removal of children from~~[the family]~~ **their home**.

~~[H].~~ IV. This chapter shall be liberally construed to the end that its purpose may be carried out, to wit:

(a) To encourage the mental, emotional, and physical development of each child coming within the provisions of this chapter, by providing the child with the protection, care, treatment, counseling, supervision, and rehabilitative resources which the child needs and has a right to receive.

(b) To achieve the foregoing purposes~~[-and policies, whenever it is in the best interest of the child:]~~ by keeping a child in~~[contact with his or her home community and in a family environment by]~~ **his or her home, and** preserving the unity of the family and separating the child from his or her parents only when the ~~[safety]~~ **physical, emotional or psychological welfare** of the child is **at risk or** in danger or when it is clearly necessary for the child's welfare or the interests of the public safety and when it can be clearly shown that a change in custody will be in the best interest of the child; ~~[and]~~

(c) **To ensure that if a child must be removed from his or her home, the child shall be placed in accordance with RSA 169-C:19-h, with kin or fictive kin if such a placement is safe and available, otherwise in a licensed foster home, ensuring contact with his or her home community and in a family environment; and, only as a last resort and if necessary for the emotional, mental health, behavioral health, or psychological needs of the child, be placed in group home or child care institution licensed and certified pursuant to RSA 170-E and RSA 169-F;**

(d) **To provide trauma-informed services and care to system-involved children, families, and caregivers; and**

~~[(e)]~~ (e) To provide effective judicial procedures through which the provisions of this chapter are executed and enforced and which ~~[recognize]~~ **recognizes as the primary determinant, the safety, welfare, and best interest of the child;** and ~~[enforce]~~ **protects** the constitutional and other rights of ~~[the]~~ **all** parties and assures them a fair hearing.

2 Definitions; Modifications. Amend RSA 169-C:3 to read as follows:

169-C:3 Definitions.

When used in this chapter and unless the specific context indicates otherwise:

I. "Abandoned" means the child has been left by ~~[his]~~ **their** parent, guardian or custodian, without provision for care, **including but not limited to their physical, emotional or psychological well-being;** supervision; or, financial support although financially able ~~[to provide such support];~~ **or assisted to do so, but not if the child has been left due to a lack of availability of mental or behavioral health services.**

II. ~~["Abused child"]~~ "Abuse" means **any of the following:** ~~[any child who has been]:~~

(a) ~~[Sexually abused]~~ **Sexual abuse of a child**~~[-or].~~

(b) ~~[Intentionally physically injured; or]~~

~~[(c) Psychologically injured so that said child exhibits symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect]~~ **Emotional abuse, which means a persistent pattern of threatening, demeaning, or humiliating behavior directed at a child by a caregiver, which may include, but is not limited to:**

(1) **Rejection, which means communicating to a child that they are worthless, unwanted, or unloved, which may cause harm to the child's emotional development or sense of well-being.**

(2) *Neglecting emotional needs, which means failing to provide necessary emotional support or affection to a child, depriving them of care, attention, and nurturing essential for their healthy development.*

(3) *Shaming or humiliating, which means engaging in a pattern of persistent criticism or belittlement, likely to cause emotional harm and undermine the child's sense of self-worth.*

(4) *Terrorizing, which means using threats, verbal aggression, or intimidating behavior to control a child, which may lead to emotional harm and instill fear or anxiety.*

(5) *Isolation, which means the deliberate act of restricting or preventing a child from engaging in social interactions with family, peers, or the community for a prolonged amount of time, resulting in social and emotional deprivation.*

(6) *Corrupting, which means harming a child through involvement in or exposure to criminal activities.*

(7) *Exploiting, which means using a child unfairly for the abuser's own advantage such that the action may adversely affect the child cognitively, emotionally, and socially.*

(c) ~~[Physically injured]~~ **Physical injury to a child** by other than accidental means, **or indeterminate means if the parents, guardians, or custodians are the primary or sole caregivers and have offered no reasonable alternative explanation for said injuries**~~[-or]~~.

~~[(e)]~~ (d) ~~[Subjected]~~ **Subjection of a child**, by any person, to human trafficking as defined in RSA 633:7.~~[-or]~~

~~[(f)]~~ (e) ~~[Subjected]~~ **Subjection of a child** to an act prohibited by RSA 632-A:10-d.

III. "Adjudicatory hearing" means a hearing to determine the truth of the allegations in the petition filed under this chapter.

IV. ~~[Repealed]~~.

V. "Child" means any person who has not reached ~~[his]~~ **their** eighteenth birthday.

VI. "Child care agency" means a "child day care agency" as defined in RSA 170-E:2, IV or a "child care agency" as defined in RSA 170-E:25, II.

VII. "Child placing agency" means the department, Catholic charities of New Hampshire, or child and family services of New Hampshire, or any successor organization.

VII-a. "Compelling reason" for assessing permanency at an early permanency hearing includes circumstances where:

(a) Both parents, or only one parent if the other parent is deceased or not identified, have made no effort or only negligible efforts to comply with the dispositional orders;

(b) A ground exists for termination of parental rights for both parents, or for only one parent if the other parent is deceased or not identified, under one or more paragraphs of RSA 170-C:5; or

(c) There is another compelling reason to assess the permanency plan of reunification earlier than the 12-month permanency hearing.

VII-b. "Concurrent plan" means an alternate permanency plan in the event that a child cannot be safely reunified with his or her parents.

VIII. "Consent order" means a written agreement entered into among or between the parties regarding the facts and the disposition in a neglect or abuse case, and approved by the court.

IX. "Court" means the district court, unless otherwise indicated.

X. "Custodian" means an agency or person, other than a parent or guardian, licensed pursuant to RSA 170-E to whom legal custody of the child has been given by court order.

XI. "Dispositional hearing" means a hearing held after a finding of abuse or neglect to determine what dispositional order should be made on behalf of the child.

XII. "Department" means the Department of Health and Human Services.

XIII. "Foster home" means a residential care facility licensed pursuant to RSA 170-E for child care in which family care and training are provided on a regular basis for no more than 6 unrelated children, unless all the children are of common parentage.

XIII-a. "Founded report" means a report made pursuant to this chapter for which the department finds by a preponderance of the evidence that the child who is the subject of such report is abused or neglected.

XIV. "Guardian" means a parent or person appointed by a court having jurisdiction with the duty and authority to make important decisions in matters having a permanent effect on the life and development of the child, and to be concerned about the general welfare of the child. Such duty and authority include but are not necessarily limited either in number or kind to:

(a) The authority to consent: (1) to marriage, (2) to enlistment in the armed forces of the United States, and (3) to major medical, psychiatric and surgical treatment, (4) to represent the child in legal actions; and (5) to make other decisions of substantial legal significance concerning the child;

(b) The authority and duty of reasonable visitation, except to the extent that such right of visitation has been limited by court order; and

(c) The rights and responsibilities of legal custody except where legal custody has been vested in another individual or in an authorized agency.

XIV-a. "Household member" means any person living with the parent, guardian, or custodian of the child from time to time or on a regular basis, who is involved occasionally or regularly with the care of the child.

XV. "Imminent danger" means circumstances or surroundings causing immediate peril or risk to a child's **psychological or emotional well-being, physical or mental** health, or life.

XVI. "Institutional child abuse or neglect" means situations of known or suspected child abuse or neglect wherein the person responsible for the child's welfare is a foster parent or is an employee of a public or private residential home, institution or agency. ***This includes, but is not limited to, use of restraint or seclusion under circumstances which do not indicate that restraint or seclusion is necessary to ensure the immediate physical safety of a person due to substantial and imminent risk of serious bodily harm to the child or others.***

XVII. "Legal custody" means a status created by court order embodying the following rights and responsibilities unless otherwise modified by court order:

- (a) The right to determine where and with whom the child shall live;
- (b) The right to have the physical possession of the child;
- (c) The right and the duty to protect and constructively discipline the child; and

(d) The responsibility to provide the child with food, clothing, shelter, education, emotional security and ordinary medical care provided that such rights and responsibilities shall be exercised subject to the power, rights, duties and responsibilities of the guardian of the child and subject to residual parental rights and responsibilities if these have not been terminated by judicial decree.

XVIII. "Legal supervision" means a legal status created by court order wherein the child is permitted to remain in his home under the supervision of a child placing agency subject to further court order.

XIX. [~~"Neglected child"~~] "**Neglect**" means [~~a child~~] ***any of the following:***

(a) [~~Who has been abandoned~~] ***Abandonment of a child*** by his or her parents, guardian, or custodian[; or].

(b) [~~Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health, when it is established that the child's health has suffered or is likely to suffer serious impairment, and the deprivation is not due primarily to the lack of financial means of the parents, guardian, or custodian; or~~] ***Failure by a child's parent, guardian, or custodian, either deliberately or through negligence or inability, to provide proper supervision, care, and attention to a child, or provide adequate food, clothing, shelter, or education, or proper medical care, and it is established that the child's physical, mental, emotional, or psychological well-being has suffered or is likely to suffer serious impairment, when such inability is not due solely to inadequate economic means.***

(c) [~~Whose parents, guardian or custodian are unable~~] ***Inability of a parent, guardian, or custodian*** to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity[;].

