



State of
New Hampshire

HOUSE RECORD

Second Year of the 166th General Court

Calendar and Journal of the 2020 Session

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

Vol. 42

Concord, N.H.

Friday, March 6, 2020

No. 10

Contains: House Deadlines; House Bills Amended by the Senate; Revised Fiscal Notes;
Reports; Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will be meet on **Wednesday, March 11th and Thursday, March 12th at 9:00 a.m. both days.** Please be prepared for long session days.

I know that all of you are concerned about ways to keep yourselves, your colleagues and your constituents healthy in light not only of the COVID-19 virus, but also of influenza, rhinovirus and other ongoing health threats. A bipartisan group of House leadership met with personnel from NH DHHS for an update. We are passing along this information for your consideration.

Here is a list of steps you can take to reduce the risk of spreading diseases, whether influenza, rhinovirus or COVID-19:

- Stay home if you are sick.
- Wash your hands frequently.
- Refrain from touching your face, eyes, nose or mouth.
- Consider not shaking hands, especially in multiple serial handshaking environments. For most of us, this takes real effort.

Please start taking these steps now, before the disease has a chance to spread. In particular, I ask House members to be considerate of their colleagues, and to stay home if they are ill.

For more information, NH DHHS has a Novel Coronavirus COVID-19 web page, updated daily, with information which may be helpful to you or your constituents. Included is information on the status of COVID-19 in NH, travel warnings, frequently asked questions, links for health care providers and patients, advice for schools and businesses, and links to various CDC information pages. The web page is here: <https://www.dhhs.nh.gov/dphs/cdcs/2019-ncov.htm>

A more complete set of Frequently Asked Questions is here: <https://www.dhhs.nh.gov/dphs/cdcs/documents/covid-19-faq.pdf>

We hope this information will be of help to you and your constituents.

Stephen J. Shurtleff, Speaker of the House

NOTICE

There will be a meeting of the chairs and vice chairs on **Tuesday, March 10th at 9:30 a.m.** in Rooms 210-211.

Stephen J. Shurtleff, Speaker of the House

NOTICE

There will be a Democratic caucus on **Tuesday, March 10th at 2:00 p.m.** in Representatives Hall.

Rep. Doug Ley

HOUSE CONTINUING EDUCATION

Everything You Always Wanted To Know About The Ten-Year Transportation Plan But Were Afraid To Ask

Tuesday, March 24th at 10:00 A.M.

Rooms 201-203, Legislative Office Building

NOTICE

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

CLOSES AT 3:00 p.m. ON:

Wednesday, March 11, 2020
Wednesday, March 18, 2020
Wednesday, March 25, 2020

AVAILABLE ON:

Friday, March 13, 2020
Friday, March 20, 2020
Friday, March 27, 2020

Paul C. Smith, Clerk of the House

2020 HOUSE DEADLINES

Thursday, March 12, 2020
Thursday, March 19, 2020
Thursday, March 26, 2020
Thursday, April 16, 2020
Thursday, April 23, 2020
Thursday, May 7, 2020
Thursday, May 14, 2020
Thursday, May 21, 2020
Thursday, May 28, 2020
Thursday, June 4, 2020

Last day to act on House Bills not in a second committee
Last day to report all House Bills
CROSSOVER – Last day to act on all House Bills
Last day to report Senate Bills going to a second committee
Last day to act on Senate Bills going to a second committee
Last day to report all Senate Bills
Last day to act on all Senate Bills
Last day to form committee of conference
Last day to sign committee of conference reports (4:00 p.m.)
Last day to act on committee of conference reports

NOTICE

The **2016 House Permanent Journals** have arrived. **2016 House Members who ordered a Journal** may pick it up in the Clerk's office. Thank you.

Paul C. Smith, Clerk of the House

2020 HOUSE BILLS AMENDED BY THE SENATE

HB 253, relative to criminal records checks in the employee application process. (SJ 1/30/2020)

HB 466, relative to the capacity of electricity customer generators for eligibility for net energy metering. (SJ 1/8/2020)

HB 490, (New Title) establishing a commission to study the role of clinical diagnosis and the limitations of serological diagnostic tests in determining the presence or absence of Lyme and other tick-borne diseases and available treatment protocols, and appropriate methods for educating physicians and the public about the inconclusive nature of prevailing test methods and available treatment alternatives. (SJ 2/13/2020)

HB 496, (Second New Title) relative to the definition of antique snowmobiles, relative to water quality rules, and relative to the disposition of administrative fines for asbestos management violations. (SJ 1/8/2020)

HB 715, relative to electrical energy storage. (SJ 1/8/2020)

BILLS LAID ON TABLE

CACR 14, relating to reproductive medical decisions. Providing that the state shall not infringe or unduly inconvenience the right of reproductive medical decisions. (Pending Question: Inexpedient to Legislate)

HB 221, renaming Columbus Day as Indigenous People's Day. (Pending Question: Ought to Pass)

HB 478-FN-A, establishing a road usage fee and making an appropriation therefor. (Pending Question: Ought to Pass with Amendment)

HB 655, regulating disorderly houses. (Pending Question: Inexpedient to Legislate)

HB 683-FN, relative to the rights of property owners abutting certain highways and railtrails. (Pending Question: Ought to Pass with Amendment)

HB 735-FN-A, relative to carbon pricing. (Pending Question: Ought to Pass with Amendment)

HB 1149-FN, relative to child obscenity. (Pending Question: Inexpedient to Legislate)

HB 1341-FN-A, relative to vested status of group II members in the state retirement system. (Pending Question: Ought to Pass with Amendment)

HB 1434-FN, repealing premium contribution requirements for certain state and judicial retirees. (Pending Question: Ought to Pass)

HB 1621-FN, relative to the use of protective head gear while operating motorcycles and motorized bicycles. (Pending Question: Inexpedient to Legislate)

HB 1650-FN-A-LOCAL, establishing a road usage registration fee and making an appropriation therefor. (Pending Question: Inexpedient to Legislate)

HB 1654-FN, relative to previous convictions for driving while intoxicated. (Pending Question: Ought to Pass)

HB 1684-FN-A-LOCAL, establishing an energy conservation program and an energy conservation project fund and establishing the state PACE reserve fund. (Pending Question: Ought to Pass with Amendment)

SB 138, relative to the degree granting authority of Signum University. (Pending Question: Inexpedient to Legislate)

WEDNESDAY, MARCH 11

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB 1138, establishing a commission to expand the rights of minors to legal representation. **OUGHT TO PASS.** Rep. Elaine French for Children and Family Law. This bill establishes a commission to expand the rights of all minors to legal representation in various situations such as within the Division of Child, Youth and Families and school hearings. The commission will identify avenues to improve access for all minors. **Vote 19-0.**

HB 1203, expanding the definition of a neglected child to include cases involving sibling violence. **INEXPEDIENT TO LEGISLATE.**

Rep. Gaby Grossman for Children and Family Law. The committee voted unanimously for Inexpedient to Legislate because the Division of Children, Youth and Families already has protocol for assessment of abuse and neglect under RSA 169-C "Child Protection Act." This addresses the family as a whole, which includes the sibling. **Vote 19-0.**

HB 1249, relative to the legal representation of children in the juvenile justice system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Skip Berrien for Children and Family Law. Children in the juvenile justice system currently have incomplete legal representation while in care of the state. The amended bill provides continuous legal representation for children with risk factors and who are placed out of home as of July 1, 2020. As of July 1, 2021, all juveniles placed outside the home will have continuous legal representation until they exit the juvenile justice system. **Vote 19-0.**

HB 1250, prohibiting corporal punishment of children in state agency programs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Skip Berrien for Children and Family Law. This bill requires all state agencies which provide services to children to have policies prohibiting corporal punishment. **Vote 19-0.**

HB 1270, relative to the determination of parental rights and responsibilities. **INEXPEDIENT TO LEGISLATE.**

Rep. David Coursin for Children and Family Law. This bill would leave the court vulnerable to an unlimited number of hearings at the request of litigants who dispute court findings regarding the determination of parental rights and responsibilities. It would have limited the discretion of the court and it would have reduced the motivation of parties to resolve their disputes by using other resources offered by the courts. **Vote 19-0.**

HB 1540, extending the foster care children's bill of rights. **INEXPEDIENT TO LEGISLATE.**

Rep. Michelle St. John for Children and Family Law. This bill, though well-intended, is a band-aid solution. The Office of the Child Advocate is currently reviewing all statutes to identify areas where clarification is needed and where language could be refined to be more effective. Therefore, it is the majority's opinion to recommend Inexpedient To Legislate. **Vote 15-4.**

HB 1595-FN, relative to the referral of minors convicted of alcohol and drug related offenses to the department of health and human services. **REFER FOR INTERIM STUDY.**

Rep. Erika Connors for Children and Family Law. The committee recommends Interim Study at the request of the bill's sponsor. **Vote 19-0.**

HB 1626, relative to the role of the guardian ad litem in parenting cases in which domestic violence is suspected or alleged. **INEXPEDIENT TO LEGISLATE.**

Rep. David Coursin for Children and Family Law. This bill would set a dangerous precedent creating the potential for the guardian ad litem to take on the role of recommending interventions in other situations. It would usurp the discretion of the court and go against the established role of the guardian ad litem to gather observations and present findings to the court so it can make its decisions. **Vote 19-0.**

HB 1637-FN, establishing a kinship navigator program in the department of health and human services. **OUGHT TO PASS.**

Rep. Elaine French for Children and Family Law. This bill establishes a kinship navigator program that offers information to grandparents and other relatives who are raising children to find available services and benefits. This program will bring New Hampshire into the Family First Act compliance. **Vote 18-0.**

HB 1674-FN, establishing the office of foster care oversight in the department of health and human services. **INEXPEDIENT TO LEGISLATE.**

Rep. Josh Yokela for Children and Family Law. The majority of the committee believes that the Department of Health and Human Services is in the process of expanding the data collected and that a subcommittee of the Department of Health and Human Services Oversight Committee would be a better place for the sought-after data collection. A subcommittee would be able to have a wider scope of work possible. For those reasons, this bill is not needed. **Vote 19-0.**

COMMERCE AND CONSUMER AFFAIRS

HB 1109, requiring disclosure by motor vehicle manufacturers of proprietary repair information. **INEXPEDIENT TO LEGISLATE.**

Rep. Christopher Herbert for Commerce and Consumer Affairs. This bill would require auto manufacturers to disclose on the vehicle data sheet, or “window sticker,” that they maintain proprietary repair information. There is a court ordered national memorandum of Understanding requiring that this information be made available to dealers and furthermore the window sticker on a new car is defined by a federal mandate. Any attempt to change the sticker for New Hampshire would likely be federally preempted. Additionally, in this instance, having a patchwork of differing state laws is not advisable. **Vote 17-0.**

HB 1151, relative to the determination of homeowners insurance rates. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would require insurers to use the municipal assessor’s home replacement value as the basis for homeowners’ insurance rates. Those values are uneven across the state, and are often affected by equalization rates and other factors. While the committee might agree that it may be difficult to understand how the cost of homeowners’ insurance is set, this bill is not the solution. **Vote 18-0.**

HB 1179, relative to contract powers of condominium unit owners’ associations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Constance Van Houten for Commerce and Consumer Affairs. As amended, this bill requires a condominium unit owner, who is the owner or director of a business or who has a pecuniary interest in a business, and bids on or contracts with the unit owner’s association for property management, maintenance, or improvements, to recuse himself or herself from any participation or vote on the awarding of the contract. The unit owners’ association is required to disclose any such business relationship to its unit owners. **Vote 17-1.**

HB 1184, establishing a committee to study development of a small business start-up guide and flowchart. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill proposed creating a committee to study the creation of more tools for those wishing to start a small business. In testimony, we heard that the Department of Business and Economic Affairs, the Secretary of State’s Corporate Division, the Department of Environmental Services, as well as many other organizations inside and outside of state government provide business startup assistance. In light of this, it was unclear what this committee would work on, as well as where funding for the proposed guide would come from. **Vote 20-0**

HB 1194, establishing a surcharge for certain single use plastics. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Abel for Commerce and Consumer Affairs. This bill would amend RSA 149-M to insert a new voluntary surcharge for use of certain single use plastics. The committee found the bill’s intent to encourage recycling and move toward the use of reusable plastic containers to be laudable. However, we concluded that the bill, as written, is simply suggesting merchants do something they already can do now, if they so chose, and is not necessary to be enacted in statute. **Vote 18-0.**

HB 1215, relative to the installation of solar energy systems in condominiums and homeowner associations. **REFER FOR INTERIM STUDY.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill would require a simple majority vote of the unit owners of a condominium or homeowners association to consent to the installation and use of a solar photovoltaic energy system. Most condominium documents require 66.6% to even 75% majority votes from unit owners for changes to buildings. Though the committee agrees that the state should be encouraging renewable resources and alternative energy for heating/cooling sources, it is difficult to implement such a plan for individual condominium owners. Questions have arisen as to how an installation would be paid for, who would benefit, and if there were damage to a unit from a solar installation, perhaps, from a previous owner, who is responsible? If by-laws specifically prohibit changes to the outside of a building, how would this bill affect the by-laws? If the condominium association by-laws prohibit additions to common areas, where could solar panels be installed? If only portions of a multi-story condominium would be suitable for solar installation, would other units be affected? The committee found there are many questions and that the vote requirement agreed upon by a unit owner when purchasing a condo certainly applies to solar panels as with any other change. Further study and discussion with the Committee to Study the Laws Relating to Condominium and Homeowners Associations is suggested. **Vote 18-0.**

HB 1267, relative to the liability of directors and officers of New Hampshire nonprofit corporations. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. New Hampshire relies on its nonprofit corporations to perform many important functions for its citizens. This bill sought to better protect volunteers serving as directors and officers of nonprofits in two ways relating to the current liability under New Hampshire law. The bill would apply the limitation automatically, rather than require a specific provision to be inserted in a corporation's articles of agreement (a corporation wishing to opt out could still do so). The bill also would limit liability for these organizations to a greater degree, by providing the same limitation as is available to directors of 'for-profit' New Hampshire corporations. The Attorney General's Office expressed concern as to whether such changes would make it more difficult to win damages from directors for acts of gross negligence, including recoveries under directors and officers insurance policies. During hearings, the Attorney General's Office also suggested the need for a broader review of our long-standing nonprofit corporation law. Because of the concerns raised, the committee believes further work needs to be done. **Vote 18-0.**

HB 1302, relative to the authority of limited liability company members or managers to execute real property transactions. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Abel for Commerce and Consumer Affairs. The intent of this bill is to clarify the authority of members and managers of limited liability companies to execute real property transactions. Testimony during committee hearings indicated that this bill duplicates what already exists in state law. It was unclear how the bill further clarifies the status or powers of membership and managers. **Vote 19-0.**

HB 1308, relative to the life settlements act. **OUGHT TO PASS.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill is a request of the Insurance Department to amend the life settlements licensing statute to mirror producer licensing law by requiring that a producer that solicits a contract as well as one that negotiates a contract shall be appointed by the provider. This will also bring the licensing requirements in RSA 408-D:3, V(a) in line with the existing definition of a life settlement producer as set forth in RSA 408-D:2, VIII. **Vote 20-0.**

HB 1340, relative to rebates under the law governing unfair insurance practices. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill allows an insurance agency, as a benefit, to rebate all or a portion of the agency's commission to employees of that agency for insurance policies purchased by the employee of the agency. **Vote 19-0.**

HB 1346, requiring the insurance department to make a report regarding the impact of insurance coverage for pediatric autoimmune neuropsychiatric disorders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca McBeath for Commerce and Consumer Affairs. This bill was introduced as a follow up to last year's successful SB 224 that passed the General Court and was signed by Governor Sununu in July 2019. Last year's bill addressed insurance coverage for pediatric autoimmune neuropsychiatric disorders (PANDAS/PANS). This bill directs the NH Insurance Department to collect data on claims, denials and appeals regarding the diagnosis and treatment for PANDAS/PANS and report the findings of its multi-year analysis prior to the sunset date of the 2019 law in 2024..

HB 1397, relative to the referral of debts for collection. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. As the title suggests, this bill would require notice for the referral of a debt for collection. The notice would be required 2 weeks in advance by 'affirmative action' – a home visit, certified mail, direct phone communication, posting of a notice on the consumer's door. The committee believes that work needs to be done in order to understand how this notice requirement would make a positive impact on consumer protections already in place. **Vote 19-0.**

HB 1400, establishing a New Hampshire statutory trust law. **INEXPEDIENT TO LEGISLATE.**

Rep. Rebecca McBeath for Commerce and Consumer Affairs. A “statutory trust” is unincorporated business, trust, or association that would be formed by filing an initial certificate of trust in the Secretary of State’s Office. Statutory trusts are presently authorized in two states, Maryland and Delaware. Testimony indicated that statutory trusts would be used primarily as a tool in estate planning or investing in real estate and would circumvent the payment of real estate transfer tax and impede state asset recovery authority, thus causing inequity in the application of the transfer tax and loss of revenue to municipalities and the state. **Vote 18-2.**

HB 1419, relative to New Hampshire banks offering small dollar loans and credit building products. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. Access to loans for people with low or no credit has been an issue for a long time in New Hampshire. Those who are desperate to borrow but can’t get a loan from conventional sources often turn to title loans or internet-based online loans, both of which carry very high interest rates. The committee would support legislation that would relieve this problem. We did not believe this bill would do that. This bill would require every bank to offer a small dollar loan product, even if they did not otherwise offer consumer credit. Creating such programs would be expensive for the banks, and might not be utilized if those who needed loans were not bank customers. The law would only apply to state-chartered banks, while the largest banks with the most retail customers are all federally chartered. We also heard that some entities, especially credit unions, already offer small loans and credit-building products, so the problem is less about access and more about sharing the information so that loan seekers know the best places to go for their needs. **Vote 19-0.**

HB 1436-FN, relative to autism spectrum disorder insurance coverage. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill was brought forward to increase the limit for coverage for autism spectrum disorder from \$36,000 per year to \$40,000 per year. However, the Insurance Department informed the committee that these caps were recently reviewed and found that the federal government does not allow for caps and that mental health services must be paid in parity with other health services. Caps cannot be enforced. **Vote 20-0.**

HB 1437, relative to the qualifications of the banking department commissioner and deputy commissioner, relative to consumer complaints, and relative to applications for money transmitters. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill was drafted at the request of the New Hampshire Banking Department to accomplish three objectives - to permit the Banking Department to transmit consumer complaints to licensed and chartered entities via email, to modernize RSA 383:6 to enable the Bank Commissioner and Deputy Commissioner to have residential mortgages, car loans and other secured personal loans from NH licensed or chartered institutions provided such loans are on customary terms and conditions available to other consumers and to require that money transmitters be licensed through the Nationwide Multistate Licensing System. **Vote 18-0.**

HB 1440, relative to membership on the board of psychologists and the board of licensing for alcohol and other drug use professionals, and relative to insurance credentialing of out-of-state applicants for licensure as alcohol and drug counselors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joyce Weston for Commerce and Consumer Affairs. This bill was requested by mental health agencies who have experienced challenges filling positions in their agencies. The bill originally had two parts, the first of which added two members to the Board of Psychologists and the Board of Licensing for Alcohol and Other Drug Use Professionals. After extensive testimony and discussion, however, the committee was persuaded to remove the sections that dealt with the expansion of the boards, primarily because of the difficulty in finding volunteers who will serve on such boards and the issue of quorums. The remaining section of the bill addresses insurance credentialing for out-of-state alcohol and drug counselors. Once those providers are licensed to practice here, they need to be rapidly credentialed to be able to bill Medicaid or commercial insurers. This change should help relieve some of the workforce problems in the mental health agencies. **Vote 19-0.**

HB 1464-FN, relative to insurance coverage for yoga therapy as an alternative or substitute for opioids. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill would mandate insurance coverage for yoga therapy as an alternative to prescribing opioids. As one of the committee members noted, the beneficial therapeutic effects of yoga have been known for over 5000 years. However, there are various forms of yoga and, though there may be various credentialing processes, there is no clarity for licensing or credentialing that could currently be used for regulatory oversight. Further work needs to be done before the legislature can consider an insurance mandate. **Vote 18-1.**

HB 1471, prohibiting banks from re-ordering transactions to increase overdraft fees. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill prohibits any bank or credit union from sequencing debits to a member account in any way other than that which minimizes the amount of any overdraft fee that can be assessed to such debits.

While this issue has been raised over the years as a potential problem for banking customers, the committee heard that most banks have their own rules prohibiting this practice, and other regulators such as the Consumer Financial Protection Bureau have policies about overdraft fees as well. The legislation would only apply to state-chartered banks and credit unions; many of the largest institutions popular with consumers are federally-chartered, so would be exempt from this legislation. Most banks will refund an occasional overdraft fee if the customer requests it. **Vote 18-2.**

HB 1476-FN, prohibiting motor vehicle dealers from requiring the purchase of automobile insurance from the dealer as part of the sales contract. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill would have prevented finance companies at auto dealers from requiring insurance coverage as part of the sales contract. The result would have been the inability of consumers to buy a vehicle if their insurance coverage was not adequate or if they could not produce valid evidence of coverage at the time of sale. Indeed, there is a problem, most often on weekends when a buyer cannot prove their insurance coverage. A consumer may be required to buy insurance, that ultimately they don't need and which may conflict with a current policy, in order to drive their new car off the lot. Dealers, insurers and finance companies must work together to resolve this problem and educate all parties and consumers. This bill is not the answer. **Vote 19-0.**

HB 1482, relative to notification of security breaches. **OUGHT TO PASS.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill requires immediate disclosure of a security breach to anyone affected. Under current law, disclosure can be delayed while an investigation takes place. The committee felt time is of the essence for consumers and others to change or cancel credit cards, reset passwords, or take other action after their information has been compromised. After notice has been given, additional details can be withheld to protect an investigation. **Vote 19-1.**

HB 1508, relative to paper receipts. **REFER FOR INTERIM STUDY.**

Rep. Joyce Weston for Commerce and Consumer Affairs. This bill would prohibit businesses with more than 20 employees from issuing a paper receipt unless the customer asks for one. Concern was raised in the hearing about cash-based transactions, with which there would be no receipt to validate a return or exchange. There was also concern about the growth of "return fraud," which costs retailers billions annually and could be exacerbated by this bill. But the feeling of the committee was that the adoption of this change is just a matter of time, as more and more customers reject the use of receipts laced with the chemical bisphenol A and prefer electronic receipts. Since the bill needed more work, both in content and structure, we voted to refer the bill for Interim Study. **Vote 19-0.**

HB 1578-FN, requiring Internet service providers to reimburse customers for interruptions in service. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would require internet service providers (ISPs) to automatically provide refunds on any day where there are service interruptions not caused by the customer. We heard from ISPs that it is impossible for them to track all individual service outages, and those outages can be caused by a number of factors, including customer error, loss of electric power, and other issues beyond the control of the ISP. Under the bill, they would be required to identify the source of the outages and provide reimbursement for as little as a half day, which for most home service would be around a dollar. The ISPs told us that they would refund any customer who called with a verifiable complaint about service being out. **Vote 19-0.**

HB 1581-FN, relative to the labeling and sale of hemp products containing CBD. **REFER FOR INTERIM STUDY.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. Through testimony and anecdotal reports, the committee heard that cannabidiol(CBD) products, generally labeled as dietary supplements, are found in many places. Some businesses are careful about identifying the compound used and others aren't. This bill attempts to add some needed regulation for consumers to feel confident about the product. However, the Department of Health and Human Services and the Department of Agriculture both testified that because the Federal Drug Administration (FDA) must approve any food additive and currently does not allow such, they oppose CBD and in some self-inspecting cities it is being confiscated. We did hear that the FDA is reviewing CBD products, but it is not known when guidelines will be forthcoming. Even if CBD as a food additive was excluded from this bill, reviewing, testing and labeling all the various products claiming to include CBD had many unanswered questions. **Vote 19-0.**

HB 1624-FN, establishing a moratorium on sales of e-cigarettes. **INEXPEDIENT TO LEGISLATE.**

Rep. Constance Van Houten for Commerce and Consumer Affairs. This bill would establish a moratorium on the sale of e-cigarettes for the length of time it takes the Commissioner of Health and Human Services to determine that they are not a cause of illness or death. However, the bill only provides an indeterminate timeline for such a moratorium. Furthermore, the bill does not establish any parameters by means of which the Commissioner of Health and Human Services can make this determination. In sum, the bill is too broad as it is written. **Vote 20-0.**

HB 1680-FN, relative to the collection of personal information by businesses. **REFER FOR INTERIM STUDY.**

Rep. Kermit Williams for Commerce and Consumer Affairs. While the committee recognizes an ever-increasing concern about online privacy among our constituents, we felt that this bill would not be an effective tool to provide that privacy. An amendment was offered that would only apply to Internet Service Providers, or ISPs. ISPs provide internet access to customers, but the websites those customers access are the most likely entities to monetize that customer's personal information. Some companies that operate ISPs may offer websites or other businesses as well as internet access, but those businesses are normally separated in both access and corporate structure. The committee believes that more work needs to be done to find an effective solution for data privacy, and the solution may make more sense at a federal level, since very little of the data privacy problem happens within New Hampshire's borders. **Vote 18-1.**