(d) ***Voluntary or knowing entrustment of the care of a child by a parent, guardian, or custodian to individuals who may not provide safe care, including but not limited to:***

- (1) ***Persons who are subject to active protective or restraining orders;***
- (2) ***Persons with current or past history of sex-crimes;***
- (3) ***Persons with current or recent violent crimes; or***

(4) ***Persons with recent instances of substance misuse, or of manufacturing, sales or trafficking of legal or illegal substances; and***

(5) ***It is established that the child's physical, mental, emotional, or psychological well-being has suffered or is likely to suffer serious impairment.***

(e) ***The birth of a child exposed to alcohol or substances, unless these substances were used as prescribed or recommended, and if the mother is under the treatment of or monitored by a licensed health care provider, and the child's health or welfare may be at serious risk due to substance use.***

(f) [~~Provided, that no~~] **No** child who is, in good faith, under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be a neglected child under this chapter.

XX. "Notice" means communication given in person or in writing to the parent, guardian, custodian or other interested party not having custody or control of the child, of the time and place fixed for hearing; and it shall be given in all cases, unless it appears to the court that such notice will be ineffectual.

XX-a. "Out-of-home placement" means the placement of a child in substitute care with someone other than the child's biological parent or parents, adoptive parent or parents, or legal guardian.

XXI. "Parent" means mother, father, adoptive parent, stepparent, but such term shall not include a parent as to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment.

XXI-a. "Party having an interest" means the child; the guardian ad litem of the child; the child's parent, guardian or custodian; the state; or any household member subject to court order.

XXI-b. "Permanency hearing" means a court hearing for a child in an out-of-home placement to review, modify, and/or implement the permanency plan or to adopt the concurrent plan.

XXI-c. "Permanency plan" means a plan for a child in an out-of-home placement that is adopted by the court and provides for timely reunification, adoption through termination of parental rights or parental surrender, guardianship with a fit and willing relative or another appropriate party, or another planned permanent living arrangement.

XXII. "A person responsible for a child's welfare" includes the child's parent, guardian or custodian, as well as the person providing out-of-home care of the child, if that person is not the parent, guardian or custodian. For purposes of this definition, "out-of-home care" includes child day care, and any other settings in which children are given care outside of their homes.

XXIII. "Probable cause" means facts and circumstances based upon accurate and reliable information, including hearsay, that would justify a reasonable person to believe that a child subject to a report under this chapter is abused or neglected.

XXIV. "Protective custody" means the status of a child who has been taken into physical custody by a police officer or juvenile probation and parole officer because the child was in such circumstances or surroundings which presented an imminent danger to the child's health or life and where there was not sufficient time to obtain a court order.

XXV. "Protective supervision" means the status of a child who has been placed with a child placing agency pending the adjudicatory hearing.

XXV-a. "Psychological maltreatment" means pervasive and emotionally abusive behavior, which shall include, but not be limited to, patterns of threatening, berating, or demeaning behavior.

XXV-b. "Psychotropic medication" means a drug prescribed by a licensed medical practitioner, to treat illnesses that affect psychological functioning, perception, behavior, or mood.

XXV-c. "Medication restraint" means the involuntary administration of any medication, including a psychotropic medication, for the purpose of immediate control of behavior.

XXVI. "Relative" means parent, grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, nieces, nephews or first and second cousins.

XXVII. "Residual parental rights and responsibilities" means those rights and responsibilities remaining with the parent after the transfer of legal custody or guardianship except guardianship pursuant to termination of parental rights, including, but not limited to, right of visitation, consent to adoption, right to determine religious affiliation and responsibilities for support.

XXVII-a. "Serious impairment" means ~~[a substantial weakening or diminishment of]~~ ***an adverse impact on a child's emotional, physical, *psychological*, or mental [health or of a child's] well-being or safety, and [general well-being] which may result from a single event or from a consistent pattern of behavior, and may be currently observed or predicted.*** The following circumstances shall be considered in determining the likelihood that a child may suffer serious impairment, ***with a trauma-informed lens, as defined in RSA 169-C:3, XXVIII:***

(a) The age and developmental level of the child; ***although the child's age or ability to care for themselves is not dispositive of the potential harm caused by other factors.***

(b) ~~[Any recognized mental, emotional, or physical disabilities]~~ ***The child's social, emotional, learning, mental health, behavioral health, or physical conditions.***

(c) School attendance and ~~[performance]~~ ***the child's ability to fully engage in school.***

(d) The child's ~~[-illegal use of controlled substances, or the child's contact with other]~~ ***exposure to persons involved in the [illegal use of controlled substances] misuse or sale, manufacture, or trafficking of legal or illegal substances or the parent's or child's abuse of alcohol.***

(e) Exposure to incidents of domestic or sexual violence.

(f) Any documented failure to thrive.

(g) Any history of frequent illness or injury.

(h) Findings in other proceedings.

(i) The condition of the child's place of residence.

(j) Assessments or evaluations of the child conducted by qualified professionals.

(k) Such other factors that may be determined to be appropriate or relevant.

(l) Any single incident or occurrence of serious injury or illness.

(m) Parentification of a child, which occurs when a child is regularly expected to take on parental responsibilities, including but not limited to providing emotional or practical support for a parent or another individual, beyond what would be reasonably expected for the child's age and circumstances, instead of receiving that care and support themselves.

XXVII-b. "Sexual abuse" means the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct

or any simulation of such conduct for the purpose of producing any visual depiction of such conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children. With respect to the definition of sexual abuse, the term “child” or “children” means any individual who is under the age of 18 years.

XXVII-c. “Screened-out report” means a report made pursuant to this chapter that the department has determined does not rise to the level of a credible report of abuse or neglect and is not referred for assessment.

XXVII-d. “Trauma informed” means a service system in which all parties involved recognize and respond to the impact of traumatic stress on those who have contact with the system including children, families, caregivers, and service providers. It is an expansion of the system’s concerns beyond children’s physical safety and permanence to include children’s psychological safety; attempts to address trauma-related needs by promoting the well-being and resilience of children, families, caregivers, and service providers; treats children and families as partners in their own care; and, collaborates with other relevant agencies and systems.

XXVIII. “Unfounded report” means a report made pursuant to this chapter for which the department determines that there is, **by a preponderance of the evidence**, insufficient evidence to substantiate a finding that the child is abused or neglected.

XXIX. A report that is “unfounded but with reasonable concern” means a report made pursuant to this chapter for which the department determines that there is probable cause to believe the child was abused or neglected, but for which there is insufficient evidence to establish by a preponderance of the evidence that the child was abused or neglected.

3 Presumption of Harm. Amend RSA 169-C:12-f to read as follows:

169-C:12-f Rebuttable Presumption of Harm.

There shall be a rebuttable presumption that a child’s ~~health~~ **emotional, physical, psychological, or mental well-being** has suffered or is likely to suffer serious impairment by exposure to any of the following conduct:

I. Evidence of a parent’s, guardian’s, or custodian’s substance misuse ~~[that is adversely affecting a child’s care or supervision, when that parent, guardian, or custodian is not actively engaged in treatment]~~ **or sale, manufacturing, or trafficking of legal or illegal substances, shall create a rebuttable presumption that the child’s physical, emotional, or psychological well-being has suffered or is very likely to suffer serious impairment. The presumption may be rebutted by evidence of the parent’s compliance with treatment for such use or dependence.**

II. Evidence of a parent’s, guardian’s, or custodian’s impaired driving or operating of a motor vehicle while a child is in the vehicle; or

III. Evidence of a parent’s, guardian’s, or custodian’s exposure of a child to:

(a) Physical violence directed at a sibling, the other parent, or another person living in the home; or

(b) Psychological maltreatment directed at the child, a sibling, the other parent, or another person living in the home.] **physical violence, verbal abuse, or psychological maltreatment directed at the child, a sibling, the other parent or significant other, or another person living in the home.**

IV. The rebuttable presumption of harm established in paragraph III shall not apply to victims of domestic violence who are subject to an abuse or neglect **investigation** or petition filed pursuant to this chapter as a result of an incident or incidents in which that parent, guardian, or caregiver was the victim.

V. Evidence of serious injury, broken bones, or unexplained injury to any non-ambulatory child, or frequent illnesses that are not being adequately addressed or controlled.

4 School Boards; Studies; Abuse. Amend RSA 189:10, II to read as follows:

II. The school board shall ensure that health education, physical education to include the importance of exercise, and wellness are taught to pupils as part of the curriculum, specifically to include physiology, hygiene, health and interpersonal relationships, physical education, and wellness, as they relate to the effects of alcohol and other drugs, prevention of sexual violence, child abuse as established in the definition of [~~“abused child”~~] **“abuse”** under RSA 169-C:3, II, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system.

5 Genital Mutilation; Abuse. Amend RSA 632-A:10-d, IV to read as follows:

IV. Any child subjected to conduct prohibited by paragraph I, but which is not justified pursuant to paragraph III, shall be considered [~~an abused child~~] **to have suffered abuse** pursuant to RSA 169-C:3, II.

6 Repeal. RSA 169-C:3, XXV-a, relative to the definition of psychological maltreatment, is repealed.

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

Amendment to HB 557 (2025-1031h)

Proposed by the Majority of the Committee on Education Policy and Administration—r

Amend RSA 671:20, II as inserted by section 1 of the bill by replacing it with the following:

II. Immediately preceding the question of adopting a school budget, the following information shall be printed on the ballot:

(a) The average cost per pupil defined by the average daily enrollment of the preceding year divided by the total expenditure of the district.

(b) School district achievement proficiency scores obtained from the department of education for the preceding year to be printed as: "ELA Proficiency: X%; Math Proficiency: X%; Science Proficiency: X%".

**Floor Amendment to HB 568
(2025-1098h)**

Proposed by Rep. McGhee-r

Amend RSA 674:36, II(p) as inserted by section 1 of the bill by replacing it with the following:

(p) Local planning boards may request a water supply study in accordance with local regulations to ensure water adequacy in subdivisions of 4 or more units. Water studies for new subdivisions are discretionary and fall under the jurisdiction of local planning boards. This provision shall not apply to community water systems or large groundwater withdrawals regulated under RSA 485 and RSA 485-C.

2025-1098h
AMENDED ANALYSIS

This bill allows the adoption of subdivision regulations that require water supply studies, determination of adequate water quantity for reasonably anticipated future water uses, and minimum on-lot private well testing requirements for subdivisions of 4 or more units. This bill also clarifies the applicant's duty to pay associated costs.

**Amendment to HB 584-FN
(2025-0990h)**

Proposed by the Majority of the Committee on Judiciary-r

Amend the bill by replacing section 3 with the following:

3 New Section; Claims Arising from Government Entities Enforcing Mandates of the World Health Organization, the United Nations, or the World Economic Forum. Amend RSA 541-B by inserting after section 21-a the following new section:

541-B:21-b Claims Arising from the Government Entities Enforcing Mandates of the World Health Organization, the United Nations, or the World Economic Forum.

I. Without otherwise limiting or defining the sovereign immunity of the state and its agencies, this chapter shall apply to all claims against any counties, cities, towns, precincts, water districts, school districts, school administrative units, or quasi-public entities or any employee, trustee, or director of such when acting in the scope of such person's elected or appointed capacity, who enforces policies, mandates, orders, requirements, edicts, or directives of the World Health Organization, the United Nations, or the World Economic Forum.

II. The limitations on awards provided in RSA 541-B:14 shall not be increased by the proceeds from any insurance policy procured by a nonprofit entity, or any employee of such entity, included under RSA 541-B:21-b, I.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Definitions; Foreign Pharmacy Graduate. Amend RSA 318:1, VI-c to read as follows:

VI-c. "Foreign pharmacy graduate" is a pharmacist whose undergraduate pharmacy degree was conferred outside the United States by a pharmacy school, **notwithstanding RSA 541-B:21-b**, listed in the World Directory of Schools of Pharmacy published by the World Health Organization.

2025-0990h
AMENDED ANALYSIS

This bill:

I. Provides that the World Health Organization, the United Nations, and the World Economic Forum shall have no jurisdiction in New Hampshire.

II. Removes a reference to medical schools recognized by the World Health Organization and replaces it with a reference to the World Directory of Medical Schools.

III. Creates a cause of action against counties, cities, towns, precincts, water districts, school districts, school administrative units, or quasi-public entities who create and enforce policies based on the claims of the World Health Organization, the United Nations, and the World Economic Forum.

IV. Provides that in a claim against the state or a local government agency for enforcing policies or directives of the World Health Organization, the United Nations, or the World Economic Forum, the limits of awards under RSA 541-B shall apply and shall not be increased by the proceeds of an insurance policy held by such entity.

**Amendment to HB 587-FN
(2025-0843h)**

Proposed by the Majority of the Committee on Judiciary-r

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Domestic Violence; One-Party Recording. Amend RSA 570-A:2, II by inserting after subparagraph (m) the following new subparagraph:

(n) Any person who is a party to a conversation, or who has the prior explicit consent of such a party, except a law enforcement officer acting in their official capacity, to make or possess a recording when that recording:

(1) Is intended to be provided to a law enforcement agency or utilized for the purpose of court proceedings and is not publicly disclosed or released by the person or their agent; and

(2) Is or contains evidence of what the person reasonably anticipates or believes to be a crime.

**Amendment to HB 602
(2025-1096h)**

Proposed by the Committee on Criminal Justice and Public Safety—c

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

1 New Paragraph; Alcohol or Drug Impairment. Amend RSA 265-A:1 by inserting after paragraph VI the following new paragraph:

VII. “Qualified online victim impact panel program” means any program that meets all of the following requirements:

(a) Offers 24 hour per day accessibility;

(b) Is offered in both English and Spanish;

(c) Provides all direct client support necessary for program completion;

(d) Requires the fee for the program to be paid for by the participant;

(e) Is available at no cost to the state of New Hampshire or to any county;

(f) Includes a non-judgmental presentation of a minimum of 8 personal, true stories shared by victims and offenders about the impact of alcohol, drugs, and illegal driving under the influence conduct upon their lives;

(g) Requires a minimum of 3 and 1/2 hours to complete;

(h) Provides a system for testing the participant’s attention and comprehension multiple times during the program;

(i) Provides an individualized security check system for verifying the identity of program participants;

(j) Provides communications with participants 6 months after completing the program that reinforces the lessons of the program and encourages participants to live more responsibly; and

(k) Issues a certificate of completion to the participant upon satisfactorily fulfilling all attendance, payment, and program participation requirements. The certificate of completion shall contain the business identification number of the program provider. Participants and probation officers should have access to additional copies of the certificate as needed.

2 New Subparagraph; Driving Under the Influence; Victim Impact Program Added. Amend RSA 265-A:18, I(a) by inserting after subparagraph (4) the following new subparagraph:

(4-a) Required to complete a qualified online victim impact panel program, as defined in RSA 265-A:1, VII, unless the court determines that exceptional circumstances exist.

3 Driving Under the Influence. Amend RSA 265-A:18, IV(a)(3)(B) to read as follows:

(B) If the complaint alleges that the prior conviction occurred more than 2 but not more than 10 years preceding the date of the second offense, the person shall be sentenced to a mandatory sentence of not less than 17 consecutive days in the county correctional facility, of which 12 days shall be suspended. The court shall refer the person to an IDCMP to schedule a full substance use disorder evaluation. A condition of the suspension shall be that upon release from serving the 5 days in the county correctional facility, the person shall schedule a substance use disorder evaluation within 30 days of release, complete the required substance use disorder evaluation within 60 days of release, and comply with the service plan developed. The IDCMP shall administer the substance use disorder evaluation and shall develop the service plan from that substance use disorder evaluation. Any portion of the suspended sentence to the county correctional facility may be imposed if the defendant does not comply with all of the requirements of this subparagraph or becomes noncompliant with the service plan during the suspension period; ~~and~~

4 New Subparagraph; Driving Under the Influence; Victim Impact Program Added. Amend RSA 265-A:18, IV(a) by inserting after subparagraph (3) the following new subparagraph:

(3-a) Required to complete a qualified online victim impact panel program, as defined in RSA 265-A:1, VII, unless the court determines that exceptional circumstances exist; and

5 Reckless Driving; Minimum Penalty. Amend RSA 265:79 to read as follows:

265:79 Reckless Driving; Minimum Penalty. Whoever upon any way drives a vehicle recklessly, or causes a vehicle to be driven recklessly, as defined in RSA 626:2, II(c), or so that the lives or safety of the public shall be endangered, or upon a bet, wager, or race, or who drives a vehicle for the purpose of making a record, or who drives a vehicle at a speed of 100 miles per hour or greater, and thereby violates any of the provisions of this title or any rules adopted by the director, shall be, notwithstanding the provisions of title LXII, guilty

of a violation and fined not less than \$500 plus penalty assessment for the first offense and \$750 plus penalty assessment for the second offense nor more than \$1,000 plus penalty assessment and his or her license or operating privilege shall be revoked for a period of 60 days for the first offense and from 60 days to one year for the second offense. ***Any person who pleads guilty to an offense under this section that was originally charged with an offense under RSA 265-A:2 or RSA 265-A:3 shall be required to complete a qualified online victim impact panel program, as defined in RSA 265-A:1, VII, unless the court determines that exceptional circumstances exist.***

6 Serious Traffic Offenses; Negligent Driving. Amend RSA 265:79-b to read as follows:

265:79-b Negligent Driving. Whoever upon any way drives a vehicle negligently or causes a vehicle to be driven negligently, as defined in RSA 626:2, II(d), or in a manner that endangers or is likely to endanger any person or property shall be guilty of a violation and shall be fined not less than \$250 nor more than \$500 for a first offense and not less than \$500 nor more than \$1,000 for a second or subsequent offense. ***Any person who pleads guilty to an offense under this section that was originally charged with an offense under RSA 265-A:2 or RSA 265-A:3 shall be required to complete a qualified online victim impact panel program, as defined in RSA 265-A:1, VII, unless the court determines that exceptional circumstances exist.***

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

2025-1096h

AMENDED ANALYSIS

This bill requires offenders of certain laws related to impaired driving to participate in an online victim impact panel program.

Amendment to HB 613

(2025-0795h)

Proposed by the Majority of the Committee on Municipal and County Government-r

Amend RSA 40:14-d as inserted by section 1 of the bill by replacing it with the following:

40:14-d Method of Adopting Reduced Default Budget Option.

I. The provisions of RSA 40:14-c may be adopted by any local political subdivision whose legislative body has adopted RSA 40:13. A 3/5 majority of those voting on the question shall be required to adopt the provisions of RSA 40:14-c. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority.

II. The question shall be placed on the warrant of the annual or special meeting by the governing body, or by petition under the procedures set out in RSA 39:3, RSA 197:2, or RSA 197:6.

III. A public hearing shall be held by the local governing body on the question at least 15 days, but not more than 30 days, before the question is to be voted on. In multi-town districts, a public hearing shall be held in each town embraced by the district, none of which shall be held on the same day. Notice of the hearing shall be posted in at least 2 public places in the town and at least 2 public places in each town of multi-town districts, and published in a newspaper of general circulation at least 7 days prior to the date of the hearing.