HB 1690, prohibiting paper billing fees. **REFER FOR INTERIM STUDY.**

Rep. Kermit Williams for Commerce and Consumer Affairs. The committee recognized the inequity of charging for paper versions of bills for consumers who don't have online access, are uncomfortable using the internet, or want a paper version for archiving. However, the bill would have had limited effectiveness in preventing those fees, especially with the entities that are most likely to impose them. We felt that additional work was required on this issue. **Vote 19-1.**

HB 1697-FN, relative to prescription drug discount prohibition. **REFER FOR INTERIM STUDY.**

Rep. Kristina Fargo for Commerce and Consumer Affairs. This bill prohibits drug manufacturers from offering coupons or discounts to cover insurance copayments or deductibles. While the committee overwhelmingly agreed that something needs to be done to curb the high cost of prescription drugs, prohibiting copay assistance which provides relief for many commercially-insured patients who are struggling with escalating out-of-pocket costs for their medications warrants further review. Concern about unintended consequences causing patients to ration or skip their medications because of the cost needs to be examined. In addition, in 2019 there was a study committee established under HB 656 to study how the use of copay coupons and drug discounts affect the health plan formularies, use of medications, charges, and payment rates for drugs. Their final report is due on or before November 1, 2020. These findings may influence the outcome of future legislation relating to prescription drug discounts and coupons. **Vote 18-1.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1175-FN, increasing the penalty for certain invasions of privacy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill increases the penalty for unlawfully, without the consent of the person who is subject, placing pictures on the internet, from a class A misdemeanor to a class B felony. The amendment makes the first offense a class A misdemeanor and the second or subsequent offense a class B felony. It also includes an exception for placement of a game camera or similar device in a non-populated area to capture pictures of wildlife. **Vote 19-0.**

HB 1217, requiring police officers to report misconduct. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Bordenet for Criminal Justice and Public Safety. This bill requires police officers to report misconduct of other police officers to the Police Standards and Training Council. The amendment establishes that misconduct must be reported to the Police Standards and Training Council. This council has the authority to review police behavior with the ability to revoke an officer's license if necessary. **Vote 18-0.**

HB 1240, prohibiting teachers from having sexual contact with a student. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee, having heard testimony from stakeholders, agreed that there is no place for sexual contact between students and faculty in our education system. The inherent power inequality between a minor and an adult in a position of authority, whether real or perceived, leaves a student incapable of real consent and thus makes such acts criminal in all cases. New Hampshire families entrust their children to the education system and that trust must never be violated. When it is, the most serious penalties are appropriate. **Vote 19-0.**

HB 1254-FN, relative to the parole of prisoners and the procedures of the adult parole board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill provides needed changes to various provisions of the adult parole applications being considered in non-public session except for medical reasons; recommitment of prisoners who violate parole, ensuring at least two members of the adult parole board shall be attorneys licensed in New Hampshire who have experience in criminal law. It includes defining violent crimes as found in existing statute when considering an adult parole. It changes the per diem paid to parole board members on May 1, 2021, repeals the provision that mandated the parole board shall review all records for each parolee in its custody at least once every 36 months because that is not the current practice of the parole board because parolees are assigned to a probation officer. It also repeals RSA 651-A:6, I (c) relative to parole hearings for prisoners recommitted to prison more than one year prior to the expiration of the maximum term of his or her sentence. **Vote 20-0.**

HB 1256, establishing a committee to study the effectiveness of the Granite Hammer/Shield programs. **IN-EXPEDIENT TO LEGISLATE.**

Rep. Linda Harriott-Gathright for Criminal Justice and Public Safety. This bill would establish a committee to study the effectiveness of the Granite Hammer/Shield programs. The Granite Hammer/Shield is required to submit semi-annual reports to the state. Rather than establish another study committee, we recommend that a performance audit of the program be done as a starting point. **Vote 19-0.**

HB 1263, relative to victims compensation fund eligibility. **OUGHT TO PASS.**

Rep. Beth Rodd for Criminal Justice and Public Safety. This bill expands the ability of victims of sexual abuse or trafficking to apply for assistance at any time. It eliminates consideration of contributory negligence when claims are made by victims. **Vote 18-2.**

HB 1269, relative to posthumous exonerations and annulments. **OUGHT TO PASS.**

Rep. Beth Rodd for Criminal Justice and Public Safety. This bill corrects an historical wrong by posthumously exonerating and annulling the convictions of Willard Uphaus and Eunice "Goody" Cole. Willard Uphaus was wrongfully arrested and convicted of crimes under the provisions of the New Hampshire subversive activities act. "Goody" Cole was arrested and flogged for the crime of witchcraft and familiarity with the devil. This bill annuls and exonerates the convictions of these two historical figures. **Vote 20-0.**

HB 1272, prohibiting prison privatization. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill as amended prohibits state and county correctional facilities from contracting with private, for-profit facilities for the sole purpose of housing state or county prisoners. The Commissioner of the Department of Corrections can, with the consent of the governor under a declared emergency, enter into a contract with private for-profit correctional facilities on a temporary basis. At the county level, the county commissioners in an emergency will have similar powers. **Vote 20-0.**

HB 1343, relative to the pre-arraignment or pretrial release of a defendant. **INEXPEDIENT TO LEGISLATE.**

Rep. David Welch for Criminal Justice and Public Safety. This bill makes changes to the bail reform statute. Currently the commission on pretrial release is meeting monthly and making progress. The committee recommends this bill be voted ITL to allow for an orderly process to accomplish an appropriate bail reform process. **Vote 19-0.**

HB 1384, relative to the re-release of a person on bail. **INEXPEDIENT TO LEGISLATE.**

Rep. Beth Rodd for Criminal Justice and Public Safety. This bill is premature as are other issues related to bail. There is a Bail Reform Commission in New Hampshire that is comprised of many stakeholders. This commission meets monthly and will, upon completion, offer comprehensive bail reform legislation. As the commission is meeting regularly, it would be reasonable to wait until the commission completes its work prior to developing legislation. **Vote 19-0.**

HB 1468, relative to criminal mischief. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Bordenet for Criminal Justice and Public Safety. This bill makes it a crime to temporarily mar, harm, or destroy artifacts on state property. We heard testimony that covering statutes with fabric can cause harm since dyes can run and permanently discolor statutes. The committee amendment makes such activity a violation. **Vote 19-0.**

HB 1514, relative to the presence of a fire department at a class B fireworks display. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill as amended allows the local fire chief to determine whether or not to keep fire department personnel and equipment at the display if the local municipality issues a permit for the display. The local fire department may inspect the site of the display. **Vote 20-0.**

HB 1524, relative to how law enforcement shares personal information about certain non-violent offenders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. NH citizens placed under arrest are in all cases innocent until proven guilty. The practice of publicly releasing their booking photos and posting them to social media is contrary to that. Booking photos placed on the internet can never be recalled, a not guilty verdict notwithstanding. Thus, a person found not guilty is subjected to a life long punishment for a crime they did not commit. Booking photos are a law enforcement investigatory tool and should be treated as such. They are not a tool for the public shaming of arrestees. **Vote 19-0.**

HB 1594-FN, creating an affirmative defense to violation of a restraining order. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. A court order finding a substantial risk of abuse cannot be modified sua sponte by the parties without leave of the court. A law creating an affirmative defense to violating such an order would place victims of abuse in greater danger and weaken the overall effect of the system. Parties are free to petition the court to have orders modified should they feel contact is necessary and defendants to such orders are free to petition the court to drop the no contact portion of any order if the plaintiff makes repeated attempts to contact them. Most importantly, defendants are under no obligation to respond to contact from the plaintiff and indeed are explicitly forbidden to do so. It is noteworthy that no citizen appeared before the committee or contacted the committee to support this bill while the committee heard from numerous parties in opposition, to include the courts. **Vote 20-0.**

EDUCATION

HB 1118, establishing a committee to study air quality in school buildings. **OUGHT TO PASS.**

Rep. Arthur Ellison for Education. The committee believes that the issue of air quality in New Hampshire's schools deserves serious study. The results of this study could improve school environmental factors which could impact chronic student absenteeism, academic performance, and short and longterm health indicators. **Vote 18-2.**

HB 1127, relative to school lunch payment policies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Shaw for Education. This bill, as amended, assures that all eligible students will have the opportunity to receive the same lunch as other students regardless of the status of their school lunch accounts. Correspondence regarding accounts shall be between the school and parents or guardians. **Vote 18-0.**

HB 1163, requiring schools to update documents and software to include the option of identifying a student as non-binary. **REFER FOR INTERIM STUDY.**

Rep. Rick Ladd for Education. This bill is meaningfully intended to require schools to update documents and software to include the option of identifying a student as non-binary. Following hearing and executive session discussion, it has been determined that the bill needs further work as a number of implementation concerns have been noted. In addition, it has also been determined that changes necessitated to update documents will result in undetermined cost and there is no fiscal note attached to the bill. Further study is required. **Vote 15-3.**

HB 1219, establishing a committee to study reducing local costs of health care for educators. **INEXPEDIENT TO LEGISLATE.**

Rep. David Luneau for Education. This bill would establish a legislative committee to study how to reduce health care costs incurred by public schools. While the intent of the bill, to reduce such costs and therefore provide a savings to local taxpayers, is good, an effort to do this should consider insurance regulations and organizations involved with health plans and health insurance pools, which are outside the scope of the Education Committee. **Vote 18-0.**

HB 1268, establishing a committee to study student loan forgiveness on the basis of volunteer work, including service in the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Vallone for Education. The committee found technical issues with the bill and voted unanimously to recommend Inexpedient to Legislate. **Vote 16-0.**

HB 1282, relative to changing a pupil's school or assignment because of a manifest educational hardship. **REFER FOR INTERIM STUDY.**

Rep. David Luneau for Education. The subject of this bill has already been addressed in HB 1328 and the committee finds this bill to be no longer necessary. **Vote 18-0.**

HB 1328, relative to a change of school or assignment due to manifest educational hardship. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for Education. Circumstances can exist where a student should be placed in a different school in order to improve their opportunity to learn. This bill replaces policies that vary by school district

with a statewide framework that defines the responsibilities of the parties involved and the process to be used when placing a student in a different school for reasons of manifest educational hardship. The amendment addresses the process used by the superintendent when considering whether it's in the best interest to place a student in a different school, and the process used by local school boards to authorize a placement based on manifest hardship. **Vote 18-0.**

HB 1329, relative to school records retention and disposition. **OUGHT TO PASS.**

Rep. David Luneau for Education. Currently, school districts store student and other records in paper format. This bill allows school districts to store these records in an electronic format approved by the Secretary of State and adopted by the local school board. **Vote 19-1.**

HB 1337, permitting parents or guardians to opt out of armed assailant drills in their child's school. **REFER FOR INTERIM STUDY.**

Rep. David Luneau for Education. This bill would allow parents to opt their children out of some emergency response drills conducted in public schools, specifically from participation in armed assailant drills. Current law requires schools to conduct such drills following recommendations from the Governor's School Safety Preparedness Task Force. And state law provides school administrators with the discretion to use discussion-based techniques for these drills. Although the committee recognizes that there are some concerns with regards to participation in these drills, the committee believes the existing law provides the flexibility schools need to make sure emergency response drills can be conducted in the best interest of students. **Vote 17-2.**

HB 1344-LOCAL, relative to reimbursement of transportation costs for students attending a career and technical education center. **REFER FOR INTERIM STUDY.**

Rep. Barbara Shaw for Education. This bill is very important because it would equalize career and technical education (CTE) center transportation costs for all New Hampshire school districts. However, at this time, several committees both state and legislative, are looking at the issues relating to CTE funding. Therefore, the committee has agreed to Refer for Interim Study as part of the ongoing process. **Vote 20-0.**

HB 1361, relative to the pledge of allegiance or other patriotic ceremonies. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Woodcock for Education. The bill, as presented, is fraught with student supervision issues and there appears no reason to already weaken a very lenient bill. **Vote 18-0.**

HB 1362, relative to courses in New Hampshire's cultural heritage and ethnic history. **INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for Education. This bill deletes the requirement that the courses in the cultural heritage and ethnic history of New Hampshire's people be limited to one semester. The committee feels that while school districts may include such a course at the elementary or secondary level, there is nothing to prevent schools from offering more than one semester, so the change in law is not needed. **Vote 18-0.**

HB 1368, relative to filling vacancies for at-large members of school boards and budget committees of cooperative school districts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tamara Le for Education. This bill amends RSA 671:33, II(b) and 671:33, IV to allow cooperative school districts, in the case of a vacancy of an at-large school board member and/or cooperative school district budget committee member, to have the vacancy filled by the cooperative school board moderator. The moderator is elected by legislative bodies at each sending community and is thus in a neutral position to make an appointment. **Vote 18-1.**

HB 1469, relative to hazing at educational institutions. **REFER FOR INTERIM STUDY.**

Rep. Stephen Woodcock for Education. The Education Committee supports efforts to improve the state's anti-hazing laws. While this bill provides a strong starting point, the committee believes that it needs more work, and would also need to be referred to a second committee for consideration of proposed criminal penalties. **Vote 16-2.**

HB 1499, relative to public college and university policies for qualified service year alumni. **INEXPEDIENT TO LEGISLATE.**

Rep. Cole Riel for Education. This bill is still a work in progress, which is why the prime sponsor has requested additional time to workshop the legislation through the Commission to Study Career Pathways from Full Time Service Year Programs to Post-Secondary Education and Employment Opportunities in Support of New Hampshire's Workforce Needs. The commission will include a recommendation on the intent and mechanics of the bill in its final report, which is expected on or before October 1, 2020. **Vote 19-0.**

HB 1512, relative to reducing school food waste and addressing child hunger. **REFER FOR INTERIM STUDY.**

Rep. Arthur Ellison for Education. The committee supports the intent of the bill, but feels that implementation of this bill as written raises a number of issues which require study and clarification. Interim Study would allow for consideration of these issues prior to enactment of the legislation. **Vote 20-0.**

HB 1522, requiring colleges and universities to report allegations of sexual assault to local law enforcement. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, requires all post-secondary institutions to establish agreements, or Memoranda of Understanding (MOU) between the institution's campus security or police department and the local law enforcement agency to strengthen matters related to sexual assault and related offenses. The bill will take effect July 2, 2021; allowing one year to finalize agreements, if an MOU is not already in place. Established in 1990, the Federal Jeanne Clery Act requires post-secondary institutions to annually report certain felony offenses on campuses to the Federal Department of Education. Further, the Clery Act encourages, while this bill will require, New Hampshire communities and post-secondary institutions to establish cooperative working agreements, or MOU's that will provide safe and healthy environments for area residents, students, employees, and visitors regarding sexual assault. **Vote 17-2.**

HB 1527-FN, requiring radon testing for all public schools in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Shaw for Education. This bill requires annual testing for radon as requested by the principal or designee of each school in New Hampshire. First of all, that is a school board or local district responsibility to request. Additionally, the Department of Environmental Services is already monitoring our schools and a Commission on Environmentally-Triggered Chronic Illness is working on several of these issues. Lastly, this bill carries a hefty price tag to enforce, in the vicinity of \$800,000-850,000 annually. **Vote 20-0.**

HB 1558-FN, relative to the provision of special education services for older students. **OUGHT TO PASS.**

Rep. Sue Mullen for Education. This bill aligns the state definition of "child with a disability" with the federal definition. This should alleviate the confusion expressed by school districts and families as to which law is the "correct" law. **Vote 19-0.**

HB 1582-FN, providing free tuition at colleges and universities for children of veterans who are totally and permanently disabled. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Allard for Education. This bill provides for a tuition waiver for the children of 100 percent disabled veterans residing in New Hampshire at the time of enlistment or the time of the designation of permanent and total service connected disability. This bill applies to New Hampshire state colleges and universities, including the Community College System. **Vote 20-0.**

HB 1682-FN-LOCAL, requiring schools to maintain food allergy plans to address food allergy safety and training. **REFER FOR INTERIM STUDY.**

Rep. Patricia Cornell for Education. The committee felt that food allergy training and safety in schools is a complex issue deserving a more comprehensive examination. A robust subcommittee was held, which included representatives from the Department of Education, the NH School Nurses Association, Education Committee members with parental input. The committee felt more work was needed and recommended Interim Study. **Vote 18-0.**

ELECTION LAW

HB 1191, relative to the use of campaign contributions for personal use expenditures. **REFER FOR INTERIM STUDY.**

Rep. Connie Lane for Election Law. Current law contains a general prohibition against using campaign funds for personal use. This bill expands the general prohibition by providing specific examples of prohibited expenses, such as payment of a mortgage, lease, household food items or supplies, vacations, personal debts, and gifts to a constituent. Based on the testimony it heard regarding practices by past and current legislators, the committee feels that is important to address the issues raised in the bill. **Vote 20-0.**

HB 1395, establishing a committee to study ballot access and ways to improve civic engagement in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Bergeron for Election Law. This bill proposed continuing the work assigned to a committee created by HB 429 (2019), to study ways to improve civic engagement and make recommendations for proposed legislation by November 1, 2019. While HB 429 created a legislative committee, this bill proposed establishing a 13-member commission for this purpose. The HB 429 committee's final report included eleven recommendations, seven of which pertained to education standards, school districts, civics education, and social studies curricula. Testimony offered to the Committee on Election Law during the public hearing on this bill made it clear that most of the recommendations included in the study committee's final report fall within the purview of the Committee on Education, which is charged with considering subjects relating to the regulation of school districts and matters concerning education, not Election Law. Finally, some other recommendations contained in HB 429's final report — such as those pertaining to online voter registration and no-excuse absentee balloting — are the subjects of other legislation. **Vote 20-0.**

HB 1668-FN-LOCAL, relative to early voting for persons with disabilities. **REFER FOR INTERIM STUDY.** Rep. William Pearson for Election Law. This bill would establish an early voting process in New Hampshire for persons with disabilities. Early voting is a new process for New Hampshire. While the committee believes the goals of this bill are laudable, there are outstanding questions as to the efficacy of early voting in New Hampshire and the committee would like to see a more thorough investigation of the concept as it would apply to the state. **Vote 20-0.**

HCR 8, celebrating August 26, 2020 as the 100th anniversary of the 19th Amendment, which guarantees that the right to vote shall not be denied on the basis of sex. **OUGHT TO PASS.**

Rep. Katherine Prudhomme-O'Brien for Election Law. This resolution commemorates the 100th anniversary of the passage of the 19th amendment which recognized and enshrined into our constitution the inalienable right to vote of all female citizens of the United States of America. It celebrates that momentous achievement, the heroic suffragettes who fought for it and the invaluable contributions to our country made by the women who came after them. **Vote 20-0.**

ENVIRONMENT AND AGRICULTURE

HB 1172, prohibiting state agencies from spraying pesticides targeting mosquitoes before dusk. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherry Dutzy for Environment and Agriculture. The intent of this bill was to minimize the hazard to bees and other pollinators in regards to spraying pesticides to control mosquitoes. In the public hearing, it was learned that the bill would have the unintended consequence of preventing the use of certain mosquito control tools that are environmentally sound methods for control. The sponsor was in agreement. **Vote 19-0.**

HB 1187, relative to animal shelter facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard Pearl for Environment and Agriculture. This bill, as amended, performs three functions. First, it will ease the restriction on animal shelter facilities from having to own their facility and allow them to own or lease it instead. Second, it further defines the requirements for animals coming into New Hampshire through a rescue as it pertains to health certificates and identification markings. Lastly, it clearly defines the notification process for an animal that has been found or recovered. **Vote 20-0.**

HB 1190, relative to banning the pesticide chlorpyrifos. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherry Dutzy for Environment and Agriculture. The committee felt that legislation to ban individual pesticides was not appropriate. New Hampshire has a Pesticide Control Board which was established in 1965. It was felt that concerns about banning chlorpyrifos should be referred there. Additionally, it was noted that this pesticide is rarely used but is necessary to contain pests in various fruit trees. Banning it outright could lead to other pesticides being used in greater quantities. **Vote 19-0.**

HB 1195, relative to pesticide use and notification of such use on community playgrounds. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherry Dutzy for Environment and Agriculture. Although the intent of this bill is noble, the committee had many questions. Playgrounds are often located near ball fields, but no distances of spray areas from playgrounds was noted. Many communities have Integrated Pest Management plans which focus on prevention and use of other control means other than pesticides. Municipal workers use pesticides as a last resort. Areas that are sprayed are closed and have signage. Additionally, pesticides are expensive to use. **Vote 19-0.**

HB 1196, relative to eliminating exposure to certain pesticides and establishing an alternative pest management working group. **INEXPEDIENT TO LEGISLATE.**

Rep. Beth Richards for Environment and Agriculture. While many on the committee agreed with the intent of the bill to address highly toxic and carcinogenic pesticides, there was unanimous agreement that establishing a separate working group is not the best approach to address the issue and that the existing Pesticide Control Board is the appropriate avenue to publish fact sheets and address outreach on non-pesticide alternative methods of pest management. During committee discussions on the bill, members called on the Governor and the Department of Agriculture Markets and Food to fill vacant positions on the Pesticide Control Board. **Vote 19-0.**

HB 1208, relative to notification of pesticide application in residential property. **INEXPEDIENT TO LEGISLATE.**

Rep. Howard Pearl for Environment and Agriculture. This bill seeks to mandate a notification process to both landlords and tenants of pesticide applications. The committee felt that this was a landlord/tenant issue and not within the purview of our committee. **Vote 19-0.**

HB 1291, relative to homestead food license requirements. **OUGHT TO PASS.**

Rep. Jane Beaulieu for Environment and Agriculture. This bill simply raises from \$20,000 to \$35,000 the annual gross sales amount that a homestead food operation may sell without having to obtain a food service license from the state. This is a good measure to enhance the profitability for small scale farmers and manufacturers. **Vote 19-0.**

HB 1373, establishing a committee to study the use of Styrofoam in schools, hospitals, and government buildings. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane Beaulieu for Environment and Agriculture. The committee does not support the bill for several reasons. The main objection of studying styrofoam use in schools, hospitals, and government buildings is the ability for these entities to do so on their own. We did not hear testimony supporting the need for this study committee. **Vote 20-0.**

HB 1388, prohibiting the sale of cats, dogs, and rabbits in retail stores. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherry Dutzy for Environment and Agriculture. Although the committee agreed that the importing of dogs from around the country, many of whom come from “puppy mills,” needs better regulation, it did not believe that this bill was effective in doing so. There was overwhelming interest on the public’s part both for and against this bill. It was noted that only six retail stores operating in New Hampshire sell pets prohibited by this bill. An ad hoc committee is being considered to study possible future legislation to address out-of-state puppy mills. **Vote 20-0.**

HB 1418, authorizing funds of the department of agriculture to be used for increasing farm energy efficiency. **REFER FOR INTERIM STUDY.**

Rep. Peter Bixby for Environment and Agriculture. This bill would have used funds from the Agricultural Nutrient Management Program to help farmers improve on-farm energy efficiency. Although the committee likes the idea of providing assistance with energy efficiency, the money in this fund is granted by the Natural Resource Conservation Service specifically for assistance with nutrient management issues in order to bring farms in compliance with water quality requirements. The sponsor brought in an amendment that would have used a general fund appropriation instead. The committee felt that this would be better brought forward in a budget year, and interim study will allow for better crafting of the bill. **Vote 19-0.**

HB 1448, relative to animal health certificates and requiring dogs imported into the state for transfer to be tested for *Brucella canis*. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard Pearl for Environment and Agriculture. This bill, as amended, will increase the quarantine times and testing requirements for animals intended for transfer in New Hampshire. The committee received testimony about increased cases of diseases coming into our state through animals being transferred through commercial sales and rescue organizations. **Vote 19-0.**

HB 1449, defining animal hoarding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard Pearl for Environment and Agriculture. The committee heard compelling testimony addressing the complicated nature related to the mental state of a person who struggles with hoarding disorder. Animal hoarding is becoming a more prevalent issue in animal cruelty cases in New Hampshire. It was stated in testimony that “seizure of animals and criminal prosecution alone, is an insufficient response in these [hoarding] situations. In the interest of the animals, it would be ideal if the New Hampshire Judicial System could recognize that an animal hoarding situation may exist to prevent future animal cruelty.” The committee feels this bill is a good step toward providing a definition to a disorder that is affecting the living conditions of animals in New Hampshire. **Vote 20-0.**

HB 1507, relative to public notice requirements for permits issued by the department of environmental services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Environment and Agriculture. The committee strongly supports this bill, as amended, which updates the statute having to do with rulemaking and notice requirements by the Department of Environmental Services to include electronic noticing. It will provide the public with more timely information in regard to solid waste management permits. This provides a wider opportunity for public participation in significant permitting decisions that may potentially have long term impacts on host communities. **Vote 20-0.**