IV. The wording of the question shall be: "Shall we adopt an annual option for a default budget, reduced by (R) percent, instead of the default budget, when the proposed operating budget is defeated, per RSA 40:14-c? A 3/5 majority of those voting on the question shall be required." Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority. R shall be a number between 1 and 10, inclusive. The question shall not be subject to amendment by the legislative body.

V. Voting on the question shall be by official ballot. If a 3/5 majority of those voting on the question vote "yes," RSA 40:14-c shall apply beginning the following fiscal year and for all subsequent years until changed as provided in paragraph VI or rescinded as provided in paragraph VII.

VI. Any local political subdivision which has adopted RSA 40:14-c may consider adoption of a new reduced default budget option in the manner described in paragraphs I through V. If the adoption of a new reduced default budget option fails, the existing reduced default budget option shall continue to apply.

VII. Any local political subdivision that has adopted RSA 40:14-c may consider rescinding its action in the manner described in paragraphs I-V. The wording of the question shall be: "Shall we rescind the provisions of RSA 40:14-c, known as the reduced default budget option, so that there will no longer be any option for a reduced default budget. A 3/5 majority of those voting on the question shall be required." A 3/5 majority of those voting on the question shall be required to rescind the provisions of this section, except in the case of repeal by charter enactment under RSA 49-D.

Amendment to HB 616-FN

(2025-0999h)

Proposed by the Committee on Environment and Agriculture-c

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

AN ACT relative to the confiscation of animals from persons suspected of or charged with abuse of animals and establishing a committee to study the animal cruelty statutes.

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

1 Cruelty to Animals; Livestock. Amend RSA 644:8, IV(a) to read as follows:

IV.(a)(1) Any person charged with animal cruelty under paragraphs III or III-a may have his or her animals confiscated by the arresting officer. ***The investigating officer for a case involving livestock as defined in RSA 427:38, III shall be accompanied by the state veterinarian or their designee who shall set probable cause criteria for the taking of the animal or animals. No animal shall be confiscated unless a person is charged under this section, except when the officer believes that the animal's life is in imminent danger.***

(2) A person charged under this section may petition the court to seek an examination of the animals by a veterinarian licensed under RSA 332-B of his or her choice at the expense of the person charged. ***The person charged shall be made aware of such right in writing by the arresting officer.***

(3) If a person is charged under this section and is presented with any document to sign, the arresting officer shall explain the document to the person and the person shall affirm that they understand the document they are signing.

~~[(3)]~~ (4) Courts shall give cases in which animals have been confiscated by an arresting officer priority on the court calendar. In cases in which animals have been confiscated by an arresting officer or his or her agency, a status hearing shall be held by the court within 14 days of the confiscation of the animals.

~~[(4)]~~ (5) Any person with proof of sole ownership or co-ownership of an animal confiscated by an arresting officer in an animal cruelty case and who is not a defendant or party of interest in the criminal case may petition the court for temporary custody of the animal. The court shall give such person priority for temporary custody of the animal if the court determines it is in the best interest of the animal's health, safety, and wellbeing.

~~[(5)]~~ (6) No custodian of an animal confiscated under this section shall spay or neuter or otherwise permanently alter the confiscated animal in his or her custody pending final disposition of the court case unless a treating veterinarian deems such procedure necessary to save the life of the animal ***or the owner of the animal agrees in writing to the procedure or treatment. If the treating veterinarian determines the animal is in a state of extreme suffering, the animal may be euthanized.***

~~[(6)]~~ (7) Upon a person's conviction of cruelty to animals, the court shall dispose of the confiscated animal in any manner it decides except in a case in which the confiscated animal is owned or co-owned by persons other than the defendant. If the defendant does not have an ownership interest in the confiscated animal, the court shall give priority to restoring full ownership rights to any person with proof of ownership if the court determines that such is in the best interest of the animal's health, safety, and wellbeing. If the confiscated animal is co-owned by the defendant, the court shall give priority to transferring the defendant's interest in the property to the remaining owner or co-owners equitably if the court determines that such is in the best interest of the animal's health, safety, and wellbeing.

~~[(7)]~~ (8) The costs to provide the confiscated animals with humane care and adequate and necessary veterinary services, if any, incurred in boarding and treating the animal, pending disposition of the case, and in disposing of the animal upon a conviction of said person for cruelty to animals, shall be borne by the person so convicted in accordance with rules adopted by the department of agriculture, markets, and food.

(9) No confiscated animal or animals shall be used in any manner to solicit donations or to raise funds by any individual or organization that has protective custody of the animal or animals prior to a conviction for abuse or neglect under this section.

2 Confiscation of Animal. RSA 644:8, IV-a is repealed and reenacted to read as follows:

IV-a.(a) Except as provided in subparagraph (b) any appropriate law enforcement officer or municipal animal control officer may take into temporary protective custody any animal when the owner or caretaker is not present and there is probable cause to believe that it has been or is being abused or neglected in violation of paragraphs III or III-a when there is a clear and imminent danger to the animal's health or life and there is not sufficient time to obtain a court order. Such officer shall leave a written notice indicating the type and number of animals taken into protective custody, the name of the officer, the time and date taken, the reason it was taken, the procedure to have the animal returned and any other relevant information. Such notice shall be left at the location where the animal was taken into custody. The officer shall provide for proper care and housing of any animal taken into protective custody under this paragraph. Unless charges have been filed or a warrant establishing probable cause has been issued, the animal or animals shall be returned to the owner or their designee or caretaker upon request. If, after 7 days, the animal has not been returned or claimed, the officer shall petition the municipal or district court seeking either permanent custody or a one-week extension of custody or shall file charges under this section. If a week's extension is granted by the court and after a period of 14 days the animal remains unclaimed, the title and custody of the animal shall rest with the officer on behalf of the officer's department. The department may dispose of the animal in any lawful

and humane manner as if it were the rightful owner. If after 14 days the officer or the officer's department determines that charges should be filed under this section, the officer shall petition the court. An owner of an animal taken into protective custody shall have the right as referenced in subparagraph IV(a)(2).

(b) For purposes of subparagraph (a) the investigating officer for livestock, as defined in RSA 427:38, III, shall be accompanied by a veterinarian licensed under RSA 332-B or the state veterinarian who shall set the probable cause criteria for taking the animal or animals.

(c) In cases where one or more lactating animals are confiscated, proof shall be provided by the confiscating party to the attending veterinarian and the owner or caretaker that proper care and facilities shall be provided for adults and offspring. No lactating animal shall be separated from its non-weaned offspring and vice versa.

(d) No person who has initiated an animal welfare complaint may take part in or be present during any investigation into such complaint, unless the complainant is an employee of a governmental agency. No person who may be called upon to take possession of any animal seized as a result of a complaint under this section may have taken part in the decision to seize any animal.

(e) In order to protect the integrity of complaint investigations an appropriate law enforcement officer shall require any person or their designated agent called upon to take possession of any animal seized or to assist during any complaint investigation, to sign a binding nondisclosure agreement intended to protect any shared or confidential information against unauthorized use pending final adjudication or dismissal of such complaint; provided that information may be disclosed only to officials with a need to know who are subject to confidentiality obligations.

(f) The confiscation of any animal or animals without the charging of the owner or caretaker, or without a warrant specifying probable cause, under paragraph IV shall be theft by unauthorized taking under RSA 637:3.

(g) No custodian of an animal in temporary protective custody under this section shall spay or neuter or otherwise permanently alter the confiscated animal in his or her custody pending final disposition of the court case unless a treating veterinarian deems such procedure necessary to save the life of the animal or the owner of the animal agrees in writing to the procedure or treatment. If the treating veterinarian determines the animal is in a state of extreme suffering, the animal may be euthanized.

3 Veterinarian Assistant. Amend RSA 644:8, V to read as follows:

V. A veterinarian licensed to practice in the state ***and any individual requested to provide assistance by law enforcement or the state veterinarian*** shall be held harmless from either criminal or civil liability for any decisions made for services rendered under the provisions of this section or RSA 435:11-16. Such a veterinarian ***or assisting individual*** is, therefore, under this paragraph, protected from a lawsuit for his part in an investigation of cruelty to animals.

4 State Veterinarian; Powers. Amend RSA 436:8 to read as follows:

436:8 Powers. The state veterinarian, under the direction of the commissioner, shall have all of the powers of the commissioner and shall have general charge of the enforcement of this chapter. Complaints under RSA 644:8, 644:8-a, 644:8-aa and any other law pertaining to the abuse of domestic animals, as defined under RSA 436:1, shall initially be filed with the local law enforcement agency, animal control officer, state police, or sheriff which has jurisdiction over where the animal is located or kept. At the request of the local law enforcement agency, animal control officer, state police, or sheriff, the state veterinarian shall assist in a secondary capacity in enforcing the provisions of and investigating said complaints. ~~[In the event the commissioner becomes incapacitated or a vacancy occurs in the office, the state veterinarian shall perform all the duties of that office during any such incapacity or until any such vacancy is filled. The commissioner may direct the state veterinarian to act for him or her in an official capacity whenever he or she may be absent from his or her duties.]~~

5 New Paragraph; Assessing Applications Under the Cost of Care Fund; Use for Livestock. Amend RSA 437-B:1 by inserting after paragraph III the following new paragraph:

III-a. Applications for reimbursement for the care of livestock shall demonstrate to the commissioner that the livestock were seized properly according to statute with assurance that individuals with experience and professional knowledge in the care of the type of livestock seized were consulted and that proper due process was afforded to the animal owner.

6 Committee Established. There is established a committee to study review RSA 644:8 and RSA 644:8-a through 644:8-g to identify elements to clarify, reorganize, and update these sections.