HB 1562, including soil health and soil conservation in the state soil conservation plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. This bill, as amended, updates the state soil conservation plan to include soil health and resilience to environmental change and climate change. The soil conservation plan, initially created as a response to the Dustbowl in the 1930s, is the guiding statute for county soil conservation districts (SCD) which provide education and technical assistance on soil and natural resource conservation to farmers and landowners. Most SCD programs are grant funded. This change to the SCDs’ charter statute will strengthen their ability to apply successfully for grants related to soil health, environmental change, and climate change. The bill places no new requirement on SCDs. It simply opens new funding avenues for the good work they are already doing. **Vote 19-0.**

HB 1592-FN, relative to milk pasteurization. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John O’Connor for Environment and Agriculture. The intent of this bill is to provide our dairy farmers the opportunity for additional sales by allowing them to sell ice cream, frozen yogurt, and frozen desserts

made from raw milk directly to consumers. The amendment requires that such products be sold in containers no larger than 6 fl. oz. and be appropriately labeled with an expiration date no greater than 30 days from date of manufacture. **Vote 19-0.**

HB 1658-FN, establishing a registration program for growers and producers of hemp and hemp products. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. This bill as introduced was the result of a study committee on licensing hemp growers at the state level. The bill would have established a licensure program for NH hemp farmers in the Department of Agriculture, Markets, and Food for the 2021 growing season. The study committee recommended that such a program would make sense if enough growers applied to the US Department of Agriculture's (USDA) licensure program for the 2020 growing season. There were fewer than a dozen applications, so the committee feels a state level program does not make sense at this time. The sponsor learned in discussion with the USDA hemp program administrator that a reference in current NH statute to USDA licensure of hemp processors and commercial traders is in error. The amendment corrects that error. As amended, this bill has no fiscal impact. **Vote 19-0.**

HB 1702, establishing a solid waste working group on solid waste management planning. **OUGHT TO PASS.**

Rep. Jane Beaulieu for Environment and Agriculture. This bill is a request of the Committee to Study Recycling Streams and Solid Waste Management in New Hampshire established by HB 617 in 2019. The Environment and Agriculture Committee believes that New Hampshire must prepare for future solid waste challenges by working on updating the state's solid waste management laws and engaging in long range planning. The 20 member working group includes House and Senate members, state agencies, business, environmental groups, industrial waste generators, the Northeast Recycling Council, and many other public interest groups. **Vote 19-0.**

HB 1704, relative to compost. **OUGHT TO PASS.**

Rep. Liz McConnell for Environment and Agriculture. In 2015, statutes were created to encourage composting as a method of reducing the volume of waste in state landfill sites. Because of lack of staffing at the Department of Environmental Services (DES), no rules establishing best practices for facilities that compost organics have been created. This bill will require DES to start the process of rulemaking. **Vote 19-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1121, proclaiming October 9 as PANDAS/PANS Awareness Day. **INEXPEDIENT TO LEGISLATE.**

Rep. Sallie Fellows for Executive Departments and Administration. Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal infection (PANDAS) is a very serious, rare, often misdiagnosed, childhood disorder that may manifest with a sudden onset of behavioral and sensory difficulties. The committee is eager to promote awareness but believes educating teachers would be far more effective than issuing a proclamation. We will ask the State Department of Education to provide schools with PANDA information. Also, NEA-New Hampshire has indicated their willingness to work with local PANDA advocates to facilitate awareness through their professional development conferences and/or workshops. **Vote 17-2.**

HB 1188, relative to conditional licenses of allied health professionals. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill, requested by the Office of Professional Licensure and Certification, repeals a provision allowing certain applicants for licensure as allied health professionals to practice on a conditional basis pending the results of a criminal history background check. Background checks are now routinely delivered within a two-week period and, therefore, this provision is no longer necessary. **Vote 18-0.**

HB 1189-FN, relative to the compensation of members of the genetic counselor's governing board. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill repeals the prohibition on compensation for members of the Genetic Counselors Governing Board so that members can receive per diem and mileage payments as members of the Office of Licensed Allied Health Professionals. When the governing board was initially created, it was not anticipated that the revenues from the licensing operation would be sufficient to cover the cost of per diem's and the like. Thus, they were not provided. Revenues have now improved to the point where such compensation is affordable. **Vote 19-0.**

HB 1242, establishing every 4th Thursday in August as Jamaican Appreciation Day. **INEXPEDIENT TO LEGISLATE.**

Rep. Sallie Fellows for Executive Departments and Administration. This bill requires the Governor to issue a proclamation every year declaring the fourth Thursday in August as Jamaican Appreciation Day. We heard about wonderful things Hampton Falls has done to include Jamaican migrant apple harvesters in local celebrations and encourage them to share their culture. Other towns may want to consider how they can do the same but selecting a fixed date for the whole state would not facilitate inclusion. Local celebrations, such as Old Home Day, happen throughout the year. **Vote 18-1.**

HB 1314, relative to the licensure by the board of acupuncture licensing. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill, as amended, better defines and expands the certification necessary for licensure of acupuncturists in NH to include the California Acupuncture Licensing Exam (CALE) rather than just National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) and removes the clean needle technique course from NCCAOM because this technique is included in all exams. It also expands general supervision to include site visits in addition to phone and electronic means and permits supervision by licensed physicians and osteopaths in addition to licensed acupuncturists. In addition, it limits the term a member serves on the Board of Acupuncture Licensing to "not more than 2 consecutive full terms." **Vote 18-1.**

HB 1315, relative to renewals of licenses of allied health professionals. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill changes the renewal date for 2-year licenses issued to allied health professionals from December 31 to the month of issuance of the applicant's original license. In so doing, the Office of Professional Licensing and Certification is moving to standardize its procedures, so as to better serve its licensees and the public. This change will also help to control administrative costs. **Vote 20-0.**

HB 1326-FN, requiring the independent investment committee of the New Hampshire retirement system to report investment fees. **OUGHT TO PASS.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill requires the Independent Investment Committee of the New Hampshire Retirement System to make public the fees paid to investment groups they employ on behalf of the trust fund. Right now, the committee reports the total amount paid in fees for a given year. However, they contract with several investment companies and the committee felt that reporting a breakdown of those fees would give the system members and the taxpayers the ability to judge the efficiency of their decisions. The committee heard that several other state retirement systems provide this type of information and felt it should not be a burden. **Vote 20-0.**

HB 1367, relative to out-of-state applicants occupational licensure or certification. **REFER FOR INTERIM STUDY.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill modifies the procedures for out-of-state applicants for professional licensure or certification to be issued a license or certificate in this state, allows for appeals of decisions, and provides for licensure or certification based on work experience and private certification. The Executive Departments and Administration Committee believes that this bill offers several worthwhile concepts deserving further consideration, but also that, as drafted, it is not yet ready for passage. **Vote 18-0.**

HB 1407, relative to adopting rules relative to departmental forms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill, as amended, revises the definition of a form in rules, and modifies the procedures for approval of forms and changes to forms. It requires forms to be available (at least as a draft) for public hearings on rules, and gives the Joint Legislative Committee on Administrative Rules (JLCAR) the authority to object to a rule if the form does not agree with the rule. In addition, an expedited change to a form will now include the necessary changes to the rules that reference the form, so only one rulemaking proceeding is required. **Vote 18-1.**

HB 1445, adding a building scientist to the building code review board. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill would add a building scientist to the Building Code Review Board. The committee accepts that this may be needed in the future but, because the definition of a building scientist is not clear, the bill is recommended Inexpedient to Legislate. **Vote 19-0.**

HB 1485-LOCAL, relative to the installation of video surveillance cameras in community homes and group homes. **REFER FOR INTERIM STUDY.**

Rep. Mark Proulx for Executive Departments and Administration. This bill requires video surveillance cameras in group homes, residential and day schools, and buildings where services are provided for children and adults with disabilities. This legislation raises more questions than it answers. There are two distinct sets of stakeholders that need to work to get to a compromise. There are also privacy and Health Insurance Portability and Accountability Act of 1996 (HIPAA), issues that need to be worked out. If we can get the necessary work done on this bill, it will not only protect the patient, but also protect the health care worker. **Vote 19-0.**

HB 1491, relative to allied health professional temporary licensure. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill adds two governing boards in the Office of Licensed Allied Health Professionals to those which grant temporary licensure to licensees

from other states. The two additional governing boards license athletic trainers and genetic counselors, and were inadvertently omitted in previous legislation. This bill corrects that unintended omission. The bill also clarifies that temporary licensure shall not apply to an allied health governing board that is a member of an interstate licensure compact. **Vote 20-0.**

HB 1498, relative to state employment hiring preferences for members of a civilian national service organization. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathy Desjardin for Executive Departments and Administration. This bill would establish a new chapter RSA 99-G to require each executive branch agency to establish a policy implementing employment preferences for current members and alumni of a civilian national service organization. The legislation would require state agencies to give interview preference to qualified applicants for executive branch positions. The bill is unnecessary as the sponsor, with the cooperation of the Department of Administrative Services, is addressing this issue administratively rather than legislatively. **Vote 18-0.**

HB 1536, relative to pharmacists-in-charge, the inspection and regulation of prescription drugs by the pharmacy board, and disciplinary actions by the pharmacy board. **REFER FOR INTERIM STUDY.**

Rep. Carol McGuire for Executive Departments and Administration. This bill was intended to reconcile New Hampshire's definition of "dispensing" to agree with the federal Food and Drug Administration's, and also clarify the responsibility for setting standards for drug labeling, storage, and disposal. Instead, multiple professions came out in opposition to this bill, seeing it as an overreach by the Board of Pharmacy. Since protecting New Hampshire businesses and professions from excessive regulation by the federal agency is still necessary, the committee voted to refer the bill for interim study to clarify definitions and resolve some of the inter-professional disputes. **Vote 19-0.**

HB 1545, relative to regulation of interpreters for the deaf, deaf blind, and hard of hearing. **OUGHT TO PASS.**

Rep. Stephen Pearson for Executive Departments and Administration. The New Hampshire Commission for Deafness and Hearing Loss (RSA 125-Q) heard testimony from the professional association for sign language interpreters in the state and recommends this bill. It does three things. First, it changes various terms to be consistent with the terms used nationally. Second, while it is important that sign language interpreters are licensed, occasions arise when either a licensed interpreter is not available or an individual may be better served by someone else. In these cases, an individual may apply to the board for a waiver. Please note this applies only to those offering their services for pay, not done for free. Third, in the past when a sign language interpreter violated professional standards the only recourse was strong disciplinary action. The commission's chairman (and author of this bill) suggested there might be substandard conduct that warrants remediation, rather than disciplinary action. The last part of the bill makes provision for this intermediary level of response. **Vote 20-0.**

HB 1550-FN, extending accidental death benefits for group II members of the retirement system suffering from heart attacks. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Proulx for Executive Departments and Administration. This bill would extend accidental death benefits for Group II members of the NH Retirement System (NHRS) suffering from heart attacks. The bill before the committee addressed the issue as a revision to RSA 100-A, the retirement chapter. However, testimony from the NHRS indicated that the change would be more appropriate in RSA 281-A, the workers compensation chapter. While the majority of the committee felt this was a worthy bill, we believe it should be brought back next year so that it can be addressed in the proper statute and sent to the appropriate committee for vetting. **Vote 19-0.**

HB 1587-FN, relative to the regulation and licensing of locksmiths. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill would establish the licensure of locksmiths by the Office of Professional Licensure and Certification. There was disagreement in the hearing between locksmiths and the national locksmith association that concerned the committee. The committee feels that this issue should be resolved between the two groups since they seemed to be supportive of each other. Furthermore, some committee members were concerned that licensure would not correct the fraud in the industry that was of concern for the locksmiths. **Vote 20-0.**

HB 1709, relative to building code and zoning requirements applicable to home-based child day care providers. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill would provide that family day care homes and family group day care homes shall not be required to install sprinkler systems or to obtain food service licenses and may operate in residential zones. Although the committee empathizes with the need for day care services in the state, the committee does not support bypassing the code amendment process that involves review by the Building Code Review Board. The sponsor has agreed to this position and will address this issue through proper channels. **Vote 19-1.**

HB 1711, establishing a committee to study the appeals process for child day care violations. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. Currently child day care providers undergo inspections and are given negative penalties for infractions that are identified. That, in and of itself, is not a problem. Unfortunately, the process for inspections and subsequent penalties can be crippling for child day care providers. Testimony from multiple child day care providers tell of penalties which have a harshness to a fault and with no due process and no opportunities to learn and improve. Some who testified said they left the child day care business entirely because of this problem. This intersects with the serious problem of an inadequate number of spots for families in need of care that create extensive waiting lists for child day care services. Instead of barriers to caregivers that stifle improvements and impede “teachable moments,” we should develop a new culture around infractions and of the whole inspection process. This bill establishes a legislative committee to study the creation of a neutral appeals process to review violations committed by a child day care agency. **Vote 19-0.**

FISH AND GAME AND MARINE RESOURCES

HB 1108, relative to the methods of taking turkey during youth turkey hunt weekend. **INEXPEDIENT TO LEGISLATE.**

Rep. Raymond Howard for Fish and Game and Marine Resources. The committee feels that this bill is unnecessary because the Wildlife Division of the Department of Fish and Game is currently engaged in rulemaking which, among other things, includes a draft proposal to allow for the use of .410 shotguns by turkey hunters, thereby addressing the issues brought forth this bill. **Vote 20-0.**

HB 1220, relative to disabled veterans fishing and hunting licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Roger Dontonville for Fish and Game and Marine Resources. The unanimous recommendation of the committee was motivated by the testimony of a representative from the New Hampshire Veteran’s Association who opposed this bill, which gives 60 percent disabled veterans a free fishing and hunting license. **Vote 20-0.**

HB 1566-FN, relative to fishing licenses for senior veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. Sparky Von Plinsky for Fish and Game and Marine Resources. The committee feels that this bill, while well intentioned, is untenable for a department that consistently faces budget shortfalls. It would have allowed senior veterans from the entire U.S. to receive a free fishing license. **Vote 20-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1134, renaming the New Hampshire commission on deafness and hearing loss. **OUGHT TO PASS.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. Several years ago, the legislature established an ongoing commission named The New Hampshire Commission on Deafness and Hearing Loss. During commission meetings last year, it was expressed that this title referred to conditions, not people. We examined what other states titled commissions like ours and discovered that no other state used conditions in their titles. A commission member conducted a poll of deaf and hard of hearing citizens and discovered everyone favored a change of the commission’s title to one that spoke of people, not conditions. They and the unanimous approval of the commission ask for this name change. **Vote 16-0.**

HB 1150, permitting qualified patients visiting from out-of-state to access New Hampshire therapeutic cannabis dispensaries. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill, as amended, enables people who are not residents of New Hampshire or have been residents of New Hampshire less than 90 days and their designated caregivers who have been issued a valid registry identification card or its equivalent from another state or foreign country, to purchase medical cannabis at New Hampshire dispensaries. This is helpful to new residents and people who reside out of state part of the year. **Vote 16-2.**

HB 1265, relative to the requirement of qualifying medical condition for prescriptions for therapeutic cannabis. **REFER FOR INTERIM STUDY.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. The Drug Enforcement Administration (DEA) stopped revoking the DEA number of physicians recommending therapeutic cannabis in 2013. However, in 2014, they threatened to revoke the DEA number of physicians advising Massachusetts dispensaries. In 2017, they revoked the DEA numbers of two Colorado physicians. The Health, Human Services and Elderly Affairs Committee is worried that this bill might threaten the DEA number of physicians who recommend therapeutic cannabis, which would have the unintended consequence of decreasing access to therapeutic cannabis in New Hampshire. Therefore the Health, Human Services and Elderly Affairs Committee recommends Interim Study for this bill. **Vote 17-0.**

HB 1289, establishing a commission to study the current delivery of services of the deaf and hard of hearing in New Hampshire nursing homes and assisted living facilities, and how such services might be improved. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. The New Hampshire Commission on Deafness and Hearing Loss asked for a commission to study how services of the deaf and hard of hearing are delivered in New Hampshire nursing homes and assisted living facilities and how such services might be improved. Subsequent conversations with the Department of Health and Human Services; members of the Health, Human Services and Elderly Affairs committee; and others led the bill sponsor to conclude that a subcommittee of the existing commission, rather than another commission, would be the best way forward. House legal counsel informed us it was within the purview of the deaf/hearing loss commission to do this. It is to be stressed that the issues of delivery of services in residential facilities is to be thoroughly examined by the first subcommittee appointed. **Vote 16-0.**

HB 1331, relative to organ donation on a driver's license. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. An individual who wishes to donate his or her organs upon death should have those wishes honored, and not be subject to contradiction by others. This bill clarifies that the wishes of the individual donor will not be set aside after his/her death. **Vote 20-0.**

HB 1332, relative to an electronic prescription drug program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill will help us combat the opioid epidemic. Recently, Texas and Florida joined the states which require electronic prescribing of controlled substances, and approximately half the states now require this. Further, at the federal level, the SUPPORT for Patients and Communities Act (H.R. 6), requires the use of electronic prescribing for all controlled substances under Medicare Part D by January 1, 2021. Simply, electronic prescribing reduces prescription drug theft, forgery and alteration of prescriptions, and diversion. It will work well with our existing prescription drug monitoring program. Unfortunately, these very same tools used for electronic prescribing can be subverted by drug manufacturers for the purpose of manipulating which drugs are prescribed and in what quantities. As amended, this bill incorporates language to fight this possibility by adding a provision/referring to the deceptive practices section of the Consumer Protection Act. **Vote 19-1.**

HB 1356, repealing the therapeutic use of cannabis advisory council. **OUGHT TO PASS.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. This legislation repeals the Therapeutic Use of Cannabis Advisory Council. This council was formed to work with the Department of Health and Human Services to initiate the medical marijuana program over the past five years. This program is well established and this advisory council is no longer needed. The newly established Therapeutic Medical Oversight Board has been established to provide scientific research information regarding cannabis use for qualified medical conditions going forward. **Vote 18-0.**

HB 1424, allowing therapeutic dispensaries to sell products containing CBD oil produced outside of the dispensary. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frances Nutter-Upham for Health, Human Services and Elderly Affairs. Alternate Treatment Centers (ATCs) can only sell products that they produce from plants that they grow. ATCs are not able to produce all the hemp-derived cannabidiol isolate (CBD) that they need to create all the products they would like to sell. This bill would allow ATCs to acquire CBD isolate from out-of-state sources. The isolate can then be made into CBD products with regular testing to ensure quality control. **Vote 19-1.**

HB 1428-FN-LOCAL, relative to inspections for bedbugs. **INEXPEDIENT TO LEGISLATE.**

Rep. Charles McMahon for Health, Human Services and Elderly Affairs. Current statute provides that response to and requests for remediation, when notice is provided to the town for the presence of bed-bugs in a motel, hotel or inn offering lodging to transient guests, is already serviced via health officers as directed by the municipality. Therefore, the recommendation of Inexpedient to Legislate is submitted as the bill is not necessary. **Vote 18-0.**

HB 1456-FN, relative to a PFAs testing program for pregnant women. **INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. The bill would offer voluntary blood testing for Per- and Poly-Fluoroalkyl Acid (PFAs) for pregnant women, to be followed by testing of the pregnant woman's home water source if the blood level of PFAs exceeds a Center for Disease Control (CDC) standard for PFAs in the blood. Currently there is no defined acceptable level of PFAs in the blood, making this bill unworkable. Additionally, since PFAs persist in the body, its presence in the blood is reflective of past exposure and one needs to focus on current exposure from water and other sources. The Department of Environmental Services (DES) is already doing testing of water for those who are pregnant or wish to become pregnant. Lastly, there is an ongoing commission working on this program. **Vote 19-0.**

HB 1521-FN, adding a peer support specialist to the board of mental health practice. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill adds a certified peer support specialist as one of three public members appointed by the Board of Mental Health Practice. Committee members believe this adds an important perspective which will aid the mental health board in its work. **Vote 20-0.**

HB 1530, relative to the Medicaid dental benefit working group. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Osborne for Health, Human Services and Elderly Affairs. Because of a new bill being formulated in the Senate on the same subject, the sponsor of this bill asked the committee to recommend this bill Inexpedient to Legislate to allow the Senate bill to come forward. **Vote 19-0.**

HB 1538, creating a commission to develop and implement environmental education, outreach, and training programs and initiatives for qualified health care professionals relative to environmental toxins and health. **REFER FOR INTERIM STUDY.**

Rep. Jeffrey Salloway for Health, Human Services and Elderly Affairs. This bill creates a commission to develop and implement environmental education, outreach and training programs for qualified healthcare professionals relative to environmental toxins and health. The committee invested considerable deliberation and reasoned that the subject matter falls within the purview of the existing commission on environmental risk and chronic disease. The bill and amendment are moved to Interim Study and committee members are communicating with the existing commission to establish a subcommittee to address this issue in a more expedient manner. **Vote 20-0.**

HB 1548, establishing a secure psychiatric unit facility advisory council. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill creates an advisory council to assist the commissioner of Health and Human Services in the designing and constructing of a new secure psychiatric unit facility as required under 2019, 346;357. Committee members believe that input from a wide variety of stakeholders during the planning and construction process will result in a better facility and anticipate potential problems before they arise. **Vote 20-0.**

HB 1591-FN, relative to cannabis use during pregnancy. **OUGHT TO PASS.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. We know from a June 2019 study in the Journal of American Medical Association (JAMA) that the rate of pre-term birth among reported cannabis users was 12% vs. 6% in non-users. We also know from a June 2018 study in Obstetrics Gynecology that 69% of dispensaries in Colorado recommend cannabis for first trimester morning sickness. Our Surgeon General Jerome Adams is concerned about the risk of subsequent learning disabilities and about the risk of accidental poisonings, particularly with edibles. This bill directs the Department of Health and Human Services (DHHS) to create a poster and make information available at the dispensaries regarding the risks associated with the use of cannabis while pregnant or lactating, and regarding the risks of accidental poisonings. This parallels the information currently being made available in Colorado dispensaries. **Vote 18-0.**

HB 1610-FN, establishing the manufacturer pharmaceutical drug take-back program. **REFER FOR INTERIM STUDY.**

Rep. Charles McMahon for Health, Human Services and Elderly Affairs. The development of the drug take-back program within the bill requires additional review and study in order to establish a strong policy of compliance across all constituencies to be served. Therefore, to enhance the success of the program's development, the committee supported Interim Study. **Vote 20-0.**

HB 1616-FN, relative to the age for minor's visits to mental health practitioners. **REFER FOR INTERIM STUDY.**

Rep. Joe Schapiro for Health, Human Services and Elderly Affairs. This bill attempts to increase and simplify access to mental health services for children age 12 and up by removing the requirement for parental consent. The committee felt they were lacking adequate data to understand the prevalence and/or the need for those children who lack responsive, supportive parents to facilitate treatment and give consent. In addition, the bill lacked a clear definition of "temporary" treatment and did not adequately address the many practical complexities (i.e. funding) that such a change would create for providers who believe that any child experiencing significant emotional distress deserves help. This bill was sent to Interim Study for further consideration. **Vote 19-0.**

HB 1619-FN, relative to organ transplants. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey Salloway for Health, Human Services and Elderly Affairs. The bill, relative to organ transplants, prohibits state or federal funds received for Medicaid from being used for organ transplantation if the organs are received from outside the United States. In the course of testimony, the committee learned that there exists a black market for organs used in transplantation. Prior to 2015, there were extended allegations that convicts in China scheduled for execution were used as a source of donor organs. China maintains that this

practice has ceased. In addition, there is substantial documentation that a global trade in organs exists in which poor people are offered cash to donate kidneys. The committee deeply appreciates the intentions of the sponsor. However, there is no evidence that Medicaid payments are being made for unethically obtained organs, and the broader issue of the unethical procurement of organs is beyond the purview of the NH General Court. **Vote 20-0.**

HB 1623-FN, relative to telemedicine and substance use disorder. **OUGHT TO PASS WITH AMENDMENT.** Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill, as amended, merges the intent of the bill as drafted with SB647 and is the language agreed to by all the stakeholders. In brief, this bill creates four safe harbors where opioids may be prescribed by telemedicine without an initial face-to-face visit so that we can expand the availability of medically assisted treatment (MAT) for substance use disorder in NH. This would allow MAT via telemedicine in Veterans Affairs (VA) clinics across our state, as is already happening in Maine. This would allow MAT via telemedicine in county correctional facilities, as qualified clinicians are not available everywhere. This would allow MAT via telemedicine in hospital emergency rooms (ER), as ER doctors are not trained in this field, and patients presenting to ERs need to initiate treatment when they need it. Lastly, it would allow MAT via telemedicine in each of the Doorways programs, expanding capacity in these programs. **Vote 20-0.**

HB 1628-FN, increasing the age for vaping. **INEXPEDIENT TO LEGISLATE.**

Rep. Walter Stapleton for Health, Human Services and Elderly Affairs. This bill is in conflict with federal law which in 2019 raised the minimum age from 18 to 21 nationwide for the sales of all tobacco products. The bill only raised the age to 19 for the sale of tobacco products. In the committee hearing, there was testimony that a bill coming to us from the Senate had more review and stakeholder participation to produce better legislation. **Vote 20-0.**