7 Membership and Compensation.

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

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

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

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

8 Duties. The committee shall:

I. Review RSA 644:8 and RSA 644:8-a through 644:8-g and address the following:

(a) Are these statutes consistent with current regulatory needs and practices?

(b) Are there overlapping, redundant, outdated, or conflicting statutes in RSA 644:8 and RSA 644:8-a through 644:8-g?

(c) Do any statutes need to be transferred from one chapter to another for clarity and consistency?

II. Work with agencies involved in the enforcement of RSA 644:8 and RSA 644:8-a through 644:8-g.

III. Identify any other issues that may be needed to fulfill the mission of this committee.

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

10 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2025.

11 Effective Date.

I. Sections 1 - 5 of this act shall take effect January 1, 2026.

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

Amendment to HB 633-FN

(2025-0860h)

Proposed by the Committee on Judiciary-c

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

AN ACT creating a legislative study committee to investigate the implementation of housing investment trusts in New Hampshire.

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

1 Committee Established. There is established a committee to study the implementation of housing investment trusts in New Hampshire.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall investigate the implementation of housing investment trusts in New Hampshire.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2025.

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

2025-0860h

AMENDED ANALYSIS

This bill creates a legislative study committee to investigate the implementation of housing investment trusts in New Hampshire.

Amendment to HB 641-FN

(2025-1022h)

Proposed by the Minority of the Committee on Judiciary-r

Amend RSA 354-B:2-a, II as inserted by section 1 of the bill by replacing it with the following:

II. Any person injured by another's use of any method, act, or practice declared unlawful under this chapter may bring an action for damages and for such equitable relief, including an injunction, as the court deems necessary and proper. If the court or jury finds for the plaintiff, recovery shall be in the amount of actual damages or \$10,000, whichever is greater. If the court or jury finds that the actual or threatened use of force, violence, property damage, or trespass was a willful or knowing violation of this chapter, it shall award as much as 3 times, but not less than 2 times, such amount. In addition, a prevailing plaintiff shall be awarded the costs of the suit and reasonable attorney's fees, as determined by the court. Any attempted

waiver of the right to the damages set forth in this paragraph shall be void and unenforceable. Injunctive relief shall be available to private individuals under this chapter without bond, subject to the discretion of the court.

**Amendment to HB 699
(2025-0606h)**

Proposed by the Majority of the Committee on Education Policy and Administration—r

Amend RSA 186-C:2, I-d-II-a as inserted by section 1 of the bill by replacing it with the following:

I-d. “Acquired brain injury” means a brain injury that occurs after birth, including injury sustained by traumatic brain injury (TBI), injuries secondary to trauma, infection, disease, or lack of oxygen resulting in total or partial functional disability, and/or psychosocial impairment, and/or cognitive impairment, that adversely affects a child’s educational performance and requires special education and or related services.

II. “Approved program” means a program of special education [that has been approved by the state board of education and that is maintained by a school district, regional special education center, private organization, or state facility for the benefit of children with disabilities, and may include home instruction provided by the school district] ***within the school districts, chartered public schools, public academies, joint maintenance agreements, state facilities or private providers of special education that is responsible for all aspects of the provision of special education services and related supports.***

II-a. “Approved Educational environment” means a special education setting that has received approval from the bureau. This environment is managed by the school district, chartered public school, public academy or joint maintenance agreement and serves children with disabilities, as specified in their individual education program, when they are removed from their general education setting. This does not limit the different educational environments afforded to students through IDEA and would only apply to resource rooms, self-contained classrooms, and early childhood special education programs. Children with disabilities will be placed in the least restrictive environment where they are able to make the most progress towards their goals as determined by their IEP team with an emphasis on the regular education setting.

Amend RSA 186-C:2, V-VII as inserted by section 1 of the bill by replacing it with the following:

V. “Specially designed instruction” is defined in the Individuals with Disabilities Act 34 C.F.R. section 300.39(b)(3) and means instruction which is:

- (a) Provided by appropriately state certified teachers or related services providers;***
- (b) Delivered in an explicit, systemic manner;***
- (c) Can be provided in any educational environment in accordance with the child’s IEP and least restrictive environment;***
- (d) Directly addresses goals in the child’s IEP; and***
- (e) Is closely monitored to make sure that the student is making progress toward mastering their goals.***

VI. “Special education information system” is the electronic information system used by all districts to report their special education data and student information for federal and state requirements.

VII. “Related services” shall be as defined in the Individuals with Disabilities Education Act and 34 C.F.R. section 300.34.

VIII. “Parent” means:

- (a) A natural or adoptive parent of a child who has legal custody of the child;***
- (b) A guardian of a child, but not the state when the state has legal guardianship of the child;***
- (c) A person acting in the place of a custodial parent or guardian of a child, if no other custodial parent or guardian is available, who is designated in writing to make educational decisions on the child’s behalf by such parent or guardian;***
- (d) A surrogate parent who has been appointed in accordance with RSA 186-C:14; or***
- (e) A foster parent of a child who has been appointed in accordance with RSA 186-C:14-a.***

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:
2 Braille Instruction for Students with Visual Impairments. Amend RSA 186-C:7-b to read as follows:

186-C:7-b Braille Instruction for [Functionally Blind Pupils] ***Students with Visual Impairments.***

In developing the individualized education program for a [functionally blind pupil] ***student with visual impairments as defined by 34 C.F.R. section 300.8(c)(13),*** there shall be:

I. A presumption that proficiency in Braille reading and writing is essential for the pupil’s satisfactory educational progress. Every [functionally blind pupil] ***student with a visual impairment*** shall be entitled to Braille reading and writing instruction unless all members of the pupil’s special education team concur that instruction in Braille or the use of Braille is not appropriate for the pupil.

II. Instruction in Braille shall be provided by a teacher certified by the state department of education to teach pupils with visual impairment.

III. An initial learning media assessment by a teacher certified in the education of pupils with visual impairment shall be conducted. This assessment shall be conducted every 3 years and reviewed annually.

**Amendment to HB 666-FN
(2025-0332h)**

Proposed by the Majority of the Committee on Judiciary-r

Amend the bill by replacing sections 1 and 2 with the following:

1 Statewide Library Development System; Library User Records; Confidentiality. Amend RSA 201-D:11, I and II to read as follows:

I. Library records which contain the names or other personal identifying information regarding the users of public or other than public libraries shall be confidential and shall not be disclosed except as provided in paragraph II. Such records include, but are not limited to, library, **library cards, library membership status**, information system, and archival records related to the circulation and use of library materials or services, including records of materials that have been viewed or stored in electronic form.

II. Records described in paragraph I may be disclosed to the extent necessary for the proper operation of such libraries and shall be disclosed upon request by, or consent of, the user or pursuant to subpoena, court order, or where otherwise required by statute.

2 New Paragraph; Library User Records; Confidentiality. Amend RSA 201-D:11 by inserting after paragraph III the following new paragraph:

IV. Any library or library staff member who discloses an individual's library card or membership status without a court order or explicit consent of the individual in question shall be in violation of this section and subject to a civil penalty of \$1000, made payable from the violator to the aggrieved individual whose information was released without their consent or a court order. Furthermore, the violator shall issue an apology to the aggrieved individual. The apology shall be notarized and sent via certified mail to the aggrieved individual.

**Amendment to HB 670
(2025-0325h)**

Proposed by the Committee on Criminal Justice and Public Safety-c

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

AN ACT adjusting the minimum fine for attacks by nuisance dogs.

Amend RSA 466:31-a, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) [~~\$25~~] **A warning** for the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d); [~~\$100~~] **\$50** for the second **offense committed within 12 months of the first nuisance offense under RSA 466:31, II(a), (b), (c), or (d); \$100 for the third** or subsequent nuisance offense committed within 12 months of the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d).

2025-0325h
AMENDED ANALYSIS

This bill adjusts the minimum fine for attacks by nuisance dogs.

**Amendment to HB 694-FN
(2025-0889h)**

Proposed by the Committee on Executive Departments and Administration-c

Amend RSA 4:39-g, I as inserted by section 1 of the bill by replacing it with the following:

I. Any renewal of a lease for land, buildings, or space between a political subdivision and the state shall be renewed at a fair market rate, unless otherwise agreed upon by the lessor. Additional expenses, including but not limited to utilities and custodial services, shall be negotiated separately.

**Amendment to HB 701-FN
(2025-0967h)**

Proposed by the Committee on Health, Human Services and Elderly Affairs-c

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

1 New Paragraphs; Terminal Patients' Right to Try Act; Definitions of Telehealth Prescreening and Remote Signing Added. Amend RSA 126-Z:1 by inserting after paragraph III the following new paragraphs:

IV. "Telehealth prescreening" means any remote, real-time discussion intended, in part, to determine whether a person with a life-threatening disease may be:

- (a) Ineligible for or not selected to participate in a clinical trial; or
- (b) Ineligible to receive or not be offered a drug, biologic, or device.

V. "Remote signing" means the signing of any form, witnessed by a notary public or a licensed health care provider, providing written informed consent for a person diagnosed by a physician with a life-threatening disease to participate in a clinical trial or receive a drug, biologic, or device, by the patient or, if the patient is a minor or lacks the mental capacity to provide consent, by a parent or legal guardian on the patient's behalf.

VI. "Individualized investigational treatment" means drugs, biologics, or devices unique to and produced exclusively for use for an individual patient, based on their own genetic profile, including but not limited to individualized gene therapy antisense oligonucleotides (ASO), individualized neoantigen vaccines, and any other individualized treatment.

VII. "Eligible facility" means an institution that is operating under a Federalwide Assurance ("FWA") for the Protection of Human Subjects under 42 U.S.C. section 289(a) and 45 C.F.R. part 46. Any eligible facility is subject to the FWA laws, regulations, policies, and guidelines including renewals or updates.

2 Terminal Patients' Right to Try; Definition of Physician. Amend RSA 126-Z:1, III to read as follows:

III. "Physician" means the licensed ***allopathic or osteopathic*** physician who is providing medical care or treatment to the eligible patient for the terminal illness.

3 New Paragraph; Terminal Patients' Right to Try Act; Liability of Physician. Amend RSA 126-Z:3 by inserting after paragraph II the following new paragraph:

III. Notwithstanding any provision of law to the contrary, a manufacturer of a drug, biologic, or device, a pharmacist, a health care facility, a health care provider, or a person or entity involved in the care of a patient using a drug, biologic, or device is immune from suit for any harm done to a patient resulting from the drug, biologic, or device if:

(a) The person has a life-threatening disease as determined by the person's physician and a consulting physician;

(b) The person's physician has determined that the person has no comparable or satisfactory United States Food and Drug Administration (FDA) approved treatment options available to treat the disease or condition involved;

(c) The patient has given written informed consent for the use of the drug, biologic, or device or, if the patient is a minor or lacks the mental capacity to provide informed consent, a parent or legal guardian has given written informed consent on the patient's behalf and, if the patient is a legal adult, the consent is not contrary to the prior documented wishes of the patient; and:

(d) The manufacturer, pharmacist, facility, provider, or other person or entity has not engaged in willful misconduct. "Willful misconduct" shall include any conduct intended to hasten the death of the patient.

(e) The drug, biologic, or device is an individualized investigational treatment, administered by a health care provider in cooperation with an eligible facility.

4 Private Cause of Action. Amend RSA 126-Z:4 to read as follows:

126-Z:4 Private Cause of Action.

I. Nothing in this chapter shall be construed to create a private cause of action against [a manufacturer of an investigational drug, biologic, or device or against any other person or entity involved in the care of an eligible patient using the investigational drug, biologic, or device for any harm done to the eligible patient resulting from the investigational drug, biologic, or device, if the manufacturer or other person or entity is complying in good faith with the terms of this chapter and has exercised reasonable care] any person or entity except as specified in paragraph II.

II. Notwithstanding any provision of law to the contrary, any patient diagnosed by a physician with a life-threatening disease, and who has been treated, is being treated, or otherwise could be treated in New Hampshire with a drug, biologic, or device, and is affected by a violation of this chapter, or a health care facility or a health care provider involved in the treatment of the patient, shall be entitled to petition the superior court for injunctive relief and reasonable attorney's fees against any regulatory or law enforcement authority that violates this chapter.

5 New Sections; Telehealth Prescreening and Remote Signing. Amend RSA 126-Z by inserting after section 5 the following new sections:

126-Z:6 Telehealth Prescreening.

I. Notwithstanding any regulation or provision of law to the contrary, any health care provider, while physically located in New Hampshire, may conduct a telehealth prescreening with any patient, in any state or jurisdiction, who has been diagnosed by a physician with a life-threatening disease.

II. No regulatory or law enforcement agency or subdivision shall take action against a health care facility, a health care provider, or a person or entity involved in the care of a patient for conducting a telehealth prescreening as defined in this chapter and pursuant to paragraph I.

III. A health care facility, a health care provider, or a person or entity involved in the care of a patient shall be immune from suit to the extent that the suit is based upon a telehealth prescreening.

126-Z:7 Remote Signing.

I. Notwithstanding any regulation or provision of law to the contrary, a manufacturer of a drug, biologic, or device, a pharmacist, a health care facility, a health care provider, or a person or entity involved in the care of a patient using a drug, biologic, or device may obtain consent to treat a patient using remote signing as defined in this chapter, provided that the manufacturer, pharmacist, facility, provider, or other person or entity has an office in the state of New Hampshire and has conducted a telehealth prescreening pursuant to RSA 126-Z:1, IV. The remote signing shall amount to full and effective consent for treatment under all applicable laws and regulations.

II. No regulatory or law enforcement agency or subdivision shall take action against a health care facility, a health care provider, or a person or entity involved in the care of a patient for obtaining patient consent through remote signing, as defined in this chapter, if the provider or facility has complied with paragraph I.

III. A health care facility, a health care provider, or a person or entity involved in the care of a patient shall be immune from suit to the extent that the suit challenges the validity of a remote signing to effect lawful consent, provided that the person or entity is complying in good faith with the terms of this chapter and has not engaged in willful misconduct.

126-Z:8 Statutory Construction. The general court enacts this chapter to promote maximum access by removing barriers in state law and indemnifying those involved in providing potentially life-saving treatments and treatments to improve the quality of patients' remaining life, to incentivize health care facilities, health care providers, manufacturers of drugs, biologics and/or devices, and other persons and entities involved in the care of patients, to treat life-threatening conditions, whether through company-sponsored clinical trial, single-patient protocol, compassionate use protocol, or any other means of access to drugs, biologics, and/or devices which gathers information on patient outcomes, and to make New Hampshire a jurisdiction that attracts and fosters clinical trials and the development of drugs, biologics, and devices intended to treat life-threatening conditions. This chapter shall be construed consistently with the general court's stated purpose.

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

**Amendment to HB 705
(2025-1090h)**

Proposed by the Committee on Commerce and Consumer Affairs--c

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

1 New Subdivision; Managed Care Law; Transparency in Coverage. Amend RSA 420-J by inserting after section 19 the following new subdivision:

Transparency in Coverage

420-J:20 Definitions. In this subdivision:

I. "Billed charge" means the total charges for an item or service billed to a health carrier by a provider.

II. "Billing code" means the code used by a health carrier or provider to identify health care items or services for purposes of billing, adjudicating, and paying claims for a covered item or service, including the current procedural terminology (CPT) code, health care common procedure coding system (HCPCS) code, diagnosis-related group (DRG) code, national drug code (NDC), or other common payer identifier.

III. "Bundled payment arrangement" means a payment model under which a provider is paid a single payment for all covered items and services provided to a covered person for a specific treatment or procedure.

IV. "Derived amount" means the price that a health carrier assigns to an item or service for the purpose of internal accounting, reconciliation with providers or submitting data in accordance with state or federal regulations.

V. "Health plan" means health carriers, third party administrators, and any other entity that is subject to claims data submission requirements under RSA 420-G:11 IV.

VI. "Historical net price" means the retrospective average amount a health carrier paid for a prescription drug, inclusive of any reasonably allocated rebates, discounts, chargebacks, fees, and any additional price concessions received by the carrier with respect to the prescription drug. The allocation shall be determined by dollar value for nonproduct-specific and product-specific rebates, discounts, chargebacks, fees, and other price concessions to the extent that the total amount of any such price concession is known to the health carrier at the time of publication of the historical net price in a machine-readable file in accordance with this subdivision. However, to the extent that the total amount of any nonproduct-specific and product-specific rebates, discounts, chargebacks, fees, or other price concessions is not known to the health carrier at the time of file publication, then the carrier shall allocate such rebates, discounts, chargebacks, fees, and other price concessions by using a good faith, reasonable estimate of the average price concessions based on the rebates, discounts, chargebacks, fees, and other price concessions received over a time period prior to the current reporting period and of equal duration to the current reporting period.

VII. "Items or services" means all encounters, procedures, medical tests, supplies, prescription drugs, durable medical equipment, and fees, including facility fees, provided or assessed in connection with the provision of health care.

VIII. "Machine-readable file" means a digital representation of data or information in a file that can be imported or read by a computer system for further processing without human intervention, while ensuring no semantic meaning is lost.

IX. "National drug code" means the unique 10- or 11-digit 3-segment number assigned by the United States Food and Drug Administration (FDA), which provides a universal product identifier for drugs in the United States.

X. "Negotiated rate" means the amount a health carrier has contractually agreed to pay an in-network provider, including an in-network pharmacy or other prescription drug dispenser, for covered items and services, whether directly or indirectly, including through a third-party administrator or pharmacy benefit manager.

XI. "Out-of-network allowed amount" means the maximum amount a health carrier will pay for a covered item or service furnished by an out-of-network provider.

XII. "Underlying fee schedule rate" means the rate for a covered item or service from a particular in-network provider, or providers that a health carrier uses to determine a participant's, beneficiary's, or enrollee's cost-sharing liability for the item or service, when that rate is different from the negotiated rate or derived amount.

420-J:21 Scope.

I. This subdivision establishes price transparency requirements for the timely disclosure of information about costs related to covered items and services under a health benefit plan. These disclosure requirements shall apply to all health plans.

II. Requirements for public disclosure in this subdivision apply to in-network provider rates for covered items and services, out-of-network allowed amounts and billed charges for covered items and services, and negotiated rates and historical net prices for covered prescription drugs.

III. A health plan shall make available on an Internet website the information required under RSA 420-J:22 in 3 machine-readable files, in accordance with the method and format requirements described in RSA 420-J:23, and updated as required under RSA 420-J:23, III.

420-J:22 Required Information. The machine-readable files made available to the public by a health plan shall include:

I. An in-network rate machine-readable file that includes the required information under this paragraph for all covered items and services, except for prescription drugs that are subject to a fee-for-service reimbursement arrangement, which shall be reported in the prescription drug machine-readable file pursuant to paragraph III. The in-network rate machine-readable file shall include:

(a) For each coverage option offered by a health plan, the name and the 14-digit health insurance oversight system (HIOS) identifier, or, if the 14-digit HIOS identifier is not available, the 5-digit HIOS identifier, or if no HIOS identifier is available, the employer identification number (EIN).