HB 1639-FN, relative to “In and Out Medical Assistance.” **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kendall Snow for Health, Human Services and Elderly Affairs. This bill will direct the Department of Health and Human Services to update the income limits for Medicaid recipients on the “spend down” program. Currently, these recipients are not eligible for coverage until they have spent down to a monthly remaining income of \$591, a standard set in 1990. HB 1693 increases that cap to \$901. Recipients with severe mental illness are not able to spend down so their spend down requirement is met by mandated uncompensated care by healthcare providers, usually the mental health centers. This overdue increase will assist these clients and will also reduce uncompensated care, which amounted to \$7,400,000 last year. The amendment offers the department a choice of two methods of computation, and extends the effective date to June 30, 2021. **Vote 20-0.**

HB 1703, establishing a working group on food waste. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. Currently, a significant portion of the trash put into our landfills is food waste. The bill as originally drafted created a working group to consider all aspects of reduction of food waste. The amendment narrows the scope of the bill to promote food recovery, that is, ensuring that food that might otherwise go to waste and then end up in a landfill is used to the maximum extent consistent with health and safety. Specific language was added to include an appointee from the Department of Environmental Services and one from the Department of Health and Human Services at the agencies’ request. As amended, the bill brings together a number of stakeholders, including the grocery and restaurant industries, the schools, farm to school programs, food producers and experts on sustainability, among others. The group is charged with reviewing current regulations and safety guidelines, reviewing current initiatives nationally and regionally to promote food recovery, making recommendations to remove barriers to food recovery in NH, and suggesting legislative, rule or policy changes needed to promote food recovery in NH. **Vote 19-1.**

HB 1705-FN, relative to adverse childhood experiences and the family support clearinghouse. **OUGHT TO PASS.**

Rep. Joe Schapiro for Health, Human Services and Elderly Affairs. This bill expands and clarifies various aspects of the family support clearing house which was created by last year’s SB 14, a multi-faceted mental health bill. Recommended by the Legislative Study Committee on Adverse Childhood Experiences (ACEs), this bill makes explicit that referrals shall be made to programs and services related to prevention, intervention, and mitigation of trauma related to ACEs. **Vote 19-0.**

JUDICIARY

HB 1170, adding a definition of “reasonably described” to the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Hopper for Judiciary. This bill adds a definition of “reasonably described” to a right-to-know request. Although it is well intended, if passed, it could be used to deny right-to-know requests when someone does not know the required information. **Vote 19-0.**

HB 1176, establishing a committee to study the attorney general's authority over certain municipal and county employees. **OUGHT TO PASS.**

Rep. Sandra Keans for Judiciary. This bill provides for a study committee to hopefully establish a guide for the citizenry as to how elected officials are to be disciplined or suspended, if at all, after a criminal conviction, or at least perceived incompetency in carrying out their duties. Many officials at the county level: sheriff, attorney, registrar of deeds, are all elected directly by the voters. Many of them have visibility or are known. Occasionally, a person is elected without any history. If their managerial skills are less than optimal, what system is in place to protect the public? Recent events have caused the Attorney General, the chief law enforcement official in the state to insert the Department of Justice into a county situation. While there may be prosecutorial difficulties taking place, we must be clear how the Department of Justice involves itself with constitutional elected positions. This study can provide a system for communications and training for all involved before a crisis. **Vote 17-2.**

HB 1192-FN, relative to forfeiture of seized personal property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia for Judiciary. This bill, as amended, addresses two areas where our criminal asset forfeiture law can be circumvented. One part tightens language requiring that criminal complaints must be filed prior to a petition for forfeiture. The second part prohibits transfer of assets for forfeiture to the federal equitable sharing program unless it involves \$100,000 or more in cash. Both measures assure that the majority of forfeitures are the result of criminal activity. **Vote 16-1.**

HB 1207, requiring landlords to notify prospective tenants of the use of pesticides or other toxins in the premises. **INEXPEDIENT TO LEGISLATE.**

Rep. Jason Janvrin for Judiciary. This bill, while well-intentioned, does not require a tenant to notify a landlord of their use of pesticide, toxic substance, or agent to kill micro organisms; but does require notice by a landlord to the tenant. If a tenant does not report their use of such substances to the landlord, and then vacates the premises, the landlord will still be liable to report to any prospective tenant even though they are unaware of the use. **Vote 19-1.**

HB 1294, relative to the limited immunity of pharmacists. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill sought to grant pharmacists immunity from class action lawsuits. The committee heard of no cases where pharmacists have been part of any class action suits and knows of at least one case where we felt a class action suit could be warranted. For these reasons we choose to not grant that immunity. **Vote 17-0.**

HB 1307-FN, relative to the cost of production of records under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary Hopper for Judiciary. This bill requires citizens pay the hourly pay for a government employee to retrieve records when the hours exceed five hours per month. Article 8 of the NH Constitution, (in part) says, "Government, therefore, should be open, accessible, accountable and responsive. To that end, the public's right of access to governmental proceedings and records shall not be unreasonably restricted." This bill is an unreasonable restriction. **Vote 18-0.**

HB 1325-FN-LOCAL, relative to minutes and decisions in nonpublic sessions under the right-to-know law. **OUGHT TO PASS.**

Rep. Mark McLean for Judiciary. This bill requires that public bodies keep a list of sealed minutes from non-public sessions. The list would be available to the public and would contain the date and time of the session and the specific exemption from RSA 91-A:3, II under which the non-public session was authorized. The majority of the committee felt that the generation and retention of such a list would enhance transparency with the public, assist with management of records, and help streamline facilitation of Right to Know requests. **Vote 17-2.**

HB 1381, relative to animals in motor vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Cam Kenney for Judiciary. The prime sponsor of this bill asked that the committee find this bill Inexpedient to Legislate so that the discussion of the issues be directed to another bill that focused on the same matters. **Vote 18-0.**

HB 1607-FN, relative to liability for wrongful acts in an employer/employee relationship. **INEXPEDIENT TO LEGISLATE.**

Rep. Jason Janvrin for Judiciary. This bill would grant immunity from prosecution to an employee who is following instructions of their employer. The committee feels that if an employee were instructed by their employer to dump hazardous waste, or if they were instructed to do some other unlawful act, that the employee should still be culpable for their actions. Therefore, the committee unanimously recommends Inexpedient to Legislate. **Vote 20-0.**

HB 1670-FN, relative to recording grand jury testimony. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Gordon for Judiciary. This bill, as amended, provides that all grand jury proceedings will be audio recorded. The recordings will be maintained by the court. The bill also established a standard to be applied by the court in determining when a recording or any portion thereof should be made available to a party. **Vote 17-1.**

HB 1677-FN, relative to the authority of the attorney general to supervise the county attorney. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. This legislation would require the approval of the Executive Council before an Attorney General assumes the control over prosecution of criminal cases in a county attorney's office. The Judiciary Committee has recommended approval of HB 1176, which creates a study committee to look into this issue in a wider context. **Vote 17-1.**

HB 1689-FN, relative to the minutes in nonpublic session under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for Judiciary. This bill proposed changes in the minutes of non-public meetings. It provided an option for video with audio, or audio only, and also that minutes should be verbatim. While the committee agrees with the need for complete and accurate minutes, there were problems identified such as the need for transcription personnel since minutes are not "verbatim," and whether video recording was intended as a substitute for minutes. Accordingly, the committee voted Inexpedient to Legislate. **Vote 19-1.**

HB 1693, extending the committee to study whether non-attorney legal professionals could be licensed to engage in the limited practice of law. **OUGHT TO PASS.**

Rep. Jason Janvrin for Judiciary. The committee conducting the study has asked for more time to go further in their investigation and allow their work to continue. The committee agrees that further study would be fruitful. **Vote 20-0.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1144, requiring certain employers to submit data on wage differences between male and female employees to the department of labor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda DiSilvestro for Labor, Industrial and Rehabilitative Services. This bill will require an employer to submit salary data (non-identifying) regarding wages differences between male and female employees. The Department of Labor (DOL) can publish this data on its website which can help with discussions of inequality in the work force. **Vote 19-1.**

HB 1462-FN, relative to employment restrictions for registered sex offenders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Cahill for Labor, Industrial and Rehabilitative Services. The committee amendment clarified language in the statute dealing with hiring and added a notification role for the employer if minors will be present. **Vote 19-1.**

LEGISLATIVE ADMINISTRATION

CACR 13, relating to compensation of the legislature. Providing that members shall receive mileage for attendance on veto days and when voting on a budget following a continuing resolution. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Ley for Legislative Administration. This proposal would amend the state constitution to permit legislators to receive mileage for attendance on veto days and when voting on a budget after a continuing resolution. The committee does not support asking the public to approve increases in the current level of compensation for legislators. **Vote 8-2.**

CACR 16, relating to recall elections. Providing that the general court may authorize recall elections. **INEXPEDIENT TO LEGISLATE.**

Rep. Kimberly Rice for Legislative Administration. This proposal would amend the state constitution to permit the legislature to adopt a procedure for removing an elected official prior to the end of their term of office. The committee felt with the Legislature being elected every two years that by the time this process was through, we would and/or could already be well onto a new election cycle. **Vote 10-0.**

CACR 18, relating to the general court. Providing that the house or the senate may independently order a referendum to reduce a penalty established in law. **INEXPEDIENT TO LEGISLATE.**

Rep. Allison Nutting-Wong for Legislative Administration. This constitutional amendment concurrent resolution would amend the state constitution to permit either the House or the Senate to place a referendum on the ballot to reduce a penalty established by law. The committee finds this proposal to be redundant to how the state of New Hampshire functions. The General Court is elected every two years and is largely made up by the public. The State of New Hampshire is not a referendum state and has no reason to start. **Vote 10-0.**

HB 1227, requiring the renovation of the smoker's lounge in the legislative office building. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Matthew Wilhelm for Legislative Administration. As introduced, this bill required the establishment of a child-friendly room in the Legislative Office Building. The committee amendment replaces the bill and establishes a committee to study options for childcare and related barriers to working parents serving in the legislature. The committee believes that time and energy should be spent considering ways to support the childcare needs of legislators while they are serving at the State House complex. **Vote 13-0.**

HB 1245, establishing a legislative committee to review non-regulatory boards, commissions, councils, advisory committees, and task forces. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas Ley for Legislative Administration. This bill provides for the reestablishment of a committee to continue reviewing all existing boards, commissions, councils, and other bodies to determine whether they should be repealed or revised for purposes of efficiency. As amended, the bill also repeals a list of boards, commissions, councils, committees, and task forces. The Committee on Committees that met in late 2019 and early 2020 made these decisions after close consultation with all interested state agencies, bodies, and interested parties. **Vote 13-0.**

HB 1297, directing the legislative budget assistant to conduct a financial audit of the secretary of state's office. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Legislative Administration. This bill requires the Legislative Budget Assistant to conduct a financial audit of the Secretary of State's Office within 9 months of passage. This audit has been scheduled to take place in May or June. Therefore, this bill is not necessary. **Vote 10-0.**

HB 1303, establishing a commission to study expanding public testimony opportunities to remote locations statewide. **INEXPEDIENT TO LEGISLATE.**

Rep. Allison Nutting-Wong for Legislative Administration. This bill establishes a commission to study expanding public testimony opportunities to remote locations statewide. The charge of this commission was folded into a committee established by HB 1486, therefore, this bill is no longer needed. **Vote 13-0.**

HB 1333-FN-A, authorizing travel expense payments to state legislators. **INEXPEDIENT TO LEGISLATE.**

Rep. Kimberly Rice for Legislative Administration. This bill requires a payment to a member of the House or Senate for travel expenses on days of official legislative business other than session days. Part 2 Article 15 of the state constitution establishes a fixed amount of payment for state legislators as compensation in full for their services and also provides for mileage payments for actual daily attendance. The Supreme Court has ruled twice that mileage cannot include any other travel expenses therefore, what this bill proposes is unconstitutional. **Vote 13-0.**

HB 1385, relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house. **OUGHT TO PASS.**

Rep. Douglas Ley for Legislative Administration. The committee unanimously agrees that it is advisable to clarify the authority and responsibility for placement of portraits and other memorial objects in the State House and Upham Walker House. **Vote 10-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1104, relative to the acquisition, sale, or demolition of municipal land or buildings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Julie Gilman for Municipal and County Government. RSA 41:14-c if adopted allows select boards to acquire or sell, buildings, land, or both. This bill adds the authority to demolish or otherwise dispose of buildings. A requirement to consult with the planning board and conservation commission is further amended to add heritage commissions and historic districts as bodies to consult before disposal or demolition. **Vote 18-0.**

HB 1111, relative to the removal and replacement of telephone and electric poles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jim Maggiore for Municipal and County Government. Rather than amend the process and enforcement of replacement of utility poles through legislation, the subcommittee unanimously recommends a commission be enjoined to review the PUC 1300 rules which already detail the process for utility pole and line replacement. **Vote 18-0.**

HB 1119, relative to banking by municipal and county treasurers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Treleaven for Municipal and County Government. As banking changes with new technologies and changing business models, New Hampshire towns, cities, and school districts find themselves looking for banks, local banks, that will serve their banking needs, especially in our north country. HB 1119 allows these government entities to bank locally, assuring their financial stability while expanding their reach to banks not chartered specifically in New Hampshire and maintaining their financial stability via collateral agreements among banks. **Vote 18-1.**

HB 1129, relative to notice requirements for certain municipal public hearings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Dargie for Municipal and County Government. This bill allows municipalities to post notices on their town website instead of in a paper of general circulation for proposed zoning changes. The amendment requires that the web posting be on the home page. **Vote 19-0.**

HB 1311, relative to the semi-annual or quarterly collection of taxes in certain municipalities. **OUGHT TO PASS.**

Rep. Julie Gilman for Municipal and County Government. The Department of Revenue Administration (DRA) requested this change to RSA 76:15-a, III. It will allow municipalities, counties and school districts to apply to DRA for quarterly tax rate setting when either by a change of adequate education grants or excess tax amounts or by a change of 15% or more in taxes to be raised from current year compared to previous year. Allowing for quarterly rate setting will keep property owners from large drops or increases that may affect mortgage escrow among other financial matters. **Vote 19-0.**

HB 1352, relative to municipal budget meetings. **INEXPEDIENT TO LEGISLATE.**

Rep. Clyde Carson for Municipal and County Government. When municipalities using the official ballot form of government vote on their annual budget and that budget doesn't pass, there are two options available. The option most frequently used is to adopt the default budget. The other is for the governing body to prepare a new budget and hold a second deliberative session on the budget and then a vote on the resulting budget. This second option is rarely used. This bill was intended to make the second option easier by allowing the governing body to hold a town meeting where the budget would be debated and voted on in a single session. The testimony during the committee hearing on this bill convinced the majority that this approach would be inconsistent with the ballot form of government and not a good solution. **Vote 18-0.**

HB 1421-LOCAL, relative to the application of the equalization rate to be used for the calculation of a property tax abatement by the New Hampshire board of tax and land appeals, the superior court, and all cities, towns, and counties. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tom Dolan for Municipal and County Government. This bill needs input from numerous stakeholders before being ready for legislation. A study commission will allow that to happen as outlined in the amendment. **Vote 19-0.**

HB 1467-LOCAL, relative to the taxation of commercial and residential property. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Josephson for Municipal and County Government. This bill would allow a municipality to set different property tax rates based on land use. The committee felt that this would very likely be unconstitutional as it would establish unequal tax rates. This bill is based on Massachusetts law which is incompatible with New Hampshire law for a number of reasons. **Vote 18-1.**

PUBLIC WORKS AND HIGHWAYS

HB 1255, relative to roadside memorials. **OUGHT TO PASS.**

Rep. John Cloutier for Public Works and Highways. This bill would prohibit roadside memorials within the right-of-way of any primary or secondary highway. More specifically, it would authorize the Department of Transportation to remove such memorials in class I, II, III, or III-a highways as well as town or city highway agents to remove the memorials on any other highway, and on town-maintained portions of class II highways. Finally, it would authorize the Department of Transportation to remove and dispose of any roadside memorials after 90 days beginning from the date of the event being memorialized. At the bill's hearing, nobody testified in opposition to this measure to improve highway safety. **Vote 16-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1126, relative to removal of trees from state property. **INEXPEDIENT TO LEGISLATE.**

Rep. Rosemarie Rung for Resources, Recreation and Development. The intent of this bill is to prohibit the clear-cutting of trees from state-owned land that is within 75 feet from the boundary with abutting privately owned land. Several state agencies testified in opposition to this bill including the departments of Corrections, Environmental Services, Fish and Game, and Transportation, and the Division of Forest and Lands. Those opposed to the bill cited its contradictory language with the regulatory definition of "clear-cutting," the obstacles it would create to responsible forest management, and the threat it would pose to safely maintaining dams, prisons, and other structures. It is clear that the unintended consequences of this bill would threaten the safety of persons and the environment. **Vote 17-0.**

HB 1165, prohibiting ATVs on a rail trail in Gorham. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Wendy Thomas for Resources, Recreation and Development. The sport of OHRV riding has grown exponentially in New Hampshire in the last 10 years. One negative effect of this has been how their use affects people whose homes abut OHRV trails. A small section of the Presidential Rail trail which extends from Whitefield to Gorham was opened to OHRV use and this small section in Gorham directly affects a neighborhood there. The committee traveled to Gorham and observed the dust and noise which permeates the neighborhood. The amendment which replaces the entire bill is a compromise between the residents who abut this rail trail and the OHRV enthusiasts. This bill is not intended to penalize OHRV use. Instead it is intended to protect the health of abutters along the trail from the health impacts of fugitive dust and potentially hazardous materials in that dust that is kicked up by OHRV traffic. As amended, the bill closes a portion of the rail trail from the Route 2 parking lot to 540 feet west of the trestle bridge over route 16. This allows the abutters to have relief from the harmful impacts of fugitive dust while still allowing the OHRV traffic to access the trails further down the rail trail. **Vote 18-2.**

HB 1252-FN, relative to large groundwater withdrawals from replacement wells. **OUGHT TO PASS.**

Rep. Deborah Hobson for Resources, Recreation and Development. This bill adds a requirement to an exemption application for large ground water withdrawals for replacement wells. This bipartisan legislation was developed in collaboration with Department of Environmental Services (DES) to improve and protect our groundwater resources as it relates to the permitting of certain replacement water supply wells. NH has separate rules and regulations for permits and oversight of new large water wells (over 40 gallons per minute) and new small water wells (under 40 gallons per minute). This bill would establish one additional authority for DES to ensure that replacement wells would not cause significant adverse impact to existing private wells in the surrounding area. It simply addresses an existing gap and is intended to help residents protect their current water supply. **Vote 20-0.**

HB 1316, relative to OHRV trails known as "Ride the Wilds." **REFER FOR INTERIM STUDY.**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill, as introduced, would open up the Nash Stream Forest to increased OHRV traffic. In 2017 the Department of Natural and Cultural Resources completed the update of the Nash Stream State Forest Management Plan. This process took four years to finish and involved extensive review and input from members of the public as well as the Nash Stream Citizens Committee. The committee agreed that OHRV trails in Nash Stream should not be expanded. At the public hearing on the bill, an amendment was submitted related to Hoyt Road Marsh in Concord and reopening that area to OHRVs during the winter months for ice riding on motorcycles and other wheeled vehicles. Hoyt Road Marsh was closed to OHRVs in the most recent budget without a public hearing. The process upset some committee members and surprised those who have become accustomed to riding their motorcycles on the ice there. During a public hearing on the amendment, the committee heard from a number of Concord residents whose right to peaceful enjoyment at their homes has been compromised by the noise and crowds both spectating and riding motorcycles on Hoyt Road Marsh when frozen in the winter. The committee also heard from people from towns across central NH who love this sport. The committee agreed that through the interim study process, alternatives, including compromises among neighbors and review of laws involving OHRVs could be addressed **Vote 20-0.**

HB 1347, addressing impacts to other water users from new sources of water for community water systems. **OUGHT TO PASS.**

Rep. Deborah Hobson for Resources, Recreation and Development. This bipartisan legislation was developed in collaboration with the Department of Environmental Services (DES) to establish criteria within administrative rules for new small community water supply wells. Small water supply wells draw under 40 gallons per minute. These rules would authorize DES to require a small community water supply well applicant/owner to mitigate potential adverse impacts to a private water supply well in the event that such impacts occur. The owner/applicant would be required to perform an investigation and mitigation. Increasing density of development within the state and use of small community water supply systems at subdivisions to increase land development increases the likelihood for these impacts in the future. **Vote 20-0.**

HB 1380, relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia Bushway for Resources, Recreation and Development. This bill amends the statute that prohibits the use of personal water craft within 300 feet of any marshland or flat in the Hampton/Seabrook estuary to include the Rye estuary and the New Castle back channel. The amendment defines the area within the New Castle Goat Island Back Channel Mooring Field, facilitating enforcement by Marine Patrol. The bill also includes in the prohibited areas the tidal areas surrounding Berry's Brook, Seavey Creek, Witch Creek, Parson's Creek, and the Awcomin Marsh and Rye Harbor Marsh areas which flow into Rye Harbor. The bill further amends the statute to exempt water craft operated by police, fire, or other emergency from the prohibition. **Vote 20-0.**

HB 1414, relative to notification to abutters of an intent to cut timber. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia Bushway for Resources, Recreation and Development. The amendment completely replaces the original bill which addressed notification to abutters of an intent to cut timber. The bill as amended clarifies the penalties for negligent and/or reckless timber harvesting under RSA 227-J:8. The bill as amended provides that any person who negligently cuts or carries away or causes to be cut or carried away any tree or timber on the land of another person without the permission of that person will be subject to a civil penalty for trespass. The bill as amended further provides that any person who recklessly cuts or carries away or causes to be cut or carried away any tree or timber on the land of another person without the permission of that person will be subject to a criminal penalty for trespass. **Vote 17-0.**

HB 1425-FN, requiring the removal of all containers containing PFAS compounds from public schools and hospitals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Wendy Thomas for Resources, Recreation and Development. This bill, as amended, and developed in cooperation with the Department of Environmental Services (DES), directs DES and the Department of Education to alert schools to the health impacts of using food containers containing polyfluoroalkyl substances and polystyrene. As amended, the bill also sets up a committee to look at the study by the State of Washington on using food containers containing polyfluoroalkyl substances in schools, which is anticipated to be finished in the June/July 2020 timeframe, and to propose legislation, if appropriate, on phasing out use of those containers in our public schools. The amendment replaces the entire bill. **Vote 18-2.**

HB 1426, requiring an off highway recreational vehicle club to have certain tests performed on a rail trail prior to use as an OHRV trail. **REFER FOR INTERIM STUDY.**

Rep. Wendy Thomas for Resources, Recreation and Development. This bill would require, prior to opening a rail trail to OHRV traffic, that it first be tested for hazardous materials and the impact of fugitive dust on the surrounding area. In the hearing and in further discussions, it became clear that hazardous materials could potentially affect all who use the rail trails and not just those on motorized vehicles. The committee agreed that the best approach for this bill would be to place it in Interim Study so that the committee could learn from stakeholders about which tests should be conducted to determine the amount of hazardous materials present, what kinds of remediation would be expected, and the cost of such remediation. **Vote 19-0.**

HB 1526, relative to the division of ports and harbors mooring wait list. **INEXPEDIENT TO LEGISLATE.**

Rep. Rosemarie Rung for Resources, Recreation and Development. The intent of this bill is to require the Division of Ports and Harbors of the Pease Development Authority to disclose whether a mooring on the mooring wait list has public access or, if not, whether there is access through a private club. This information is already available through a Department of Fish and Game's publication and can be made available through state websites, without requiring legislative action. **Vote 17-0.**

HB 1532, establishing a commission to review and propose initiatives to implement the recommendations of the 2020 forest resources plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne Smith for Resources, Recreation and Development. The original bill would have formed a commission of 15 members to review and propose initiatives to implement the recommendations of the 2020 Forest Resources Plan. The amendment changes the commission to a legislative committee which will consult with the statutory forest advisory board. The originally proposed commission would have many of the same members as the forest advisory board and would essentially be duplicative. Development of the 2020 Forest Resources Plan is well underway and hearings are being scheduled so that the public may weigh in. The plan is required to be finished by June of this year. The plan, which is updated every 10 years, provides a road map not only for the Division of Forests and Lands but also for the forestry community in general. **Vote 17-0.**

HB 1537, relative to standards for perfluorochemicals in drinking water and ambient groundwater. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rosemarie Rung for Resources, Recreation and Development. This bill changes existing chemical terminology to per and polyfluoroalkyl substances (PFAS) to be more inclusive of the entire family of these substances. The amendment addresses concerns that setting a single standard for all substances in the PFAS family is not currently supported by analytical methodology and so was removed. **Vote 20-0.**