(b) A billing code, which in the case of prescription drugs must be an NDC, and a plain language description for each billing code for each covered item or service under each coverage option offered by a carrier.

(c) All applicable rates, which may include one or more of the following: negotiated rates, underlying fee schedule rates, or derived amounts. If a health plan does not use negotiated rates for provider reimbursement, then the carrier shall disclose derived amounts to the extent these amounts are already calculated in the normal course of business. If the health plan uses underlying fee schedule rates for calculating cost sharing, then the carrier shall include the underlying fee schedule rates in addition to the negotiated rate or derived amount. Applicable rates, including for both individual items and services and items and services in a bundled payment arrangement, shall be:

(1) Reflected as dollar amounts, with respect to each covered item or service that is furnished by an in-network provider. If the negotiated rate is subject to change based upon participant, beneficiary, or enrollee-specific characteristics, these dollar amounts shall be reflected as the base negotiated rate applicable to the item or service prior to adjustments for participant, beneficiary, or enrollee-specific characteristics.

(2) Associated with the national provider identifier (NPI), tax identification number (TIN), and place of service code for each in-network provider.

(3) Associated with the last date of the contract term or expiration date for each provider-specific applicable rate that applies to each covered item or service.

(4) Indicated with a notation where a reimbursement arrangement other than a standard fee-for-service model, such as capitation or a bundled payment arrangement, applies.

II. An out-of-network allowed amount machine-readable file, including:

(a) For each coverage option offered by a health plan, the name and the 14-digit HIOS identifier, or, if the 14-digit HIOS identifier is not available, the 5-digit HIOS identifier, or, if no HIOS identifier is available, the EIN.

(b) A billing code, which in the case of prescription drugs shall be an NDC, and a plain language description for each billing code for each covered item or service under each coverage option offered by a carrier.

(c) Unique out-of-network allowed amounts and billed charges with respect to covered items or services furnished by out-of-network providers during the 90-day time period that begins 180 days prior to the publication date of the machine-readable file, except that a health plan shall omit such data in relation to a particular item or service and provider when compliance with this paragraph would require the carrier to report payment of out-of-network allowed amounts in connection with fewer than 20 different claims for payments under a single plan or coverage. Consistent with RSA 420-J:25 II, nothing in this paragraph requires the disclosure of information that would violate any applicable health information privacy law. Each unique out-of-network allowed amount shall be:

(1) Reflected as a dollar amount, with respect to each covered item or service that is furnished by an out-of-network provider.

(2) Associated with the NPI, TIN, and Place of Service Code for each out-of-network provider.

III. A prescription drug machine-readable file, including:

(a) For each coverage option offered by a health plan, the name and the 14-digit HIOS identifier, or, if the 14-digit HIOS identifier is not available, the 5-digit HIOS identifier, or, if no HIOS identifier is available, the EIN.

(b) The NDC, and the proprietary and nonproprietary name assigned to the NDC by the FDA, for each covered item or service that is a prescription drug under each coverage option offered by a carrier.

(c) The negotiated rates, which shall be:

(1) Reflected as a dollar amount, with respect to each NDC that is furnished by an in-network provider, including an in-network pharmacy or other prescription drug dispenser.

(2) Associated with the NPI, TIN, and place of service code for each in-network provider, including each in-network pharmacy or other prescription drug dispenser.

(3) Associated with the last date of the contract term for each provider-specific negotiated rate that applies to each NDC.

(d) Historical net prices that are:

(1) Reflected as a dollar amount, with respect to each NDC that is furnished by an in-network provider, including an in-network pharmacy or other prescription drug dispenser.

(2) Associated with the NPI, TIN, and place of service code for each in-network provider, including each in-network pharmacy or other prescription drug dispenser.

(3) Associated with the 90-day time period that begins 180 days prior to the publication date of the machine-readable file for each provider-specific historical net price that applies to each NDC, except that a health plan shall omit such data in relation to a particular NDC and provider when compliance with this paragraph would require the carrier to report payment of historical net prices calculated using fewer than 20 different claims for payment. Consistent with RSA 420-J:25, II, nothing in this paragraph requires the disclosure of information that would violate any applicable health information privacy law.

420-J:23 Required Reporting of Information to the Commissioner in a Standardized Format; Rulemaking; Commissioner's Responsibility to Make Comparative Price Information Publicly Available.

I. Pricing information from the machine-readable files described in RSA 420-J:22 shall be electronically provided to the commissioner in a form and manner as specified in rule adopted by the commissioner under RSA 541-A. The commissioner shall ensure that the required form and manner for providing pricing information from the machine-readable files:

(a) Is consistent with the updated federal guidance or rulemaking ensuring that pricing information is standardized and easily comparable across health plans and hospitals required under United States Presidential Executive Order 14221 of February 25, 2025, "Making America Healthy Again by Empowering Patients with Clear, Accurate, and Actionable Healthcare Pricing Information"; and

(b) Results in standardization of format and terminology from one health plan to another sufficient to facilitate the compilation by the commissioner of market wide data and market wide cost comparisons between health plans and health care providers.

II. The machine-readable files shall be publicly available and accessible to any person free of charge and without conditions, such as establishment of a user account, password, or other credentials, or submission of personally identifiable information to access the file.

III. A health plan shall update the machine-readable files and information required in RSA 420-J:22 and the information submitted to the commissioner described in this subdivision on a monthly basis. The health plan shall clearly indicate in the files the date that the files were most recently updated.

IV. The commissioner shall compile the pricing information submitted by health plans under this subsection and make it available to the public through an online tool that facilitates market wide price comparison for health care items or services between health plans and health care providers and empowers patients, researchers, policy makers, and other stakeholders with clear, accurate, and actionable health care pricing information.

420-J:24 Contractual Delegation Agreements.

I. A health plan may satisfy the requirements of this subdivision by entering into a written agreement under which another person, including a third-party administrator or health care claims clearinghouse, provides the disclosures required under this subdivision.

II. If a health plan and another person enter into an agreement under paragraph I, the health plan shall be subject to any enforcement action for failure to provide a required disclosures in accordance with this subdivision.

420-J:25 Applicability.

I. The provisions of this subdivision apply for plan years beginning on or after January 1, 2026.

II. Nothing in this subdivision alters or otherwise affects a health plan's duty to comply with requirements under other applicable state or federal laws, including those governing the accessibility, privacy, or security of information required to be disclosed under this section, or those governing the ability of properly authorized representatives to access participant, or beneficiary information held by health plans.

420-J:26 Compliance With Subdivision.

I. A health plan that, acting in good faith and with reasonable diligence, makes an error or omission in a disclosure required under this subdivision does not fail to comply with this subdivision solely because of the error or omission if the issuer or administrator corrects the error or omission as soon as practicable.

II. A health plan, acting in good faith and with reasonable diligence, does not fail to comply with this subdivision solely because the carrier's Internet website is temporarily inaccessible if the carrier makes the information available as soon as practicable.

III. To the extent compliance with this subdivision requires a health plan to obtain information from another person, the carrier does not fail to comply with the subdivision because the carrier relies in good faith on information from the other person unless the carrier knows or reasonably should have known that the information is incomplete or inaccurate.

2 Contingency. Section 1 of this act shall take effect 6 months after finalization of federal guidance under United States Presidential Executive Order 14221. The commissioner of the insurance department shall notify the secretary of state and director of the office of legislative services of the date on which federal guidance under Executive Order 14221 has been finalized.

3 Effective Date.

I. Section 1 of this act shall take effect as provided in section 2 of this act.

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

2025-1090h

AMENDED ANALYSIS

This bill requires health plans to disclose specific pricing information regarding covered items and services. The bill is contingent upon finalization of federal guidance under Presidential Executive Order 14221.

Amendment to HB 707

(2025-1041h)

Proposed by the Committee on Environment and Agriculture—c

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

AN ACT requiring the department of environmental services to revise the rules for proposed new landfills.

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

1 Statement of Purpose. The general court finds that protecting the health and safety of New Hampshire citizens, drinking water sources, and our environment, including drinking water wells, perennial rivers, lakes, and coastal waters, from contamination is of utmost public interest. Therefore, based on legislative intent informed by public and expert testimony from New Hampshire citizens and key stakeholders, the department of environmental services' 800 rules for proposed new landfills are found to be insufficiently protective in certain sections. The following provisions provide the department with direction, policy changes, and purpose in rulemaking.

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

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

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

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

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

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

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

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

(b) No permit shall be issued by any division of the department for the siting of a new landfill that fails to conform to the setback distance as calculated using the method set forth in subparagraph (a).

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

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

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

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

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

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

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

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

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

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

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

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

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

2025-1041h

AMENDED ANALYSIS

The bill requires the department to modify rules to avoid significant harms to human health and the environment, and changes the enabling statute of the department of environmental services solid waste division to require the department to consider health and the environment when making future rules.

**Amendment to HB 712-FN
(2025-1138h)**

Proposed by the Majority of the Committee on Health, Human Service and Elderly Affairs–r

Amend RSA 329:53, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The procedure is needed to remove malignant tissue and an appropriate margin, and lymph nodes as indicated;

Amend RSA 329:53, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Any person who negligently or willfully violates, or assists in the violation of the provisions of this section, may be subject to liability for damages as provided by law.

Amend RSA 332-M:2, III-a as inserted by section 3 of the bill by replacing it with the following:

III-a. “Gender surgery” includes genital gender reassignment surgery, transgender chest surgery as defined in RSA 329:52, VI, facial feminization or masculinization surgery, and/or removal of the reproductive organs for the purposes of gender identity including hysterectomy, oophorectomy, salpingo-oophorectomy, and/or orchiectomy.

Amend RSA 332-M:3, II(e) as inserted by section 4 of the bill by replacing it with the following:

(e) Breast surgery subject to the conditions of RSA 329:53, II.

**Amendment to HB 731-FN
(2025-0924h)**

Proposed by the Committee on Health, Human Services and Elderly Affairs–c

Amend the bill by replacing section 1 with the following:

1 Residential Care and Health Facility Licensing; License Exemption for Supportive Housing Options for Individuals with Developmental Disabilities. Amend RSA 151:2, II(a) to read as follows:

(a) Facilities which are operated for the continuing care of one person or 3 or fewer persons in a facility certified by the commissioner of health and human services under RSA 126-A:19 and RSA 126-A:20. ***This exemption also applies to buildings that provide residences to both independent individuals and individuals receiving services pursuant to RSA 126-A:19 and RSA 126-A:20. This exemption also applies to any entity that provides housing to 3 or more individuals receiving services pursuant to RSA 126-A:19 and RSA 126-A:20, provided that individuals are not required to use the entity to obtain personal assistance or any health-related or supportive services beyond room and board.***

2025-0924h

AMENDED ANALYSIS

This bill provides a limited license exemption for certain supportive housing options for individuals with disabilities located within a larger facility or apartment building.

**Amendment to HB 741-FN
(2025-0336h)**

Proposed by the Majority of the Committee on Education Policy and Administration–r

Amend RSA 194-D:2, VII-X as inserted by section 6 of the bill by replacing it with the following:

VII. A pupil who is a dependent child of active duty military personnel whose move resulted from military orders, shall be given admission preference over a nonresident pupil. Once admitted and unless expelled, military connected students as defined in RSA 110-E:1 need not reapply for admission for subsequent years.

VIII. A school district may deny a transfer application only for the following reasons:

(a) The student was expelled by the student’s previous district;

(b) The student has a documented history of significant disciplinary issues;

(c) The student has a documented history of chronic absenteeism; or

(d) The receiving district does not have available capacity pursuant to this section, provided that military connected students as defined in RSA 110-E:1 shall be exempt from capacity limits.

IX. No receiving school or district shall accept or reject an applicant based upon grade or age levels, pupil needs, areas of academic focus, aptitude, academic or athletic achievement.

X. Attendance at [an open enrollment] a public school for the purposes of transportation shall not constitute assignment under the provisions of RSA 189:6 and RSA 189:8. Pupils who reside in the school district in which the [open enrollment] school is located shall be provided transportation to that school by the district on the same terms and conditions as provided for in RSA 189:6 and RSA 189:8 and that transportation is provided to pupils attending other public schools within that district. However, any added costs for such transportation services shall be borne by the [open enrollment] school. For the purposes of open enrollment, neither the sending nor the receiving school district shall be obligated to provide transportation services for pupils attending [an open enrollment] a school outside the pupil’s resident district. The parent may provide transportation to a specific bus stop on an existing route of the receiving school or district. The district shall provide the parents with information regarding transportation options.

[X-] **XI.** Upon approval by each of the district's legislative bodies and after a public hearing, 2 or more school districts may consolidate otherwise eligible resident pupils into one applicant pool for the purposes of an admissions lottery for designated open enrollment schools

**Amendment to HB 749
(2025-1028h)**

Proposed by the Majority of the Committee on Education Policy and Administration-r

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

AN ACT requiring instruction on communism in public high schools.

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

1 New Subparagraph; Education; School Boards, Transportation and Instruction of Pupils; Instruction in National and State History and Government and Civics. Amend RSA 189:11, I-c by inserting after subparagraph (j) the following new subparagraph:

(k) A minimum of one hour of instruction in high school on the nature and history of communism. Such instruction may be provided as a stand alone activity or embedded in an existing course.

2 Effective Date. This act shall take effect September 1, 2025.

2025-1028h
AMENDED ANALYSIS

This bill requires high school students to receive instruction on communism.

**Amendment to HB 754-FN
(2025-0608h)**

Proposed by the Committee on Education Policy and Administration-c

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

1 New Paragraph; Special Education; Due Process Hearing; Automatic Discovery. Amend RSA 186-C:16-b by inserting after paragraph III-a the following new paragraph:

III-b.(a) The school district shall provide to the hearing officer assigned, with a copy to the parents, not less than 5 business days prior to any prehearing conference described in 20 U.S.C. section 1415(f)(2)(a) and RSA 541-A:31, V(c), items and information in the possession, custody or control of the school district, which shall form a set of core documents in every due process case.

(b) The specific core documents shall be limited to:

(1) Documentation of the IEP team's deliberation and conclusions for the federal eligibility determination if eligibility is at issue in the due process complaint, pursuant to 20 U.S.C section 1414(b)(4) and 34 C.F.R. section 300.306;

(2) Current and/or partially accepted IEPs in place within the last 3 years;

(3) Complete and/or partial IEPs currently being proposed by the school district;

(4) Copies of all written prior notices within the last 3 years;

(5) Copies of any evaluations by school district staff or independent contractors of the school district at the school district's request, pursuant to 20 U.S.C. section 1414(a) and 34 C.F.R. sections 300.301 and 305, within the last 3 years;

(6) Copies of any independent educational evaluations, and written recommendations from outside providers, pursuant to 20 U.S.C. section 1415(d)(2)(b) and 34 C.F.R. section 300.502 regarding eligibility, placement or the IEP program or services that were presented to the IEP team within the last 3 years; and

(7) All progress reports, pursuant to 20 U.S.C. section 1412(a)(15) and 34 C.F.R. section 300.157, related to IEP goals, benchmarks, short-term objectives, or progress toward meeting the annual IEP goals, within the last 3 years.

(c) This paragraph's provision for requiring the presentation of core documents listed above shall not interfere with and does not negate any right or obligation of either party to comply with voluntary discovery requests and the presentation of supplementary information. This supplemental provision and disclosure of documents shall occur pursuant to the timelines described in 20 U.S.C sections 1415(f)(2) and 1415(h) and 34 C.F.R. section 300.512(b).

(d) An updated copy of the procedural safeguards pursuant to 20 U.S.C. section 1415(d) and 34 CFR section 300.504, including this section, shall be given to the parents of a child with a disability before the child's next IEP meeting.

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

**Amendment to HCR 10
(2025-0318h)**

Proposed by the Majority of the Committee on State-Federal Relations and Veterans Affairs-r

Amend the resolution by replacing all after the resolving clause with the following:

That the New Hampshire House of Representatives supports the reformation of the Jones Act, and that copies of this resolution be delivered to the president of the United States, the majority and minority leaders in both houses of Congress, the New Hampshire congressional delegation, and the governor of the state of New Hampshire.

**Amendment to HR 18
(2025-1073h)**

Proposed by the Committee on Environment and Agriculture—c

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

A RESOLUTION urging the New Hampshire congressional delegation to sponsor legislation relative to, and urging the United States Department of Agriculture (USDA) to adopt regulations, allowing for small scale and very small slaughter plants to use the Federal Meat Inspection Act's Custom Exempt meat processing inspection criteria with a third-party inspector present at slaughter, so that processed beef, pork, lamb, and chevron (goat meat) can be sold as individual cuts directly from the farm producer to the end consumer.

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

Whereas, New Hampshire has only 4 United States Department of Agriculture (USDA) approved slaughter plants; and

Whereas, to ensure processing availability, farmers in the region must schedule a slaughter date at a USDA approved slaughter facility before their livestock are born; and

Whereas, supply chain issues we experienced as a nation during the COVID-19 pandemic highlighted the vulnerability of the existing concentration in the nation's meat processing industry when consumers found limited availability and even empty meat cases in stores; and

Whereas, a strong local food economy is vital to the nutritional needs and public health of the state's citizenry; and

Whereas, there is a desire for consumers to know where and how their food is grown and raised and to have the ability to speak with the farmer producing their food; and

Whereas, exemptions and flexibility are already provided for poultry in the Poultry Products Inspection Act and for non-amenable species (i.e., species not covered under the Federal Meat Inspection Act) such as bison, deer, elk, and rabbits; and

Whereas, the USDA's existing regulations enable the processing of the meat from amenable species in a state licensed facility where the animal has been slaughtered under USDA inspection; now, therefore, be it

Resolved by the House of Representatives:

That the New Hampshire house of representatives urges our congressional delegation to sponsor legislation, and also urges the USDA to adopt regulations, allowing for small scale and very small slaughter plants to use the Federal Meat Inspection Act's Custom Exempt meat processing inspection criteria with a third-party inspector present at slaughter, so that processed beef, pork, lamb, and chevron (goat meat) can be sold as individual cuts directly from the farm producer to the end consumer.

Let it further be resolved that copies of this resolution, signed by the speaker of the house, be forwarded by the house clerk to each member of the New Hampshire congressional delegation, the secretary of the United States Department of Agriculture, and the administrator of the United States Department of Agriculture Food Safety and Inspection Service.

2025-1073h
AMENDED ANALYSIS

This resolution urges the New Hampshire congressional delegation to sponsor legislation about and urges the United States Department of Agriculture to adopt regulations allowing small-scale and very small slaughter plants to allow certain inspection criteria to be used to enable the sale of processed beef, pork, lamb, and goat meat from farm to the end consumer.