HB 1609, relative to seasonal platforms on public waters of the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill requires that any person seeking to anchor a seasonal platform, inflatable platform, or float on public waters of the state must adhere to requirements specified by the Department of Safety, Division of Marine Patrol. As more and more people flock

to New Hampshire's beautiful lakes, there is a proliferation of more and larger anchored floats, platforms, inflatable rafts and other "toys" used in water recreation. The situation has grown such that regulation is required as a platform could, if improperly sited, constitute a hazard to the public safety because it interferes with or impedes, or could potentially interfere with or impede, navigation, or be in such proximity to moorings or to other anchored seasonal platforms as to constitute a hazard to public safety, or be situated in such a manner that the platform presents an unreasonable adverse effect on the environment, including but not limited to water quality, wildlife habitats, or natural areas, or be situated in such a manner that it unreasonably interferes with other recreational uses of the water and adjacent land. The Director of Marine Patrol shall develop rules pursuant to this legislation. The bill was amended to exempt government agencies engaged in the non-recreational execution of their duties such as construction and repair. The amendment also removed regulations concerning view obstruction from the bill. **Vote 20-0.**

SCIENCE, TECHNOLOGY AND ENERGY

HB 1262, relative to the purchase of output of limited electrical energy producers. **REFER FOR INTERIM STUDY.**

Rep. Peter Somssich for Science, Technology and Energy. This is a good bill that would promote many positive goals. The Governor gave it his strong support. However, testimony by several utility representatives indicated that it needs further refinement to make it viable. Therefore, the majority of the committee decided to include the positive elements of this bill in the more comprehensive HB 1218, making that bill even more useful. **Vote 19-1.**

HB 1310, relative to authorizing the state to set higher environmental standards than those established in federal law. **INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth Wells for Science, Technology and Energy. The sponsor, after investigating the problems that would ensue if this bill was adopted, concluded that it was too broad in scope and was of doubtful legality because of constitutional concerns. He therefore recommended that the bill be deemed Inexpedient to Legislate. The committee unanimously concurred. In addition, a more targeted bill (HB 1444) directed toward requiring motor vehicle emission limits to meet California air standards was acted on by the committee, thereby covering the most important of the environmental standards that would be addressed by this bill. **Vote 18-0.**

HB 1317-FN, relative to funding for energy efficiency and renewable energy projects by residential, commercial, and industrial ratepayers. **INEXPEDIENT TO LEGISLATE.**

Rep. Kat McGhee for Science, Technology and Energy. This bill proposes a new way to allocate Regional Greenhouse Gas Initiative (RGGI) funds for energy efficiency programs. While this is a necessary change, the committee prefers another vehicle from this session, HB 1496. Going forward with both bills is unnecessary. **Vote 18-0.**

HB 1342-FN-A, establishing a program for installation of heat pumps for low-income housing. **INEXPEDIENT TO LEGISLATE.**

Rep. Rebecca McWilliams for Science, Technology and Energy. This bill provides program-specific funding for high performance air source heat pumps for buildings funded by public funds. The goal is to direct NH renovation and new construction projects that use public funds away from relying on fossil fuel heat sources and instead incentivize renewable energy sources. The bill is based on similar legislation in Maine where the state has successfully ramped-up implementation of both solar installations and heat pumps for residential customers in order to transition away from natural gas. Unfortunately, because the Regional Greenhouse Gas Initiative (RGGI) program is still refunding all funds, except the first dollar collected, to electric rate payers, there are no renewable energy program funds available in order to make this program a reality. The committee decided this bill was not appropriate for enactment at this time. **Vote 18-0.**

HB 1365, repealing the energy efficiency and sustainable energy board. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Harrington for Science, Technology and Energy. This bill was not recommended for passage by the sponsor. The committee agrees that the Energy Efficiency and Sustainable Energy Board continues to have value and should not be terminated as this bill would require. **Vote 19-0.**

HB 1366, relative to the computation of renewable energy credits. **OUGHT TO PASS.**

Rep. Michael Harrington for Science, Technology and Energy. This bill would require the Public Utilities Commission to use a capacity factor for class II solar resources equal to that found in the annual PV Energy Forecast developed by ISO New England. This is a more accurate figure than is presently used. **Vote 17-1.**

HB 1370, relative to baseload renewable generation credits for biomass energy facilities. **REFER FOR INTERIM STUDY.**

Rep. Troy Merner for Science, Technology and Energy. This bill is similar to HB 183 from last session which passed with large bipartisan support but was later vetoed. The veto override fell short by a few votes. This

bill is designed to support the state's six independent biomass plants which, according to a study by Plymouth State University, support over 900 jobs and over \$254 million of annual economic activity statewide. While there is significant interest in supporting these plants because they serve as a base load form of renewable energy, provide hundreds of jobs, and are a major contributor to the health of our forests, the committee determined an Interim Study motion was appropriate while the industry, stakeholders, and supporters continue to work towards solutions to help the industry long-term. Pending such a solution, at this time three plants have shut down operation while three others continue to struggle. **Vote 18-0.**

HB 1396, relative to notice required for the termination of service of a public utility. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Somssich for Science, Technology and Energy. This bill would require a certain type of notice of termination of utility service described as verified mail. The testimony established that there is no known incident of a customer being terminated without notice of the upcoming cut-off of service or, at least, without substantial efforts to provide notice, including personal visits to the customer by utility personnel. The new requirement would also incur additional costs which would be added to costs to be recovered from other customers. **Vote 18-1.**

HB 1405, relative to the installation of wireless electric utility meters. **INEXPEDIENT TO LEGISLATE.**

Rep. George Saunderson for Science, Technology and Energy. Representatives of the regulated utilities assured the committee that they already provide opportunities for adversely affected members of the population to opt-out of having wireless meters at their homes. More importantly, potential health issues associated with wireless technologies are currently under consideration by the 5G study commission established by the legislature last year. The committee believes that is a better venue for addressing the concerns raised by the bill. **Vote 19-0.**

HB 1429-FN, relative to integrated distribution plans of energy utilities. **REFER FOR INTERIM STUDY.**

Rep. Kat McGhee for Science, Technology and Energy. This bill attempted to codify changes to the Least Cost Integrated Resource Program (LCIRP) at the Public Utilities Commission (PUC) into statute. It was determined that the bill required further consensus among the stakeholders and that the grid modernization docket at the PUC is also working to determine reasonable changes to the LCIRP as part of its responsibilities. **Vote 18-0.**

HB 1503, establishing a committee to study and monitor air emissions of PFAS. **INEXPEDIENT TO LEGISLATE.**

Rep. George Saunderson for Science, Technology and Energy. The committee felt that this bill was redundant in that there is already a PFAS commission studying air emissions of such chemicals. Having only one commission studying the issue makes more sense. **Vote 16-2.**

HB 1515, relative to group host net energy metering. **OUGHT TO PASS.**

Rep. Kenneth Wells for Science, Technology and Energy. This bill makes three technical changes. One, current statute refers to specific legislative committees which the bill makes more generic in nature. Second, it removes one word, "residential" when referring to group net metering projects. Finally, it removes the threat of extreme penalties to group hosts and members, such as not being able to do business in the state, for unintentional clerical errors, calculation errors, or inadvertent omissions in reports or filings with the Public Utilities Commission. **Vote 19-0.**

HB 1519, establishing a committee to study class IV resources under the renewable portfolio standard. **OUGHT TO PASS.**

Rep. Lee Oxenham for Science, Technology and Energy. This bill establishes a committee to study class IV resources under the Renewable Portfolio Standard (RPS) based on recommendations from the RPS 2018 Review conducted by the Public Utilities Commission. The study committee is directed to review both the implications and the impact of adding new small hydroelectric facilities to the RPS by increasing the generation capacity for the fish passage exemption limit from 1 MW to 2 MWs or 5 MWs. The committee is also directed to examine whether other revenue sources might be appropriate for supporting eligible facilities, recognizing the significance of dams in the flood control management of our state's waterways. **Vote 17-1.**

HB 1541, relative to including battery storage facilities in the definition of energy facility. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Harrington for Science, Technology and Energy. This bill as amended adds electric storage facilities to the definition of an energy facility. This would allow proposed facilities of this type to come under the jurisdiction of the Site Evaluation Committee (SEC) if they have a peak storage capacity of 30 MW-hrs or greater. It would also allow municipalities where smaller storage facilities are proposed to petition the SEC to take jurisdiction in cases where they feel they do not have adequate resources to evaluate the proposed facility. **Vote 18-0.**

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1313, declaring June 6 as D-Day Remembrance Day. **OUGHT TO PASS.**

Rep. JP Marzullo for State-Federal Relations and Veterans Affairs. The committee agreed that the Governor should be required to proclaim every June 6th D-Day remembrance day. Some members had a relative or knew of a person who was part of the D-Day invasion. Many members sponsored this bipartisan resolution that passed the committee unanimously. It was stated that this day was the beginning of the end of the war. **Vote 20-0.**

HR 11, urging Congress to remove marijuana as a schedule I drug and to support the Ending Federal Marijuana Prohibition Act. **INEXPEDIENT TO LEGISLATE.**

Rep. Amanda Bouldin for State-Federal Relations and Veterans Affairs. This is a House Resolution, a statement intended to formalize the views of the entire House on a particular topic. The Governor's signature is not needed for passage of an HR, and the Senate is not entitled to a vote on an HR. Despite this, HR11 as written states that it speaks for "the General Court," a term which actually includes the Senate by definition. This resolution begins with an extensive preamble containing many statistics which the committee felt it necessary, but difficult, to verify, in addition to statements about the effect and intent of the 10th Amendment to the U.S. Constitution, which the committee felt was more a matter of scholarly debate, not fact. Also, this resolution did not clearly differentiate between recreational cannabis use, medical use, and scientific research. HR11 also asserts support for a particular congressional bill, a copy of which was never provided to the committee. Many members of the committee largely support the issues mentioned in the resolution, but HR11 takes a long road to reach its conclusions, requiring agreement on too many extraneous points. An effort was made to amend HR11 and strip it down to its main goals, but the committee found wide disagreement as to which parts of the resolution should be edited, kept as-is, or removed entirely. The committee considered three different amendments and engaged in a thoughtful and lengthy discussion. In the end, it was clear that the committee was essentially tasked with drafting a new resolution in its entirety, and the committee concluded that the resolution was more complex than it would be impactful. Furthermore, actual votes of the House on the issue of cannabis clearly demonstrate the position of the House on the matter, making a House Resolution on this topic rather duplicative. For these reasons and more, the committee unanimously voted HR11 inexpedient to legislate. **Vote 12-0.**

HR 12, urging Congress to declare per-fluoroalkyl and polyfluoroalkyl substances (PFAs) a superfund chemical and provide sufficient programming and funding for education, treatment, and remediation of the effects of PFAS. **OUGHT TO PASS.**

Rep. Joel Desilets for State-Federal Relations and Veterans Affairs. The committee feels strongly that PFA substances in our water supply deserves greater attention at the federal level in order to ensure our state will have greater support with the costs arising in mitigating the impacts. **Vote 20-0.**

TRANSPORTATION

HB 1137, relative to the definition of "excessive speeding." **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Pickering for Transportation. This bill would have changed the definition of "excessive speeding" as found in RSA 259:98-a to "10 miles per hour or more above the speed limit, or 5 miles per hour or more above the speed limit where the speed limit is 70 miles per hour." The committee found this change to be unnecessary and impractical to enforce in a unanimous vote. **Vote 20-0.**

HB 1145-FN, authorizing Franklin Pierce University to issue decals for multi-use plates. **INEXPEDIENT TO LEGISLATE.**

Rep. Cecilia Rich for Transportation. This bill is recommended Inexpedient to Legislate as the university has decided against the decal program at this time. **Vote 19-0.**

HB 1152, relative to driving to the left of an unbroken painted line. **OUGHT TO PASS.**

Rep. Nicole Klein-Knight for Transportation. This bill will resolve a conflict between the state's new "move over law" and the prohibition of crossing a solid double yellow line. Crossing the double yellow line will only be allowed if it is safe to do so. **Vote 19-1.**

HB 1216, relative to the impaired driver education program. **OUGHT TO PASS.**

Rep. Charlie St. Clair for Transportation. Often, by the time a person charged with driving or operating under the influence of drugs or alcohol goes to court, up to two years in time may have passed. This bill gives the person charged the option to apply for an impaired driving education program after attending or waiving their arraignment. This common sense bill makes it better for all parties concerned. **Vote 20-0.**

HB 1465, relative to ignition lock requirements. **OUGHT TO PASS.**

Rep. Laura Telerski for Transportation. This bill addresses the alcohol ignition interlock program and closes an existing loophole. Currently, participants are required to install the device on the vehicle they drive "on

a regular basis.” The unintended consequence of this is a person could drive, without an installed device, another vehicle, perhaps a rental car or a spouse’s vehicle. Removing “on a regular basis” clarifies that the participant must have a device installed on any vehicle that is driven. **Vote 14-2.**

HB 1466, relative to the scanning of driver licenses and nondriver identification cards. **INEXPEDIENT TO LEGISLATE.**

Rep. Skip Cleaver for Transportation. This bill expands the scanning of drivers’ licenses and personal identification cards, causing significant privacy issues. With so many threats to personal security and misuse of personal information, the last thing we need is the proliferation of scanning/copying possibilities of our drivers’ licenses. **Vote 19-0.**

HB 1506, establishing a commission to study ways to reduce texting while driving. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Torosian for Transportation. Distracted driving and texting while driving continue to be a safety concern and a leading cause of accidents in this state, even in spite of imposed fines and penalty assessments under current law. This bill establishes a commission, with members of the NH House, NH Senate, NH Department of Transportation, NH Department of Safety, and a representative of the telecommunications industry to look for ways to reduce this growing problem and craft a long-term solution to distracted driving in New Hampshire. **Vote 20-0.**

HB 1517-FN, relative to roadable aircraft. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. Is it a car or an airplane? Yes. These innovative vehicles are aircraft with foldable wings that can be driven on the road. These vehicles are certified by both the National Highway Traffic Safety Administration and the Federal Aviation Administration prior to sale. The bill establishes operational safety regulations and the committee amendment defines the registration and safety inspection process. If this becomes law, New Hampshire will be a leader in bringing forward this new innovative transportation technology. **Vote 20-0.**

HB 1551-FN, relative to driving with a suspended license. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. There are many instances where an out-of-state traffic offense conviction counts as a prior offense when convicted again in New Hampshire. Ironically, driving after revocation or suspension was not included in that category. This bill corrects that oversight. The committee amendment was supplied by the Division of Motor Vehicles and makes the penalty language consistent with other similar offenses. **Vote 19-0.**

HB 1575-FN, relative to special number plates for circuit court judges. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael O’Brien for Transportation. This bill will allow justices of the New Hampshire Circuit, Superior, and Supreme Courts to purchase NH state cover plates with their individual designation. These cover plates will cost the justices \$9 for each set using the same process that the New Hampshire state legislators follow. This bill also includes Circuit Court justices which were originally not included in this program. The amendment re-numbers the statute to its appropriate section of law. **Vote 19-0.**

WAYS AND MEANS

HB 501-FN, (New Title) using fees from registration of commercial animal food sellers to fund the cost of care program in the department of agriculture, markets, and food. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. The bill is meant to add extra funding to the cost of care fund established in HB 4 (2019) by diverting funds provided to the General Fund since 1991 from the commercial animal food seller registration fee. As such, this is spending of revenue appropriated to other purposes in the state budget. For several months, state business tax revenues have been declining below what was anticipated for that budget, inclusive of the January tax rate cut, threatening to put us in deficit. The compromise budget itself includes a back-of-the-budget cut of \$25 million from the Department of Health and Human Services, and it has not yet been determined what would be cut there. In the past month, the developing global epidemic has further reduced the prospects of an economic and revenue recovery this biennium. The state cannot afford to spend more money this term than already allocated. Instead, recognizing the importance of the cost of care fund, the amendment asks the commissioner to include a request for the money in his submission to the governor for the next budget, so it may compete on an equal basis for whatever funds will be available in 2021-2022. **Vote 19-1.**

HB 1567-FN-A, relative to worldwide combined reporting for unitary businesses under the business profits tax. **REFER FOR INTERIM STUDY.**

Rep. Richard Ames for Ways and Means. This bill proposes to change the water’s edge method of taxation for unitary business groups under our business profits tax to a mandatory worldwide combined reporting method. Unitary business groups under worldwide combined reporting, unlike water’s edge combined

groups, will include foreign incorporated business organizations and companies with 80% or more of their payroll and property outside the United States. The goal of the bill is to prevent the inappropriate shifting of NH's fair share of taxable business profits away from NH and the United States to subsidiary corporations located beyond the water's edge. In 2018, the Congressional Budget Office estimated that this kind of tax-avoiding profit-shifting amounted to \$235 billion nation-wide. Several published reports indicate that a change by NH to the worldwide combined reporting method could enable appropriate NH taxation of NH's fair share of these shifted profits. Success in this effort, these reports say, would result in greater tax equity and a substantial increase of business profits tax revenue. Testifying in opposition to the bill, the Council On State Taxation (COST) reported a history of alleged failures in state efforts to use the worldwide combined reporting method, questioned the accuracy of the reports indicating inappropriate profit-shifting and lost tax revenue, expressed concern about the potential for double taxation, and identified many other complexities associated with a shift to worldwide combined reporting. The committee majority agrees that interim study is needed to enable in depth review of the likely revenue, tax equity, economic, and legal impacts of this proposal. **Vote 20-0.**

WEDNESDAY, MARCH 11 REGULAR CALENDAR

CHILDREN AND FAMILY LAW

HB 1162, relative to adoption and parentage. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Coursin for the **Majority** of Children and Family Law. Currently, there is no statutory allowance for an unmarried couple to adopt a person, even if one member of the couple is the biological parent of the person. This limitation creates a number of complications for those who are providing a stable home for a person, a home that deserves to be recognized and legally established through the person's adoption by both persons in the relationship. This limitation also creates unnecessary complications for a person who is the parent of a person conceived via assisted reproduction as defined by RSA 168-B:1, II. This bill removes those limitations. **Vote 16-1.**

Rep. Josh Yokela for the **Minority** of Children and Family Law. While the intent of this bill, to allow children to have permanency and stability from two loving parents, is laudable, the changes proposed do not fulfill what they set out to achieve. This bill contains several parts, the most noteworthy change is to remove the requirement for a couple to be married to adopt a child together. The argument is that there are children being cared for by two adults in a committed relationship that may not be married for one reason or another. It seems to me that when two people get married, it communicates permanency. The institution of marriage, by definition, means the union of two people into one, typically vowed "until death do us part." That's pretty permanent. Additionally, if a couple is going to adopt a child together, they willingly take on a lifetime commitment to love and raise a child. These lifetime commitments go hand in hand. Our changing cultural views of marriage do not change the fact that children thrive in stable, loving, two-parent households. This opinion is not to judge or condemn any person who has either been a child or a parent in a family where this is not the case. This life is full of brokenness, and some of it is out of one's control. However, from a strict policy standpoint, the minority of the committee cannot endorse this policy change that will inherently destabilize the family.

HB 1167, relative to the type of counseling that may be required by the state. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michelle St. John for the **Majority** of Children and Family Law. This bill, as amended, addresses the problem of court-order counseling in two ways. First, is to assure that only qualified counseling, that can be attributed to a current procedural terminology (CPT code), is ordered by state courts, and second, that families participating in court ordered counseling are not subject to undue financial burden resulting from unsanctioned therapies. **Vote 12-6.**

Rep. Deanna Jurius for the **Minority** of Children and Family Law. This bill intervenes in billing where the issue is in the court order. Statute currently dictates that courts give consideration to a party's insurance. Additionally, the state does not have jurisdiction within a counseling office to decide what qualifies as a billable service. The ethical practice of a provider, which is of major concern, will not be addressed by this legislation, even with the majority amendment.

HB 1278, relative to the use of psychotropic medications for children in foster care. **REFER FOR INTERIM STUDY.**

Rep. David Coursin for Children and Family Law. The bill addresses a major problem in the services provided to children in foster care. The committee agrees with its intent, but believes there are important issues that argue against its passage in its present form. It is unclear that it is necessary at this time, given the commitment and unfolding plans of the Division of Children, Youth and Families, to directly monitor and resolve the deficiencies identified by the Inspector General's report from September 2018, referenced in the bill. The definition of psychotropic medications, despite reportedly being used by the Division of Health and Human Services, is unnecessarily vague. Psychotropic medications can be more specifically defined as those medications indicated to treat mental disorders defined in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders. Finally, and most importantly, the bill seeks to add new duties to both the Boards of Medicine and Nursing that would be unprecedented and inappropriate to the mission of these boards. Interim Study will create the opportunity for these issues and others to be resolved, and to determine whether there is an appropriate bill to proceed with. **Vote 19-0.**

HB 1349, establishing a committee to study firearms incidents involving children with access to unsecured firearms. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Petrigno for the **Majority** of Children and Family Law. This bill would only establish a study committee to examine incidents involving children with access to unsecured firearms. The safety of children is of utmost importance. A bipartisan committee consisting of an equal number of majority and minority members would be established to ensure a balanced perspective. **Vote 11-6.**

Rep. Josh Yokela for the **Minority** of Children and Family Law. The minority believes this bill could only propose legislation which would infringe upon our citizens' 2nd amendment rights or regulate citizens' ability to make choices about weapon safety in their homes. This bill could lead the way to making criminals of people who are abiding by current law.

HB 1360, relative to confidentiality under the child protection act. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Coursin for the **Majority** of Children and Family Law. This bill would create the possibility for representatives to access confidential information about a constituent in order to resolve the constituent's issues with a state agency. However, it sets no limits on what information can be accessed, the reasons for access, or how long access would be available. Representatives can respond to a constituent issue by taking that issue directly to the agency involved and request that the agency contact the constituent to resolve the issue. **Vote 12-7.**

Rep. Deanna Jurius for the **Minority** of Children and Family Law. This bill is enabling legislation that allows a legislator to request a release so that the department may discuss case information in a child protection case. Any discussion would be with written parental consent. It does not require that any change be made, but simply allows a legislator to choose to advocate for a constituent and gather information.

HB 1516, raising the minimum age for marriage. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Cassandra Levesque for the **Majority** of Children and Family Law. The bill, as amended, will allow for no child under the age of 18 to be married except if they are emancipated. **Vote 13-5.**

Rep. Werner Horn for the **Minority** of Children and Family Law. The solution being proposed in this legislation brings graver, unintended consequences than actually addressing the problem. As written, 16 and 17 year-old minors will be unable to obtain a marriage license. This is the proposed solution to minors being exploited by their parents for financial gain, with the assistance of the judicial system. This legislation sends a powerful message that we can't trust the judicial branch to protect minors from being exploited. The unintended consequences are to tell 16 and 17 year-olds that they are incapable of establishing a stable marriage; that they are incapable of establishing a family when a pregnancy occurs, given the age of consent for sex is 16 in NH; that they don't deserve prenatal medical care through the military's Tri-Care health benefit program when the father is deployed into a combat zone. In connection with this legislation, we heard that there were five marriages between now and when the age of marriage consent was changed to 16 years old. Given that there were more than five pregnancies from 16 and 17 year-olds in the same time frame, placing the state in the position of prohibiting those mothers from obtaining a marriage license or allowing them to start their families does NH families a grave disservice.

HB 1597-FN, relative to dispositional hearings under RSA 169-B. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Francesca Diggs for Children and Family Law. This bill directs the juvenile court to refer children committed to the Department of Health and Human Services for the remainder of their minority care management entity under RSA 135-F for further support, assessment, and services. **Vote 18-0.**

HB 1657-FN-A, relative to reimbursement of court-ordered services for juveniles. **OUGHT TO PASS.**

Rep. Mary Jane Mulligan for Children and Family Law. This bipartisan bill removes the requirement that parents and guardians must reimburse the state for services provided to a child or family. It encourages families to access necessary and critical services. This bill puts the state's focus on helping children, not charging families who are struggling financially. It removes an undue burden on children and families. **Vote 17-2.**

COMMERCE AND CONSUMER AFFAIRS

HB 546-FN, relative to the regulation of art therapists. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. The majority of the committee agrees that the information needed to consider an insurance mandate for art therapists does not yet exist. Additionally, further education on the role and impact of art therapy is needed before agreeing to support health insurance coverage. The amendment deletes the language relative to insurance coverage for the services of art therapists and retains the sections of the bill approved by the House ED&A Committee regarding licensure. **Vote 10-9.**

HB 1102, requiring food service establishments to establish food allergy awareness procedures. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for the **Majority** of Commerce and Consumer Affairs. This bill with the amendment requires food service establishments to ensure that both their employees and customers are aware of the potential for allergic reactions from the food they serve. Customers will be reminded to inform their server of any allergies, and the business will be required to have their food protection manager, a position already required by law, trained on food allergy issues. These provisions will be named "Rachel's law" in honor of Rachel Hunger, a young New Hampshire woman whose death, following an allergic reaction to peanuts, inspired the creation of this bill. **Vote 16-4.**

Rep. Jason Osborne for the **Minority** of Commerce and Consumer Affairs. Many restaurants are already choosing to cater to the needs of customers with food allergies and sensitivities. This bill represents yet another example of politicians jumping out in front of the parade to take credit for solutions the market is providing while creating additional undue compliance burdens on small businesses. As with all such legislation, some consumers will be given a false sense of safety and, while some may be helped by it, others will be harmed.

HB 1140, establishing a hospital merger advisory commission. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for the **Majority** of Commerce and Consumer Affairs.

This bill establishes a Hospital Merger Advisory Commission until 2025 to study the issue of mergers of hospitals and health care institutions. Currently our Division of Charitable Trusts in the Attorney General's Office is responsible for the review and oversight of the merger process taking place throughout our state where healthcare institutions are finding it advantageous to merge with larger regional systems. This bill creates a 13-member commission which will be charged to gather information about proposed transactions and review how they may impact health care and the communities they serve. The commission will determine if legislation or policy changes are necessary in order to ensure such mergers are in the public interest. Though our Division of Charitable Trusts does a good job of reviewing proposed mergers, the majority believes that more robust oversight by elected officials, involved state agencies and the public will help to inform the process and add a valuable layer of analysis as our health care systems evolve. **Vote 12-8.**

Rep. John Hunt for the **Minority** of Commerce and Consumer Affairs. This bill will confuse the current process under the authority of the Attorney General's (AG) Office of Charitable Trust. Passing this bill will potentially undermine and delay the potential affiliations and mergers under consideration. It is also unclear to the minority how this advisory commission will interact with the AG's office, if at all. The AG is responsible for ensuring that non-profit hospital assets are protected, because they belong to the community. Hospital affiliations are improving hospital's efficiencies which are intended to drive down health care costs. Hospitals are committed to caring for patients in their communities and doing what is in the best interest of the community. We do not need a new advisory board in addition to what the AG's office is already required to do. It is the position of the minority of the committee, to make it clear that the hospital boards of trustees are qualified to determine what the community needs are. The AG's Office of Charitable Trust is responsible for ensuring that the merger or affiliation is in the best interest of the patients that the hospital serves. For these reasons the minority of the committee has voted to not support the passage of this bill.

HB 1166, establishing a committee to study obtaining health insurance for those persons who are uninsured in New Hampshire. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill will establish a study committee charged with seeking data and working to understand the underlying reasons that many Granite Staters remain without health insurance. Certainly, we have various studies and information about this issue. This committee will work to piece together information that helps to explain why over 75,000 of our citizens remain uninsured and will work to make recommendations regarding this issue. **Vote 11-9.**

HB 1186, establishing a committee to study the filing of certain organizational income reports with the secretary of state. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca McBeath for the **Majority** of Commerce and Consumer Affairs. This bill establishes a committee to examine, for accuracy and completeness, the financial disclosure statements filed annually by advocacy and lobbyist organizations with the Secretary of State's Office. The study committee will also have the authority to make recommendations to improve disclosure, transparency and accountability of the advocacy disclosure process, and refer any cases that might benefit from further review and investigation to the Secretary of State or the Attorney General.

Rep. John Hunt for the **Minority** of Commerce and Consumer Affairs. The minority is not opposed to studying the filings of advocacy organizations and lobbyists with the Secretary of State to ensure accuracy and completeness. However, the study committee members are charged with the responsibility of determining whether the disclosures are consistent with the organization's mission and actions and then referring appropriate cases to the Attorney General or Secretary of State for further investigation and review. The minority feels that these are impossible tasks and absolutely inappropriate for a study committee. The minority amendment deletes the first three duties of the committee and leaves one appropriate duty, which is to make recommendations to improve disclosure, transparency, and accountability in the filing of organizational income reports with the Secretary of State.

HB 1209, requiring fidelity insurance coverage for condominium board members, managers, and employees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill requires condominiums to have blanket fidelity insurance coverage against the dishonest acts of persons responsible for handling organizational funds. The committee heard that some mortgage guarantors such as the Federal National Mortgage Association

(Fannie Mae) would not allow a mortgage loan in a condominium association that does not have a fidelity bond to reimburse the association if embezzlement or another covered loss occurs. This is likely because the guarantor wants to be sure that the condominiums are properly maintained – a significant uncovered financial loss might affect proper maintenance. Without such guarantees, condominium mortgages are hard to obtain, causing problems for both buyer and seller. Such coverage is relatively inexpensive, and most associations already have it in place. **Vote 11-8.**

HB 1233-FN, relative to coverage for children’s early intervention services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. In 2007 the Legislature passed a bill that required private insurance to cover early intervention services for children and this bill would update the law to account for changes in insurance contracts that now carry much higher deductibles and co-pays. Early intervention in years 0-3 can pay huge dividends later in the lives of these children. When brain injuries and developmental disabilities are manifested early in a child’s life and can be addressed early with physical therapy or speech therapy and the like, their lives can be improved dramatically. The providers of these services have seen a large increase in the children affected by the opioid crisis and in need of help. Providers who served about 600 children 7 years ago are now serving 820 children. About 60% of the children who receive early intervention services do not need further services and can move on and have productive lives. The issue is that if the family is not Medicaid-eligible and has insurance coverage, the providers of the services are prevented from “balance billing” the family. If the family’s insurance has a high deductible or co-pay, the providers have no way to recover the cost of the services. This prevents the providers from reaching many children, which will, ultimately, affect us all. This bill would not affect the current “cap” of \$3,200 per child per year, but adds a provision specifying that these benefits would not be subject to the deductible, copayments or coinsurance of the insurance contract. Some insurance carriers already provide this coverage when they are writing regional contracts and other states provide this coverage. The amendment allows for primary care providers to make the referrals. **Vote 12-8.**

HB 1274, relative to the labeling of bottled water. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill as amended requires that bottled water meet the same purity requirements as the water that comes from a municipal water system. New Hampshire bottlers are OK with this requirement, and they believe that they meet the requirements already. Ensuring that out-of-state bottlers meet the same requirement is more complex, so the amendment requires the Department of Environmental Services to conduct administrative rulemaking to develop a plan for compliance that won’t be affected by federal law. **Vote 12-6.**

HB 1280-FN, relative to copayments for insulin. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Garrett Muscatel for the **Majority** of Commerce and Consumer Affairs. This bill caps copayments that health insurers can charge Granite Staters for insulin at \$100 per month. The amendment adds a provision stating that coverage for prescription insulin drugs shall not be subject to any deductible. This bill is similar to legislation in effect in Colorado and Illinois and has been introduced in 30 states across the country. Massachusetts passed this legislation with a \$25 cap and Maine appears likely to pass similar legislation. Many Granite Staters are struggling to pay their insulin bills, with 1 in 4 diabetics turning to rationing in order to make ends meet. The committee also heard that the price of insulin has tripled in the last decade. Additionally, the committee considered the potential savings to the overall costs of healthcare. The complications from uncontrolled diabetes are significant: they include infections from poor circulation, kidney disease, coronary artery disease, among others. Such complications can be slowed or prevented if a constituent can afford an adequate supply of insulin. The majority believes that this legislation is necessary to protect Granite State families who are struggling to afford their insulin and that of their children **Vote 12-8.**

Rep. John Hunt for the **Minority** of Commerce and Consumer Affairs. Due to the high cost of health insurance, employers and individuals have been trying to reduce costs by getting policies with higher deductibles and co-pays. Just this year, Colorado was the first state to limit co-pays to \$100 per month for insulin. The cost of insulin varies widely since it is a very old drug that can cost less than \$30 while new variations come on the market annually that can run into the hundreds of dollars. The minority understands the need to help those who depend on this life saving drug. However, this bill as amended went further than what Colorado passed by limiting not only the co-pays but also the deductible. The minority is very concerned about this precedent because the purpose of the deductible is to ensure the insured is considering the cost of the prescription relative to a lower cost generic drug. If an individual or employer, for that matter, wants to limit the deductible they should purchase the plan with a lower deductible, which of course comes with a higher premium. Passing this bill as amended may disrupt the balance of how a health insurance policy premium is determined and may cause an increase in premiums for small employers and individuals who would be effected by this legislation. Large employers who are self insured, which includes the NH state employees’ plan, are exempt. Before we

go down this path, we should take advantage of RSA 400-A:39-b, which allows the Department of Insurance to conduct a mandate review of this bill, to examine the financial, social and medical impact it would have. Every other health insurance mandate in statute includes language that allows deductibles. Passing this amendment could set a precedent that may lead to higher premiums for those who can least afford them, individuals and small employers.

HB 1287-FN, relative to the duration of antibiotic therapy for tick-borne illness. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs.

There is some controversy over the efficacy of the administration of long-term antibiotic therapy for tick borne illnesses. However, the committee heard compelling testimony that, in some cases, such treatment can be curative. The majority believes that such treatment, when medically necessary as determined by an infectious disease practitioner, as the amendment clarifies, can return a person to health and, as such, should be covered by their insurance, subject to all the usual parameters such as deductibles and coinsurance. **Vote 11-7.**

HB 1320, establishing a renter's insurance notification requirement. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for the **Majority** of Commerce and Consumer Affairs. The goal of this bill was to ensure that home and apartment renters knew that their possessions would not be covered by the landlord's insurance, so they would need to get renter's insurance. While the committee was sympathetic to the issue, and the loss stories presented by the sponsor and others, we were not sure that the proposal would address the problem. We recommend further study on this issue **Vote 18-1.**

Rep. Christy Bartlett for the **Minority** of Commerce and Consumer Affairs. This bill was filed after two fires that occurred in Salem. The stories of these tenants are too familiar. Several families lost all of their belongings, had no insurance and nowhere to live. Even community fundraisers cannot replace all these families lost. The sponsor brought this bill to the House with the intention of helping our neighbors and friends who rent. There are even landlords who do not know that their insurance policies provide no coverage for the property or liability losses of their tenants. A renter's insurance policy is low cost and provides property coverage, additional living expense in the event that an apartment is not livable and liability insurance, if, for example, their dog bites someone. This bill would have included a statement in the lease with acknowledgment that the landlord's insurance policy provided no coverage for the tenant. The amendment expands and refines the language of the original bill. The minority felt that this was a very small effort to educate and inform renters of their risk.

HB 1345, relative to the organization of alternative treatment centers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. When the alternative treatment centers for medical cannabis became lawful a few years ago, they were allowed only to be opened as not-for-profit businesses. Due to the federal classification of cannabis as a Type 1 drug, the ability to borrow money for these businesses is limited and expensive. In order for them to grow and to keep the pricing reasonable for the patients who need their product, it has become difficult and expensive. All of our surrounding states offer recreational cannabis at much lower prices than what NH alternative treatment centers can offer. This bill would allow these businesses to incorporate as a for-profit business or limited liability company. This would allow them to have equity owners or membership to attract investors. NH does not want to see its residents cross state lines to purchase medical cannabis. We want to help businesses flourish and provide valuable products and services. The amendment limits any further conversion for an additional three years, so that a business could not just turn around and sell to a larger out-of-state corporation and the NH Charitable Trust would be consulted before any conversion could occur. **Vote 11-9.**

HB 1410, prohibiting the use of flavors and certain chemicals in vaping products. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Constance Van Houten for Commerce and Consumer Affairs. In the wake of President Trump's December 20, 2019 signing of legislation amending the Federal Food, Drug and Cosmetic Act to raise the federal minimum age of sale of tobacco products, including e-cigarettes, to 21, federal law and the U.S. Food and Drug Administration's companion enforcement of flavored vaping products have been playing out. However, New Hampshire's enforcement authority for tobacco sales, the Liquor Commission, can only enforce state law. This bill, as amended, provides the Liquor Commission with enforcement authority relating to flavors in vaping products. It prohibits flavors in e-cigarettes and other vaping products, which would include disposable products not specifically covered by federal law, for any person under age 21. In addition, all flavors, except tobacco and menthol, are prohibited in cartridges for all persons. Refillable tanks are exempt from this prohibition. **Vote 11-9.**

HB 1417, prohibiting the use or collection of biometric data. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Garrett Muscatel for Commerce and Consumer Affairs. This bill as amended expands the prohibition on collecting biometric information from state agencies to include private entities. It prohibits a private entity

from requiring the provision of biometric information as a condition of doing business with that entity, and it requires a private entity to receive the consent of an individual before collecting their biometric information. The bill does not prohibit the use or collection of this information; it just requires said entity to get the consumer's permission. This bill comes in response to the growing use of facial recognition and other biometric information by private companies in our state and nationwide. The committee heard that this technology is imperfect, often misidentifying the elderly, people of color, and women, putting them at risk of possible harm. The majority of the committee believes this bill is necessary to protect the privacy of Granite Staters.

Vote 11-9.

HB 1446, establishing a committee to study the labeling of products containing PFAS. **OUGHT TO PASS.** Rep. Kermit Williams for Commerce and Consumer Affairs. Per- and polyfluoroalkyl compounds, or PFAS, are substances found in many manufactured products from nonstick pans to clothing to firefighting foam. They are best known in New Hampshire for the contamination of groundwater that has infiltrated wells and municipal water systems, but there are other areas where PFAS contamination is an issue, including sewage treatment. This bill would create a committee to study how New Hampshire could require disclosure of PFAS content in products sold in the state, so consumers and businesses could be aware of the presence of potentially harmful material. **Vote 12-8.**

HB 1455-FN, relative to vehicle repairs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Edward Butler for the **Majority** of Commerce and Consumer Affairs. This bill is a further modification of the insurance payment for autobody repairs bill that was passed by the legislature last year and which failed a veto-override by just a few votes. After discussions with the Insurance Department the phrase 'rebuttal presumption' was included in order to make it clear that the repair shop must understand that its claim for payment must be clearly defined and defensible with the goal of returning the vehicle to safe operation and pre-loss condition. Furthermore, the language in the original version of this iteration was changed by the amendment from addressing payment for all 'procedures' required by the manufacturer of the vehicle to simply that supported through scans and calibrations. This bill comes out of a study committee created a few years ago because independent auto repair shops are struggling to survive because insurance companies often minimize repair quotes. This bill works to provide balance to the relationship between the two parties.

Vote 13-7.

Rep. John Hunt for the **Minority** of Commerce and Consumer Affairs. Both sides generally agree that this bill could increase auto premiums. The proponents of the bill justify increasing auto costs in the name of safety. But there are very few complaints to the Insurance Department about safety or quality of repair. The real objective of this bill—and most of the bill's supporters will admit it—is to pay auto repairers more money. The evidence shows that repairs are increasingly being done by the new car dealers and the large shops. They can afford the equipment and training and do not need our help. Manufacturers' procedures increasingly freeze out the small shop, and yet this bill endorses them. The bottom line is that if this bill passes our constituents will be asked to pay more money for insurance in order to give that money to new car dealers and large repair facilities. NH has the ninth lowest auto insurance costs in the U.S., thanks to a competitive market. No state has adopted legislation along the lines of this bill. RI comes the closest, and it has one of the highest auto insurance costs in the country. This bill interferes with the ability of the insurance adjuster to negotiate repairs and prices with the repair facility. This issue was vetoed last year by the recommendation of the Insurance Department and this new amendment does nothing to change the recommendation by the Insurance Department to not pass this bill.

HB 1470, permitting elementary, middle, and high schools to produce and sell certain amounts of maple syrup for educational purposes. **OUGHT TO PASS.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill would allow students to produce maple syrup and sell it for educational purposes without adhering to labeling requirements. Maple syrup production has a long tradition in NH and the committee would like to encourage schools to continue to teach students how maple syrup is made. Maple syrup production has a very short season and there are a few schools that have the support of local producers, but the schools have been hampered in the ability to sell the few gallons produced if they didn't follow the state requirements for labeling. This bill would just ease the regulations for the schools. **Vote 12-8.**

HB 1472, restricting the distribution of plastic straws. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for the **Majority** of Commerce and Consumer Affairs. This is a very simple bill that discourages the use of plastic straws in restaurants by permitting their distribution only upon request of a customer. The amendment exempts self-service dispensers. This practice has been in place in some NH cities over the past three years with an estimated decrease of plastic straw use of 90%. Some restaurants have converted to paper and other biodegradable material straws. The plastic used in straws is not recyclable.

The public is starting to become aware that plastic straws are taking a terrible toll on wildlife and enter our waterways easily due to their prolific use and light weight. This bill was brought to the House by the NH Youth Advisory Council with a unanimous vote and would be a real way to show we are listening to our young people in a meaningful way. **Vote 12-8.**

Rep. Mark Warden for the **Minority** of Commerce and Consumer Affairs. This bill adds a new section of law to the solid waste management statute, including a new definition for straws: "A single-use plastic straw means a single-use, disposable tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, used to transfer a beverage from a container to the mouth of a person drinking the beverage." But single-use plastic straw "does not included a straw made from a non-plastic material, including, but not limited to, paper, pasta, sugar cane, wood, or bamboo." The law makes it illegal for a food service business to provide a single-use plastic straw to a customer unless the customer explicitly requests it, or if the customer selects the straw from a self-service dispenser. The minority believes this is unnecessary legislation that limits consumer choice, micro-manages business practices, and does nothing meaningful to address solid waste disposal in this state.

HB 1483, relative to allowing dogs on open air restaurant patios. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill, as amended, will make it possible for restaurants with outdoor patio serving areas to allow companion dogs to accompany their owners. Several restrictions, such as clear signage, permitting management to ask the companion dog owner to remove the animal if there are problems, requiring dogs to be licensed and vaccinated for rabies are included in the bill. In our state, regarding public health, we have several self-inspecting towns and municipalities. Some of those municipalities already allow companion dogs in outside dining areas. We did not hear of any problems with this practice from those officials. There is concern from some in the disability community about the potential for broadening the practice of allowing dogs in outside dining areas. We heard from two disabled citizens with service animals that they support this proposal. Furthermore, companion dogs are not allowed in the interior of restaurants. And this practice is allowed in some other states without known problems. The majority believes that broadening access to citizens with companion dogs to outside areas in restaurants can be beneficial for all involved. **Vote 14-6.**

HB 1484, relative to retroactive denials of previously paid claims. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Constance Van Houten for Commerce and Consumer Affairs. As amended, this bill makes changes in accident and health insurance law as it relates to retroactive denials of claims. The bill expands the requirement in current law that an insurance provider must give the reason for a retroactive denial of all or some of a previously paid claim. It stipulates, instead, that an insurer must notify a health care provider at least 15 days in advance of any retroactive denial of a claim and provide a written statement specifying the basis for any denial. Additionally, this bill changes the time period during which denial of a previously paid claim may be permitted, under conditions currently in law, to 6 months. The bill also provides that the insurance carrier must furnish the health care provider with the name and address of the entity responsible for the denied claim and stipulates that, when prior approval for service has been granted, an insurance carrier may not retrospectively deny coverage or payment unless fraudulent or materially incorrect information was provided at the time of prior approval. **Vote 12-7.**

HB 1495-FN, prohibiting the sale of over-the-counter rape test kits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Greg Indruk for Commerce and Consumer Affairs. This bill prohibits the sale of "over-the-counter rape kits." In contrast to the official rape kits distributed by the Attorney General's office to trained healthcare professionals, over-the-counter rape kits are dangerous and deceptive as they are very likely not admissible in court and do not provide the comprehensive care delivered as part of forensic medical exams. Given these dangers, and the ongoing development of such kits, we were told prohibition of sale is a best practice and that reliance on the Consumer Protection Act (RSA 358-A) is inadequate. The amendment makes the sale of such kits a violation, adds a savings clause to clarify that rights of action under RSA 358-A are not affected by this bill's language, and incorporates a change to the definition of "over-the-counter rape kits" to accurately reflect the range of medical environments in which proper forensic medical exams are conducted. **Vote 12-7.**

HB 1500-FN, relative to a student loan bill of rights and a student loan ombudsman. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Garrett Muscatel for the **Majority** of Commerce and Consumer Affairs. This bill with the amendment aims to provide consumer protections for our state's student loan borrowers through the creation of an ombudsman to provide advice on and take complaints regarding student loan servicing in the state. The committee heard that there have been problems with student loan servicers misleading students into further debt or intentionally not informing students of forgiveness programs they were eligible for. This bill also provides for licensure of student loan servicers that service state loans, which the state can regulate. The committee heard that all but one of the servicers operating in the state services these loans. This will allow the Banking

Department to guarantee that these servicers are acting in the best interest of student borrowers through the department's examination process. This bill does not attempt to forgive loans; it simply provides borrowers, who fully intend to pay back their loans, with the support and advice they need. **Vote 12-8.**

Rep. Mark Warden for the **Minority** of Commerce and Consumer Affairs. This bill would create a new license for student loan servicers and mandate a new position of ombudsman within the NH Banking Department. The 20-page bill sets a framework for licensing and operational requirements for servicing companies in this state. It places a huge new burden on the Banking Department. However, the department has explained that they don't have the personnel to handle this new obligation and there is no commensurate appropriation. No one doubts that there is a large problem nationwide with student loan debt, much of which will never be repaid. However, we did not hear of any compelling issue with servicing here in New Hampshire. We did hear testimony from student loan advocates and servicers that student borrowers are well informed up front that they must repay their loans. They also receive guidance and counseling when they exit college. Everyone knows that when you borrow money, you have to pay it back. Whether it's a home mortgage or a car loan, when a person signs an obligation to repay a loan, it's understood there are ramifications for defaulting. With student loans, the vast majority, some 90%, are federal loans and are thus heavily regulated already. Lenders and servicers have a vast regulatory web already in place. The minority feels this legislation is unneeded and does nothing to address the root of the problem. By increasing the cost of doing business, such mandates will indirectly increase the cost to future student borrowers.

HB 1535, relative to installation of solar photovoltaic energy systems by condominium unit owners and owners subject to deed restrictions in a homeowners association. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for the **Majority** of Commerce and Consumer Affairs. This bill, as amended, allows homeowners in a homeowners association who have a suitable place for solar panels that is entirely under their control, owned by them and not part of shared infrastructure or common property, to install a solar energy system in this place. The committee felt that use of shared roofs or common land is a complex problem that should be decided by a condominium association, not state law. **Vote 12-8.**

Rep. Mark Warden for the **Minority** of Commerce and Consumer Affairs. This bill seeks to force owners in a homeowners' association to allow installation of a solar system on a property even if the original covenants or deed restrictions prohibited such systems. The main problem with the language is that it would apply retroactively to existing deeds. It says that "Any covenant, condition, or restriction contained in any deed, contract..." pertaining to a sale or interest in real property which prohibits or limits the installation of a solar system "shall be void and unenforceable." The minority's position is that such retroactive impositions are at best bad public policy, and at worst unconstitutional. This bill is an affront to property rights and hostile to the sanctity of contracts.

HB 1564-FN, prohibiting the use of polystyrene foam. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill would prohibit the use of polystyrene foam containers designed for one-time use in food service businesses such as restaurants and grocery stores. Polystyrene is not recyclable as there are no products that can reuse this type of plastic. In addition, the contamination from food waste and the fact that polystyrene does not break down for many years, adds to the detrimental effect on the environment. We are all becoming aware that we must curb and curtail the use of plastics as an environmental hazard. There are many alternatives for restaurants to use other biodegradable products for "take out." This was brought to the House by the NH Youth Advisory Council with a unanimous vote and would provide a chance for us to support the work of our young people. The amendment refined the definition of disposable food service container. **Vote 11-8.**

HB 1588-FN, establishing a mortgage mediation procedure. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill would mandate a mortgage mediation process for mortgages moving into foreclosure. There has been, and certainly could be again, bad actors in the mortgage industry. And as we know our economy is cyclical with boom and bust periods. This bill is intended to help consumers who are negatively impacted if an economic slowdown threatens their ability to hold on to their home. However, many local and national banks have proactive programs to help consumers experiencing challenges with paying their mortgage. The Fannie Mae and Freddie Mac federal programs, often financed through local banks, also have programs for people struggling with paying their mortgages. This consumer protection bill needs more work in order to fit into the network of protections for mortgage holders. **Vote 19-0.**

HB 1589-FN, requiring businesses in the state to take cash for monetary transactions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. John Hunt for the **Majority** of Commerce and Consumer Affairs. This bill requires all New Hampshire businesses to accept cash as payment for goods and services offered for sale at retail. The bill makes the refusal to accept cash payments a violation of the Consumer Protection Act. Given that some all-night convenience

and gas stations might not take cash after 11 pm for the security of their employees, the majority believes that businesses should decide when or if they want to take cash. The committee also heard that there is a business that will only take payment in the form of bitcoin. **Vote 12-7.**

Rep. Greg Indruk for the **Minority** of Commerce and Consumer Affairs. The minority believes further study of this issue is warranted, particularly regarding the effect of cashless business practices on those lacking access to bank accounts or credit. Several other jurisdictions have passed related legislation in recognition of the fact that not all citizens are willing or able to adopt cashless payment methods.

HB 1633-FN, relative to insurance coverage for tick-borne illness. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca McBeath for Commerce and Consumer Affairs. This legislation with the amendment clarifies that New Hampshire health insurance providers will cover all medically necessary blood testing prescribed by a primary care provider, including Polymerase Chain Reaction (PCR) testing, and that this benefit shall not be subject to any greater co-payment, deductible or coinsurance than any other similar benefit provided by that health insurer. **Vote 12-8.**

HB 1695-FN, relative to background checks for certain persons under the banking law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kristina Fargo for Commerce and Consumer Affairs. This bill was filed as a recommendation of the Committee to Study the Effects of Past New Hampshire Trust Code Legislation, established pursuant to 2019, 230:5. This bill is also at the request of the New Hampshire Banking Department. In order to ensure the safe and sound operation of a trust company, this amended bill requires that every director of said trust company shall submit to a background investigation and criminal history records check. This investigation shall take place not only at the time of a trust company application but also within 30 days of any change in directors. The cost of this investigation shall be borne by the trust company. **Vote 17-2.**

HB 1701-FN, relative to the recycling of single use plastics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca McBeath for Commerce and Consumer Affairs. This bill as amended would require certain retailers to provide consumer collection bins for film plastics, the non-rigid plastic resin packaging such as plastic carryout bags, food storage bags, bubble wrap, dry cleaning bags and shrink wrap, then recycle them. This legislation was unanimously recommended by the bipartisan Recycling and Solid Waste Management Study Committee (HB 617, 2019) based on observations of the havoc caused by citizens mistakenly placing film plastics in single stream recycling processing facilities causing the jamming and shut down of recycling machinery. Film plastics around sorting equipment causes processing slowdowns and necessitates expensive, labor-intensive hand sorting. Self-sorting municipalities have similar problems. Contaminated recycling streams increase costs for our towns, already weighed down by exploding solid waste costs. Since there presently is no alternative way for the public to recycle film plastics these items end up in landfills or as litter. Waste Management Inc., the global waste processor, and the NH Municipal Association support this bill and some retailers are already recycling their film plastics by selling it to manufacturers such as TREX that makes composite deck material. This common sense legislation would provide consumers with a recycling alternative and should save municipalities money by decreasing the damage done to machines when film plastics are mistakenly placed in curbside recycle bins. **Vote 12-7.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1159-FN, relative to cyberbullying, cyberstalking, and doxxing of a public servant. **REFER FOR INTERIM STUDY.**

Rep. David Meuse for Criminal Justice and Public Safety. This bill attempts to address the increasing toxic online environment that, for many legislators, has become one of the worst parts of the job. While we readily agree that online behaviors such as cyberbullying, cyberstalking, and doxxing are toxic, irresponsible, and potentially dangerous, we felt that only considering protections for legislators (via the existing Obstructing a Government Official statute) was problematic from a 1st Amendment standpoint. We also felt that our states' existing criminal harassment statute appears to address online behaviors facilitated by electronic devices that clearly cross the line into incitement to violence and endangerment. By assigning this bill to Interim Study, we will have the option to take a closer look at the problems of cyberbullying, cyberstalking, and doxxing and consider potential updates to our harassment law that provide improved protections for all of our citizens without crossing the line and abridging 1st Amendment rights. **Vote 14-6.**

HB 1174, requiring screening for all law enforcement officers for psychological stability and substance use disorders prior to assuming their duties as certified officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. The recent performance audit of the Police Standards and Training Council (PSTC) revealed there are two different standards for law enforcement officers in the state, with some law enforcement officers working in some departments who have never taken or passed a psychological fitness screening and drug screening examination designed to detect behavioral

traits that could adversely affect the person's ability to perform the essential functions of a law enforcement officer. The audit reported stated that "without psychological and drug testing, some officers performing law enforcement duties may possess psychological characteristics or drug dependence that may not be compatible with law enforcement positions, thereby jeopardizing the safety of both law enforcement and the public." The audit suggested, and the PSTC agreed, that the legislature consider whether two different standards for law enforcement officers is acceptable. The committee concludes that there should be one standard for law enforcement officers in the state, and recommends passage of this bill with an amendment. The amendment clarifies that monies deposited in the PSTC Police Psychological Stability Screening fund may be used to underwrite the expenses incurred for psychological stability screening for candidates for certification for law enforcement officers. **Vote 15-4.**

HB 1257, establishing a committee to study the opportunities for citizen involvement in attorney general investigations of officer involved shootings. **OUGHT TO PASS.**

Rep. John Bordenet for Criminal Justice and Public Safety. This bill would establish a study committee on the opportunities to involve citizens in attorney general investigations dealing with police shootings. This would look at whether and how citizens can be involved in these high-profile cases. Hope is that this process would lead transparency in these matters, leading to better support of attorney general rulings. **Vote 15-5.**

HB 1283-FN, relative to prohibiting the online disclosure of personally identifiable information. **REFER FOR INTERIM STUDY.**

Rep. David Meuse for Criminal Justice and Public Safety. This bill attempts to add a new clause to the state's criminal harassment statute that would make it a crime to recklessly or negligently disclose another person's personally identifiable information without consent and with the intent to harass or intimidate. While we agree that disclosure of photos, addresses, and other personal information by online trolls is a growing problem, we felt the language of the bill was overbroad and had the potential to be used against media outlets in an effort to chill coverage of stories where the public may have a legitimate right to know this information. We also felt that our states's existing criminal harassment statute appears to address online behaviors that cross the line into intimidation or harassment. By assigning this bill to Interim Study, we will have the option to take a closer look at the problem and at our harassment statute to see if there are ways to alter it that better protect personal privacy while eliminating or minimizing the risk of unintended consequences. **Vote 17-3.**

HB 1350, requiring a locking safety device be provided for commercial firearm sales and transfers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority of the committee, having heard testimony from interested citizens, recommends this bill inexpedient to legislate. This bill is unnecessary as federal law mandates the inclusion of these devices with all new firearms. Mandating that they be included with used and private sales is a gross intrusion into the citizen's rights to conduct private business and would create the first government mandate that an accessory be included with the private sale of any product. More children die from accidental poisoning and drowning each year. Mandating the inclusion of lockable storage containers with the sale of antifreeze or life jackets with pools would statistically save more lives but would be equally inexpedient to legislate. **Vote 12-8.**

Rep. David Meuse for the **Minority** of Criminal Justice and Public Safety. This bill would close an important gap in our law and in child safety. Under federal law, firearms manufacturers are required to include a locking safety device with all new firearms sold commercially. But there is no requirement to include a locking safety device when previously owned firearms are sold in gun shops, gun shows, and online. With an estimated 350 million firearms now in circulation across the US, this bill simply makes it easier for every person purchasing a firearm in New Hampshire to walk away from the sale with a safety device costing as little as \$6. When used as intended, devices such as cable locks, trigger locks, and gun safes reduce, and in most cases, eliminate the risk of a child or mentally ill family member inadvertently accessing and discharging an unsecured weapon or using that weapon to commit a crime or to commit suicide. Owning and employing these devices also reduces the risk of a firearms owner from being burdened with the consequences of an unspeakable tragedy along with a charge of criminal negligence. This bill was supported by the NH Medical Society as common sense safety measure that protects children and adolescents.

HB 1374, relative to voluntarily surrendered firearms. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Renny Cushing for the **Majority** of Criminal Justice and Public Safety. This bill repeals RSA 159:25, which forbids any state agency from operating a "voluntary surrender and destroy" program and requires that any firearm voluntarily turned over to a state agency must either be used by the agency or sold at public auction. This bill will not compel any citizens to relinquish any firearm, not does it require the state to operate a program that would give citizens an option for the voluntary destruction of firearms. Sadly, with the proliferation of repulsive murderabilia collecting, firearms that have been used to kill people have

become trophy items. Passing this bill will recognize that there are some circumstances when it is appropriate to safely destroy firearms and is consistent with New Hampshire's commitment to responsible firearms ownership. **Vote 12-8.**

Rep. Scott Wallace for the **Minority** of Criminal Justice and Public Safety. This bill serves no purpose that benefits the public, rather the destruction of a firearm that may have a monetary value at auction, ballistics reference value, or training value has the opposite effect. Additionally, the destruction of firearms surrendered voluntarily may result in destruction of evidence that could solve crimes yet unsolved.

HB 1560-FN, relative to the criminal penalties for certain negligent actions which cause the death of an animal. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Nancy Murphy for the **Majority** of Criminal Justice and Public Safety. This bill was proposed based upon a need to strengthen animal cruelty penalties when conduct occurs that results in serious harm or death of an animal. The committee heard testimony relative to the challenges faced by law enforcement and prosecutors when dealing with these situations. This bill as amended will address cruelty that causes significant suffering such as starvation, or "knowing" or "reckless" cruelty being charged as a misdemeanor when the prosecutor may not be able to prove the animal cruelty was "purposeful" which is currently the intent for a first offense felony. Passing this bill will provide law enforcement with an option of bringing charges with a penalty more consistent with the degree of harm or death of an animal. This bill creates a new subsection (II-b) to the animal cruelty statute (RSA 644:8) which includes a definition of "serious harm" to an animal which occurs as a result of cruelty. The term "serious harm" was chosen as it already exists in the animal cruelty statute. The addition of section III-b provides an enhanced penalty option (a class B felony) for a person who purposely, knowingly, or recklessly commits an act under paragraph III (the negligence section), and such conduct causes serious harm to, or the death of the animal. The addition of section III-c includes the right to customarily-accepted animal husbandry practices or humane slaughter under RSA 427 or accepted methods of euthanasia as determined by the American Veterinary Medical Association to alleviate the suffering of an injured or ill animal. The committee discussed that even if a felony charge for serious harm or death to an animal became an option for law enforcement and prosecution by passage of this bill, animal cruelty charges are often plead down and judicial discretion remains. The NH State Director and the Animal Cruelty Policy Team of the Humane Society of the United States, and NH Association of Chiefs of Police support this bill as amended, stating "we support these enhanced penalties for egregious cruelty and neglect cases that cause death or serious harm to animals." The committee voted to pass the bill as amended to ensure that law enforcement has a tool that can bring forward charges that fit the crime. Current animal cruelty penalties are written in such a way that it is virtually impossible to bring forward a felony level charge of animal cruelty despite the severity of the crime. Without this bill, a person who is found guilty of starving or drowning an animal to death could still only face misdemeanor charges. This bill as amended strengthens animal cruelty penalties by closing the gap between neglect and torture, defining "serious harm," and increasing penalties for those whose conduct results in the serious harm to, of death of, an animal. **Vote 11-9.**

Rep. David Welch for the **Minority** of Criminal Justice and Public Safety. This bill has a penalty of a class B felony for the first offense. The minority supports the present law which has for the first offense a misdemeanor and a class B felony for a second or subsequent offense. Many animal cruelty cases involve owners who may not know or realize the consequences of their actions. The current law allows for education of those offenders without adding a felony and prison time to the charge.

HB 1586-FN, relative to the statute of limitations for sexual assault. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. David Welch for the **Majority** of Criminal Justice and Public Safety. This bill removes the statute of limitations for sexual assault. The statute of limitations for incest remains the same. The committee felt that the resulting inequity shouldn't exist but there had not been a subcommittee to study or amend. The testimony in favor of passage was heart-wrenching and most of us were uncomfortable with the current 6 year limitation, but there was no consensus on what it should be. After two failed votes, Interim Study passed. **Vote 18-2.**

Rep. David Meuse for the **Minority** of Criminal Justice and Public Safety. Sexual assault is a lifetime sentence for every victim. During the public hearing on this bill, we heard testimony from county attorneys that removing the statute of limitations for these crimes will do nothing to change the burden of proof required to successfully prosecute a case. But what removing the statute of limitations for these crimes would have done is to allow a truly heinous crime to be prosecuted using available evidence and testimony without the worry of not being able to prosecute the case because too much time has elapsed from the clock. We heard testimony from the victims of these crimes about the many factors that can dissuade a person who has been violated in this way from making an immediate complaint to law enforcement. In one case, the perpetrator was not only a step-parent—but also a member of the New Hampshire House of Representatives—a huge difference in power and authority for any person to have to deal with, but an unimaginable burden for a child. While the minority agrees that Interim Study is a slightly more preferable outcome than killing the bill outright, the

challenge will be ensuring that any proposed changes to the law that don't involve removing the statute of limitations for these crimes altogether will be evidence-based outcome rather than best guesses. We believe this bill is needed and should be approved by this body.

HB 1608-FN, prohibiting the manufacture, sale, transfer, and possession of large capacity ammunition feeding devices. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Meuse for the **Majority** of Criminal Justice and Public Safety. This bill would make it a crime to sell, transfer, manufacture, or acquire a large capacity ammunition magazine or feeding device in New Hampshire. Similar legislation has been enacted in 9 states and the District of Columbia. Between 1990 and 2017, 64% of high-fatality mass shootings perpetrated involved firearms employing these devices. Since the federal assault weapons ban—which also banned high capacity magazines—was allowed to expire in 2004, firearms manufacturers and gun groups have worked diligently to move the goal posts by framing magazines and loading devices formerly classified as “high capacity” as “standard capacity.” The result has been a series of escalating tragedies across the country, culminating in horrors such as the Las Vegas mass shooting that left over 50 people dead and over 400 wounded. Large capacity loading devices provide a distinct advantage to active shooters intent on murdering numerous people: they increase the number of rounds that can be fired at potential victims before having to pause to reload or switch weapons. Evidence shows that victims struck by multiple rounds are 60% more likely to die when compared with the fatality rates of gunshot wound victims who were hit by only a single bullet. Evidence also shows these bans are effective. A study published in the American Journal of Public Health in 2019 found the incidence of high-fatality mass shootings in states where these devices are allowed was more than double the rate in the states that have banned them. This bill would allow people who legally own these devices at present to continue to legally own them. However, it would prohibit their sale, transfer, or acquisition after passage of the bill. **Vote 11-9.**

Rep. Terry Roy for the **Minority** of Criminal Justice and Public Safety. It is the opinion of the minority that this law is unconstitutional. The exact same law was struck down just last year in the State of California. (See *Duncan v. Becerra*, 366 F. Supp. 3d 1131.) In a scathing 89 page ruling, a federal judge found it to be an unjustified government intrusion on the 2nd Amendment. The minority agrees. It's time to stop trying to impose laws from other states on the people of New Hampshire, and send a message that our constitutional rights are not for sale.

HB 1613-FN, allowing prisoners serving life sentences to be eligible for parole after 25 years. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Daryl Abbas for the **Majority** of Criminal Justice and Public Safety. Although this bill is well intended, with the exception of the one prisoner on death row or someone who is convicted of murder while serving a sentence in a correctional facility, this bill makes all criminals eligible for parole after serving 25 years which includes first degree murder. Therefore, if an inmate is currently serving a life sentence for gruesomely murdering a child, after 25 years that child murderer would be eligible for parole. The universal application of this bill would result in unintended consequences when New Hampshire already has existing procedures available under the law to commute sentences or granting pardons. **Vote 15-5.**

Rep. John Bordenet for the **Minority** of Criminal Justice and Public Safety. This bill would allow prisoners serving life sentences to receive a parole review after 25 years. This would be a parole review, not parole. This a low cost method to improve conditions for both inmates and correction officials. Hope for a future of freedom is a simple way to reform prisons.

HB 1645-FN, relative to the annulment of misdemeanor domestic violence offenses. **OUGHT TO PASS.**

Rep. Ray Newman for Criminal Justice and Public Safety. Under current law, a person convicted of misdemeanor domestic violence may petition the court for an annulment 3 years from the date of conviction. The annulment effectively removes any record of the domestic violence conviction. This bill will extend the eligibility for an annulment to 10 years from the date of the conviction. Passing this bill will prevent people with multiple domestic violence convictions from getting an annulment unless all of their prior domestic violence convictions are eligible for an annulment. This is important because for repeat offenders the degree of violence tends to escalate making each of the instances more dangerous. This bill will allow for the creation of a more accurate picture of a person's domestic violence history. **Vote 18-2.**

HB 1671-FN, relative to arrest and search warrants issued by superior court. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee concurred with the court in that allowing the current study group that is being conducted within the court system should be allowed to continue its work to completion. Part of that study deals directly with the subject matter of this bill. **Vote 19-0.**

EDUCATION

HB 1136, relative to the duty of school superintendents regarding criminal history records checks. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for the **Majority** of Education. This bill, as amended, authorizes school superintendents to designate a designee to perform the duties of the superintendent regarding criminal history record checks. The bill also requires the superintendent, chief executive officer of a chartered public school, and designees to attend a training session completed by the Department of Education concerning the reading and interpretation of criminal history records. **Vote 17-3.**

Rep. Dan Wolf for the **Minority** of Education. The amendment requires a Department of Education training that does not exist. If the Department of Education does not provide a training, then can the superintendent, a designee, make a hiring recommendation?

HB 1148, relative to the display of the national motto in schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Stephen Woodcock for the **Majority** of Education. "In God we Trust" has been found on this country's currency for many a year. During President Eisenhower's term, "under God" was added to the Pledge of Allegiance. However, in consideration of the various religious beliefs (Christian, Jewish, Muslim, Buddhist, Atheist, etc.) that our students bring to the school on a daily basis, the Education Committee supports Inexpedient to Legislate. **Vote 12-8.**

Rep. Rick Ladd for the **Minority** of Education. The phrase, "In God We Trust" is our national motto. The phrase appears on our money, legal tender in our state. Our chaplain in the House and her substitutes mention God in their opening prayers. The Pledge of Allegiance, said at the beginning of each House Session, includes the phrase, "one nation under God." The bills we consider include the phrase, "In the Year of our Lord." This bill does not mandate anything, but says "a school board may provide," not "must provide," a durable poster or framed copy of the national motto of the United States, "In God We Trust," for display.

HB 1206, relative to the membership of the state board of education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Cole Riel for the **Majority** of Education. This bill will add two non-voting students to the State Board of Education's membership, similarly to how it is done on many local boards. These members would be able to provide valuable insight and help in the board's deliberations. The amendment provides great detail on the process that will take place to appoint these members and addresses concerns that were raised. **Vote 12-6.**

Rep. Rick Ladd for the **Minority** of Education. Although the minority believes that student participation on a board, even as non-voting members, may provide an excellent learning experience, this bill is not yet ready for implementation. During the hearing process, it was communicated that the bill would necessitate funding support, but the bill contains no funding note. It was also brought to the committee's attention that the State Board of Education meets once a month on a weekday, starting at 9:00 a.m., and often continues into the afternoon hours. In addition, the board often meets on different occasions to address rule making, or to attend hearings or information gathering sessions throughout the state. This schedule will most likely conflict with a student's academic obligations and make it extremely difficult for a student from the North Country to attend due to distance and time requirements. Lastly, the student application and selection process is extremely tight. Applications must be submitted to the State Board of Education for consideration by March 15. By April 15, the board shall be required to select six semi-finalists and by May 1, the board will submit the names of three finalists for the Governor's selection of the finalist. It is interesting to note that the board does not meet between April 15 and May 1. This bill simply needs more policy consideration.

HB 1231, establishing a commission to study approaches to allowing parents or guardians of school children to be educated on the content of non-core topics periodically discussed. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Arthur Ellison for the **Majority** of Education. The bill, as written, does not include parents or teachers as members of the proposed commission. Since the focus of the legislation proposes active rules for both groups in the commission work, the committee feels that the bill should be found Inexpedient to Legislate. **Vote 11-9.**

Rep. Dan Wolf for the **Minority** of Education. Oftentimes, schools conduct parent information meetings after incidents occur or as a reaction to emergency situations. This bill, as amended, would establish a commission whose charge would be to study and recommend approaches to be proactive in educating parents and guardians of New Hampshire children regarding the content of non-core topics periodically being discussed in schools. This commission could hear testimony from all stakeholders to recommend best practices for disseminating this information.

HB 1232, relative to the burden of proof in special education hearings. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Sue Mullen for the **Majority** of Education. This bill seeks to shift the burden of proving the appropriateness of a child's special education placement or program on to the school district, or other public agency. The majority of the committee felt they needed additional understanding of burden of persuasion, production, and the impact this change in law would have upon process efficiency. **Vote 17-2.**

Rep. Glenn Cordelli for the **Minority** of Education. Currently, the party who brings a case to a special education due process hearing has the burden of proving their case. In most all instances, it is the parents who are bringing cases due to concerns about the special education services proposed for their child. In a U.S. Supreme Court case, the court provided that as the standard, but allowed states the option of shifting the burden of proof. As Justice Ginsburg stated, parents in a hearing are “outgunned” by districts. Districts have resources such as lawyers, staff, and information that are typically not available to parents. This bill attempts to balance the scales by stating that it is school districts that will have the burden of proof in hearings. We owe this to special education parents.

HB 1243, relative to the degree-granting authority of an educational institution in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for the **Majority** of Education. The authority for a college to grant degrees in the state of New Hampshire is subject to an act of the legislature. This bill would cede control from the legislature to the Department of Education. The committee believes existing law has worked well and this bill is unnecessary. **Vote 11-8.**

Rep. Rick Ladd for the **Minority** of Education. This bill, with the proposed amendment, would place in statute a well-defined procedural process regarding the Higher Education Commission’s degree granting authority. The bill clarifies and states that no educational institution shall grant degrees unless approved by the higher education commission and then authorized by name to do so by an act of the legislature. It is clearly the responsibility of the higher education commission and not the legislature to receive and approve applications from potential post-secondary institutions wanting to function in New Hampshire.

HB 1251, relative to participation in school sports programs for female student-athletes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Stephen Woodcock for the **Majority** of Education. This bill would subject young students to unnecessary and invasive medical testing, not for any medically necessary reason, but solely because someone disputed their identity. This is blatant discrimination and violates the very protections recommended by the Governor’s Advisory Council on Diversity and Inclusion, passed by this legislature, and signed into law by Governor Sununu last year. Beyond our own state laws, this legislation violates Title IX and the U.S. Constitution and, if passed, would subject the state to costly litigation. This bill is a solution to a non-existent problem, goes against years of bipartisan work, and would only serve to exclude transgender youth from full social participation with peers. **Vote 13-6.**

Rep. Rick Ladd for the **Minority** of Education. This bill saves girls’ and women’s sports programs and keeps the title IX gains, hard-fought for fifty years, from being eroded. Reports are growing about the number of female athletes who have been bumped from fixed-number teams, who have unjustly had their records broken, and who have lost their scholarships because of males identifying as female. The bill won’t deny any student the opportunity to play sports. It will provide an objective way to keep girls’ teams for girls. It will keep things just and fair.

HB 1285, relative to possession of firearms on school property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Luneau for the **Majority** of Education. It is the majority opinion of the committee that state law is not sufficient to enable New Hampshire law enforcement officers to prohibit the possession of firearms on school property. This bill prohibits possession of a firearm on school property, while allowing an exception for law enforcement officers and persons specifically authorized by local school boards. The amendment details the process for school boards to make this authorization and expands the exemption to include law enforcement officers when on or off duty. This bill would enable a school building administrator to ask a person who is not authorized to carry a firearm on school property to leave and to contact local law enforcement for intervention if necessary. **Vote 12-8.**

Rep. Rick Ladd for the **Minority** of Education. The minority is opposed to this bill as it conflicts with the Second Amendment of the United States Constitution that provides the right of people to keep and bear arms. In addition, the bill makes possession of a firearm a class A misdemeanor if a person possesses a firearm at any property used for school purposes such as extra-curricular activities. As amended, the bill identifies public school property, including buildings, grounds, school buses, and vans; however, the definition of school property as defined in RSA 193-D:1, “means all real property, physical plant and equipment used for school purposes, including but not limited to school playgrounds and buses, whether public or private.” Some school districts use non-school owned property such as community soccer fields for athletic activities. Under this bill, a person carrying a firearm and who stops to watch a school activity on a community field or other facility not owned by the school, could be in violation of carrying a firearm and receive a class A misdemeanor fine. Lastly, this bill does nothing to enhance safety or prevent a tragic event from taking place on school property. On the contrary, it only impacts the law-abiding citizen who adheres to the law while enabling the dangerous

perpetrator who seeks to do harm. This bill is a direct assault on our individual right to possess a firearm for traditionally lawful purposes such as self-defense and does nothing to make our schools a safer environment for students, parents, and school personnel.

HB 1306, relative to the recitation of the Lord's prayer in public elementary schools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Woodcock for the **Majority** of Education. The United States Supreme Court in 1962 ruled the recitation of the Lord's Prayer in public school is a violation of the First Amendment. Currently, no public school in New Hampshire recites the Lord's Prayer as part of their daily program. **Vote 12-6.**

Rep. Glenn Cordelli for the **Minority** of Education. This bill repeals a current statute that allows for voluntary recitation of the Lord's Prayer during exercises related to learning about our freedoms, including the freedom of religion. This exact same bill was recommended Inexpedient to Legislate one year ago by the same Education Committee (and then tabled by the House). This year, the exact same bill was recommended Ought to Pass by the committee. Why? What changed? We are told early on that the basic question to be answered is why is the bill necessary. This year, and last, we had the same testimony that no school in New Hampshire is doing this; so the question stands; why is this repeal necessary, especially when it can be viewed as an attack on religious freedom.

HB 1321, establishing a committee to study the reporting criteria of chartered public schools. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda Tanner for the **Majority** of Education. This bill redefines the Joint Legislative Oversight Committee for Charter Schools that is in current statute, but has not been meeting or issuing reports for several years. This bill prescribes changes in the committee composition to include members from House and Senate Education and Finance Committees, appointments by the Senate President and Speaker of the House, and a representative from the Department of Education who specializes in Charter Schools. The Oversight Committee remains charged to meet twice a year, receive reports from the State Board of Education on the charter school program, and order recommendations for legislation. **Vote 11-8.**

Rep. Barbara Shaw for the **Minority** of Education. This bill repeals RSA 194-B:21 Charter Schools and Open Enrollment Legislative Oversight Committee and establishes a redesigned Joint Legislative Oversight Committee for Chartered Public Schools. In addition to reviewing legislation for recommendation, this bill adds a charge to review the chartered public school system and make recommendations for legislative changes, which is unreasonable and unnecessary. It also requires the State Board of Education to convene one or more working committees to study and make recommendations regarding the implementation and effectiveness of chartered public schools which is already in law, but has not recently been reported to the committee. The report of this committee, as presently in law, must be submitted by November 1, 2020 and could easily address the issues that have surfaced regarding the present statute so that the proper reporting and procedures can be guaranteed.

HB 1323-LOCAL, relative to the statewide assessment report. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sue Mullen for the **Majority** of Education. This bill would require school districts to provide parents/guardians with statewide assessment data no later than June 30 of each year. The committee heard testimony from school districts that were concerned that staff would not be available after the end of the school year to assist families with understanding test data. Some districts use parent conferences early in the school year for this purpose. **Vote 12-7.**

Rep. Rick Ladd for the **Minority** of Education. This bill requires schools to produce and provide parents, teachers, and principals an annual assessment report by June 30 of each year. The Every Student Succeeds Act (ESSA) along with Federal Regulation requires that the results from the annual academic assessments given each spring be "provided to parents and teachers as soon as practicably possible after the test is taken, in an understandable and uniform format, and to the extent practicable, provided in a language that the parents can understand." It has been communicated that in some school situations, test results are not provided to parents until the start of the next school calendar. This is certainly not a timely process and does not provide a parent of a child who needs academic assistance the summer months for needed remediation. This bill was developed for the purpose of ensuring that parents would receive testing results in a timely and informative manner. Receiving test information four months after taking the assessment is not acceptable.

HB 1327, relative to the authority of the department of education. **OUGHT TO PASS.**

Rep. David Luneau for Education. The bill amends the statute to define the authority of the Department of Education. Currently, language defines this authority as limited to the "problems" associated with kindergarten through grade 12. The bill uses better word selection and replaces the word "problems" with "matters." **Vote 12-6.**

HB 1334, relative to religious activities of teachers and students in public schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Luneau for the **Majority** of Education. This bill mandates each school district to conduct a moment of silence during the school day and for schools to support and fund religious clubs and activities to the same extent that the school does for other non-religious clubs and activities. It further would permit public school employees to engage in religious activities during the school day and share religious materials. Under federal law, students already have the right to practice their religion during the school day. However, this bill goes far beyond that with consequences that infringe on the rights of students and their families. **Vote 15-3.**

Rep. Glenn Cordelli for the **Minority** of Education. This bill replaces two sections of current statute dealing with religious freedoms. HB 1306 repeals a section of statute that allows for voluntary recitation of the Lord's Praying during exercises related to learning about our freedoms, including freedom of religion. Instead of repealing that section, this bill replaces it with a constitutional moment of silence. That moment can be used to meditate, pray, or for any other silent activity. There is also a section of statute dealing with freedom of assembly and religion. That statute limits the exercise of freedom of religion to five minutes before the start of classes. This bill replaces that section with language that defines what courts have ruled to be the religious freedoms of students and teachers. It also specifies that religious clubs must be presented with the same opportunities as non-religious clubs. This is drawn from a number of sources including an American Civil Liberties Union (ACLU) paper and guidance just released by the US Department of Education. It is time that our New Hampshire statutes reflect constitutionally protected freedoms for students and teachers.

HB 1423, relative to reports on education tax credit scholarships. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Sue Mullen for the **Majority** of Education. This bill seeks to add and clarify requirements for reporting of the education tax credit scholarship organizations to the Department of Revenue Administration. The majority of the committee supports greater detail of how funds are distributed and how student academic improvement was determined. **Vote 11-8.**

Rep. Glenn Cordelli for the **Minority** of Education. This bill, as presented, has multiple problems. It requires that home school scholarship recipient receipts for expenses be sent to the Department of Revenue Administration. For what purpose and what is to be done with them? When asked, nobody had an answer. The bill also asks for additional information that will risk the privacy of scholarship recipients. It might impact families' willingness to apply for scholarships. And who would then lose? The kids.

HB 1432, relative to competency assessments. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for the **Majority** of Education. This bill would require high schools to file a paper copy of competency assessments for each course with the Department of Education. The committee heard testimony that student performance is evaluated in many courses throughout the semester and in a more comprehensive manner that benefits student learning, including the use of formative assessments and capstone projects. Students demonstrate mastery of course competencies over a period of time and not necessarily through a single final exam. **Vote 10-8.**

Rep. Rick Ladd for the **Minority** of Education. This bill, with the proposed amendment, would place in law the requirement that every high school have in place a competency assessment for each course offered. A New Hampshire public high school is required to offer 43 courses in accordance with Ed 306, minimum standards for public school approval. The amendment further defines "competency assessment," as there is no definition for this phraseology in rule or law. Competency assessments may include, but not be limited to locally developed common performance assessments designed to identify a student's understanding of standards in course content. Defining competency assessments is necessary in order to better place students in coursework that best fits their academic needs along with assessing student mastery or proficiency.

HB 1435, repealing the powers of the state board of education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. David Luneau for the **Majority** of Education. Existing law compares the State Board of Education to a corporate board of directors, which is just not accurate, as only local school boards and governing boards have a fiduciary responsibility to school districts and charter schools. Current law also refers to the board's role to "secure the efficient administration of schools" which is actually a responsibility of local school boards; and the board's role to administer the "Americanization" of students, which is neither accurate nor an educational objective in today's society. The bill repeals these provisions from law, replaces references to the process of "Americanization of immigrants" with a strong foundation in civics education, and reinforces the goal to abolish illiteracy. The amendment specifies powers of the board to review academic programs, advise the Commissioner of Education, hear appeals of local school board decisions, appoint members to professional standards boards as provided by law, and adopt rules that shall be followed by local school boards and governing bodies. **Vote 10-9.**

Rep. Glenn Cordelli for the **Minority** of Education. This bill revise the powers of the State Board of Education and attempts to clarify language. However, there are existing powers that are removed. The primary

elimination is that of teaching English to non-English speaking adults/ adult education. It was also pointed out that, with other references to the board in statute, there could be unintended consequences. The Chair of the State Board indicated the board was unaware of the bill until the executive session and was unable to take a position.

HB 1459, relative to non-academic surveys administered by a public school or a chartered public school to its students. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for the **Majority** of Education. This bill, as amended, requires school districts to notify parents/guardians in writing and, when possible, electronically, when a non-academic survey or questionnaire will be administered at school. The school must make the survey available for parent review ahead of time, and it allows for parents to opt-out if they do not want their child to participate. **Vote 11-8.**

Rep. Ralph Boehm for the **Minority** of Education. This is a perennial issue. Parental rights: parents need to give permission to non-academic surveys that ask personal questions as to their family, etc. Questions that, in a lot of cases, are inappropriate for children. Questions that may cause students to question and/or experiment. Such surveys that have nothing to do with education. Parents return school forms for a lot of reasons; field trips, etc. Parents do not return forms for non-academic surveys because they do not want their children questioned. It is none of the school's business, or anyone else's, to ask your children about your family's religion, occupations, political views, etc. And what will the business or organizations that are paying for these surveys do with this information? And remember, no survey is anonymous.

HB 1473, requiring schools to have a special education parent advisory council. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for the **Majority** of Education. This bill, as amended, requires school districts to establish a Special Education Parent Advisory Council to meet with and advise school officials regarding the needs of special education students within their district. An annual meeting will be hosted by each district to inform parents of their rights and the rights of their students. **Vote 16-3.**

Rep. Alicia Lekas for the **Minority** of Education. The minority believes that having a Special Education Parent Advisory Council could be very valuable to school districts. We support the amendment. Our only objection is the word "shall." We believe that this should not be mandated, but should be left up to each district.

HB 1487, relative to freedom of speech and association on college campuses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Vallone for the **Majority** of Education. This bill creates as many problems as it attempts to fix. Student speech is already protected by the First Amendment of the US Constitution and Article 22 of the NH Constitution. This bill would take away some student speech protections at some private schools and may lead to frivolous litigation **Vote 12-7.**

Rep. Glenn Cordelli for the **Minority** of Education. This bill addresses the important topic of freedom of speech on campuses. It states that no public or private institution shall discipline a student for speech that would be protected by the First Amendment if conducted off campus. Religious institutions are excluded to protect their rights. The proposed amendment would address incidents of threatened violence forcing the cancellation of invited speakers.

HB 1501, establishing a commission to study financial literacy in New Hampshire and to make recommendations for a multi-generational approach to financial education. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Woodcock for the **Majority** of Education. The purpose of the bill is to establish a collective wisdom of current financial literacy to assist in providing resources that local teachers and parents may access. **Vote 12-6.**

Rep. Rick Ladd for the **Minority** of Education. The minority absolutely agrees that every student benefits from personal financial literacy instruction. The State Board of Education within the Minimum Standards for Public School Approval currently requires financial literacy as a graduation requirement at all NH high schools. This is noted in Ed 306 where every high school student must take a ½ credit in "economics, including personal finance." If it is perceived that this basic and required course is not satisfactory, it is the Department of Education's (DOE) responsibility to assess that possibility and to recommend any findings, not that of another study commission. It should also be noted that this proposed commission involves ten members and of that number, five are elected officials. Remaining membership does not involve any representation from classroom teachers, counselors, principals, etc. If a primary purpose of this commission is to make recommendations regarding financial literacy standards and best practices, then the minority believes that the DOE involving classroom practitioners should initiate a serious study without the need for legislation.

HB 1635, requiring climate education in grade and secondary schools. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark Vallone for the **Majority** of Education. While the majority agrees that climate change is an important topic, it is concerned about mandatory hours and course details. An interim study would give the committee the opportunity to work with the Department of Education to review current instruction and curriculum. **Vote 13-7.**

Rep. Rick Ladd for the **Minority** of Education. There are many current topics that are deserving of instruction in public schools, but the legislature needs to be careful in changing or modifying the substantive criteria or areas we call instruction and curriculum. First, it is local schools that have “the responsibility and flexibility in implementing diverse educational approaches to instruction and curriculum tailored to meet student needs,” pursuant to RSA 193-E:1, II. Second, there was no evidence presented to the committee during the hearing process that the topic of climate change was not being addressed in all school districts during social studies or science instruction. Third, Ed 306, Minimum Standards for Public School Approval, already mentions within: (1) Social Studies sub topics include: “environment and society; people, places and environment; detecting cause and effect; distinguishing fact from opinion; global transformation; and more” (2) Science sub topics include: “an awareness of and involvement with the natural world, awareness of science-related societal issues, how environment factors affect living systems, renewable and nonrenewable resources, drawing conclusions and inferences from data, and much more.” Fourth, the Department of Education currently has a process in place for updating academic standards of which this has taken place in the area of social studies during the past year. Lastly, there are a number of processes available for public education to address or expand curriculum in order to cover the many important issues impacting our society and world without having to legislate new laws. It should be emphasized, however, that the state’s responsibility is to establish “minimum standards” while “instruction and curriculum” are responsibilities of school districts. The decision to provide instruction and curriculum regarding “climate change,” as with countless other meaningful topics, is a local responsibility.

HB 1636, relative to special education services for children in charter schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Luneau for the **Majority** of Education. Under long-established state law, the school district where a student resides pays for costs to implement the student’s individualized education program (IEP) regardless of whether the student attends a school in the district of residence or attends any other public school in New Hampshire, including charter schools. This bill would require the school district of residence to pay for 100% of the cost to educate a student with an IEP at a charter school -- not just the IEP costs, but all the costs for the student’s education. This is a sea-change to how charter schools are funded now. The committee recognizes that proponents of the bill would like to see changes to school funding, but a comprehensive approach is required. The commission to study school funding is charged with developing proposals to do this. **Vote 12-8.**

Rep. Glenn Cordelli for the **Minority** of Education. This bill addresses the situations in which a student with disabilities is in a public chartered school and receiving services from the resident district - as required by law. There have been issues regarding if the services are to be offered at the charter school or if the student is to be transported back to the resident district for services. The bill does not change state law, but just inserts federal and state special education language as a tool for parents. Too often, parents do not always know all their rights, especially when it comes to individualized education programs (IEP) and the issues around charter school services. This bill places appropriate language in statute for parents’ use in discussions with the district about least restrictive services.

HB 1686-FN-LOCAL, relative to the Medicaid to schools program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for Education. This bill establishes the changes in statute needed to allow schools across the state to start billing Medicaid again for professional services provided during the school day. The amendment reflects the exact language from SB 684, passed by the House this session, and directed to the same purpose. This bill provides the legislature with a vehicle to make additional changes to the program if necessary once the new rules are enacted. **Vote 19-0.**

HB 1687-FN, relative to the installation of video surveillance cameras in special education school buses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for the **Majority** of Education. This bill, as amended, requires audio and video surveillance equipment to be installed and operated on all vehicles provided through services related to a student’s Individualized Education Program (IEP) or 504 plan. Accounts of student mistreatment while being transported provided the impetus for developing this bill to protect our most vulnerable students. This bill also requires local school boards to develop a policy as required by RSA 266:39 to address privacy and usage concerns. **Vote 13-6.**

Rep. Rick Ladd for the **Minority** of Education. As amended, this bill requires audio/video surveillance equipment in any vehicle provided by the school district used to transport a child with a disability whose Individualized Education Program (IEP) or 504 plans designates a need for transportation service to or from school or a school function. It should be noted that there are some situations in which school districts utilize taxi services to transport students when other means of transport are not readily available. This bill will signifi-

cantly impact the use of that transportation option. In addition, the Office of the Legislative Budget Assistant was unable to provide a fiscal note identifying statewide implementation costs to districts for the purchase, installment, and maintenance of surveillance equipment. This is another unfunded mandate.

HB 1715, relative to the renomination of teachers. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Tamara Le for the **Majority** of Education. This bill updates the requirements for a teacher to be entitled to notification and a hearing when the teacher is not reappointed from five years to three. Three years in time coincides with the NH Department of Education cycle for teacher recertification. The majority found changes to the State Board of Education's experienced teacher certification credential (two years) and the bill's effective date of July 1, 2021, allows administrators ample time to develop and implement more timely evaluations. Such improvements will help close the teacher shortage gap by creating more opportunities for student teachers to be placed with peers not on longer-term probation; allows students to suffer less time under poorly performing teachers; places current teachers on probation on equal footing with teachers in other New England states; and affords them the same economic opportunities for mortgages, bank loans, etc. in three years, versus the current five. Taxpayers benefit through stability in budgeting. Lastly, the majority believes school administrators have ample tools at their disposal to evaluate teachers in 540 days (three years) versus 900 days (five years). **Vote 11-9.**

Rep. Rick Ladd for the **Minority** of Education. Currently, requirements for the time frame for a teacher to earn non-probationary status in New Hampshire is five consecutive years in any district in the state and three consecutive years in the current district. During the public hearing, the committee heard testimony stating that the five-year probationary period gives more time for teacher development in which an administrator can work with the teacher who is demonstrating improvement and potential. The additional two years, from three to five, supports educational goals knowing that upon finishing the probationary period, teachers will possess the skills, subject content, and instructional techniques to be highly effective staff members.

ELECTION LAW

HB 1266, relative to absentee ballot request forms. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Connie Lane for Election Law. This bill as amended makes clear on the absentee ballot request form that persons who are incarcerated due to a misdemeanor or while awaiting trial are entitled to vote via absentee ballot. This bill also clarifies that it is optional for voters to provide their email addresses and phone numbers when requesting an absentee ballot. The majority believes these clarifications for already-eligible voters will increase participation and alleviate privacy concerns. **Vote 16-4.**

HB 1279, relative to the terms resident, inhabitant, residence, and residency. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Pearson for the **Majority** of Election Law. This bill adds the words "for the indefinite future" to the definitions of "resident; inhabitant" and "residence." The majority believes this addition better clarifies voter eligibility requirements as they are found in the Constitution and Supreme Court precedent. **Vote 12-8.** Rep. Barbara Griffin for the **Minority** of Election Law. This bill is the second attempt this session to repeal a law currently in effect. The law which the majority would repeal was passed and signed into law and has been in effect with no known impact on voter participation. This law makes residence and domicile equivalent thus ending unequal treatment of voters. This makes us consistent with almost all other states in that a person needs to be a resident to vote in our state. The current law has been found constitutional by the NH Supreme Court which ruled the state has an interest in making sure that when residency is claimed by a person it should not be just for voting but for all purposes. This law is currently before the Federal Court with a decision expected later this year. The minority believes that to keep the current law in place pending that result is the best result for the integrity of our elections.

HB 1299, relative to selectmen pro tem on state election day. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Connie Lane for the **Majority** of Election Law. This bill attempts to address an issue raised by Part 2, Article 32 of the NH State Constitution, which requires that the selectmen be present when the votes for certain elections are received by the moderator. In some towns, there are not enough selectmen to cover all the wards and the constitution is unclear if all selectmen or only a quorum need to be present. While laudable in its intent, the bill is attempting to modify the constitutional requirement that "the selectmen" be present by allowing only 1 selectman to be present. The proper course to address the dilemma caused by Part 2, Article 32 is to amend the constitution, not to change it via statute. **Vote 11-7.**

HB 1390, relative to access to ballots and verification counts of machine-counted ballots. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Morrill for the **Majority** of Election Law. This bill allows audits of randomly selected ballot-counting devices after polls close and before the vote is certified, either by petition of registered voters or at

the discretion of the moderator in order to ensure the accuracy of the device. There are concerns, however, with the risks to ballot security that repealing the right-to-know exemption for ballots would create. **Vote 12-8.** Rep. Katherine Prudhomme-O'Brien for the **Minority** of Election Law. Current law strictly defines the chain of custody of cast ballots and recounts have consistently shown that our electronic ballot counting machines are very accurate. Creating a new way of accessing ballots outside of well defined and well performing current law will be detrimental to the public's trust in our elections.

HB 1415, establishing a committee to study the Montana disclosure act and anonymous out-of-state contributions preceding an election. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Connie Lane for Election Law. Recognizing the increasing influence in elections played by negative campaign literature, emails, and other advertising directly paid for by PACs and other groups, this bill establishes a committee to study other states' campaign finance disclosure laws and laws regulating anonymous contributions, receipts and expenditures. The amendment changed the duties of the committee from a specific study of the Montana Disclosure Act and anonymous out-of-state contributions to a more broad charge. **Vote 16-4.**

HB 1525, relative to the definition of political advocacy organization. **OUGHT TO PASS.**

Rep. Wayne Moynihan for Election Law. NH election law generally requires that independent political organizations, involved in NH elections, but not associated with a candidate, must register with and report their activities to the Secretary of State. The committee received compelling testimony and evidence of a recurring problem where, within 60 days of recent elections, some unregistered organizations sent out mailings which clearly identified candidates for office. These mailings clearly challenged candidates and political positions. Heretofore some of these organizations have avoided registration, under NH election laws regarding political contributions, by claiming that their materials were related to political "issues" rather than to individual "political candidates." This bill corrects this circumstance, called a loophole by some. The bill requires an organization that pays for distribution of a communication, within 60 days of an election, that refers to a candidate or to the success or defeat of a measure, and costs \$2,500.00 or more, to register and report as required for other political organizations. **Vote 13-7.**

HB 1534, establishing a commission to study the creation of online voter registration for the 2022 state elections. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Bergeron for the **Majority** of Election Law. This bill as amended would establish a commission to study the creation of online voter registration for the 2022 state elections. The 9-member commission would include four members of the House (two appointed by the Speaker and two appointed by the leader of the largest minority party in the House), two Senators (one appointed by the president of the senate and one appointed by the leader of the largest minority party in the Senate), a town clerk, a city clerk, and two supervisors of the checklist appointed by the Secretary of State. Testimony provided to the committee indicated that the bill has the support of the Secretary of State. The commission will be tasked with identifying the means, costs, and processes necessary to accept online voter registrations and to ensure their accuracy and security. **Vote 15-5.**

Rep. Kathleen Hoelzel for the **Minority** of Election Law. The minority believes that commissions established during prior legislative sessions have appointments yet to be filled and are not progressing. Commissions can be expensive and problematic. Therefore the minority feels this legislation should be found Inexpedient to Legislate.

HB 1643-FN, relative to permissible campaign contributions by business organizations and labor unions and relative to funding source disclosure for political advertising. **OUGHT TO PASS.**

Rep. Connie Lane for Election Law. This bill allows business organizations and labor unions to contribute to elections if done through political committees that operate independently of such organizations. Under the bill, the political committees' expenditures and contributions must be made through a separate fund consisting of voluntary contributions from employees, officers, shareholders, or members of businesses or labor unions. The bill implements the solution recommended by U.S. District Court Judge McAuliffe in his decision when he found the broad restriction on all corporate political contributions to be overly restrictive and unconstitutional in Kennedy v. Gardner [No. CV 98-608-M, DNH Sept. 30, 1999]. Judge McAuliffe suggested that the legislature could narrow the prohibition to apply only to contributions from a corporate treasury fund and to permit contributions from a segregated account funded through voluntary contributions. The bill allows a level playing field for contributions from business organizations and labor unions. Sole proprietorships are exempted from the provisions. **Vote 13-7.**

HB 1651-FN, relative to prisoners' voting rights. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Pearson for Election Law. This bill, as amended, clarifies New Hampshire's law on incarcerated voters by specifically referencing the statute giving said voters access to the absentee ballot process. This bill also specifies in the oath section of the absentee ballot request that the voter may request an absentee ballot, despite their incarceration due to a misdemeanor or while awaiting trial. These changes make New Hampshire's voting laws easier to navigate and create uniformity among the forms voters fill out and the laws underlying those forms. **Vote 17-3.**

HB 1653-FN, relative to domicile, residency, voter registration, and investigation of voter verification letters. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Pearson for the **Majority** of Election Law. This bill modifies or removes much of the language contained in the 2017 legislation: SB 3. That legislation modified the definition of domicile for voting purposes and the requirements for documenting the domicile of a person registering to vote. This bill also removes New Hampshire from the now-defunct Interstate Voter Crosscheck Program and provides criteria for the Secretary of State to use when soliciting an alternative. The majority believes SB 3 is likely unconstitutional and poor public policy; the majority also believes it is necessary to provide guidance to the Secretary of State when binding New Hampshire to interstate programs that share citizens' information. **Vote 12-8.**

Rep. Barbara Griffin for the **Minority** of Election Law. This bill is an effort to repeal current law that was passed in the previous session known as SB 3. It is an identical effort to a bill of the first year of this session which was vetoed by the Governor. This bill proposes to eliminate the requirement that when a person registers to vote that there be proof of domicile, such proof being referred to as "verifiable actions of domicile." This requirement is consistent with other states and was a common sense reform to ensure confidence in the integrity of our elections. The law was used in 18 months of election and there is no evidence that voters did not vote as a result of the law; in fact some of the highest turnout ever occurred. The current law is now the subject of ongoing litigation with a trial recently completed but Orders having not yet issued. The minority of the committee believes we should let the court case continue to its end and after consideration of the ruling make changes as might be needed then.

HB 1665-FN-A, establishing an independent redistricting commission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Wayne Moynihan for the **Majority** of Election Law. Eighty percent of NH voters have expressed agreement that "gerrymandering" during redistricting creates unfair voting districts, and therefore support independent redistricting. The original version of this bill was much like last year's bill. However, the amended version reduces the role of the independent commission to one of being clearly and solely advisory. It cannot be reasonably construed that this commission is unconstitutional, or otherwise taking over the duties of the legislature. The maps and plans ultimately created by the commission are clearly identified in the statute as being advisory only. All further action on the redistricting plans is in the hands of the legislative process, subject to amendments and redesigns as legislatively determined. The qualities of the prior legislation are retained in this bill as amended. The fifteen commission members are unelected, and without personal interest in the district designs. Ten members are selected by the legislative leadership of the majority and minority parties. The remaining five members, who must be applicants who are registered to vote as "undeclared," are selected by the first ten appointees. The commission's meetings are advertised and open to the public. Any citizen may submit to the commission plans for redistricting created outside of the commission, which it will consider. Preliminary plans and maps shall be publicized and available on a web site, and for media scrutiny, public input and comment. After the commission's advisory plan is submitted to the legislature, the commission's role is complete. This bill will definitively improve the process of decennial redistricting in NH. In prior decades redistricting has regularly involved months of litigation in multiple courts. This bill provides an open and transparent process, as politically neutral and balanced as the limits of human nature allow. It addresses the expectation of NH voters, delivered in testimony, and voluminous correspondence to the committee, that the state use a process for redistricting that is intentionally designed to avoid gerrymandering and use a politically balanced and neutral process designed to give voters the true power of their vote to decide who their representatives will be, rather than a process whereby elected representatives select who their voters will be. **Vote 14-6.**

Rep. Katherine Prudhomme-O'Brien for the **Minority** of Election Law. The NH Constitution states in Article 11, Part 2 that "The legislature shall form the representative districts at the regular session following every decennial federal census." Any group of persons is now able to form and share their opinion on redistricting with the legislature, new legislation is not needed to allow this. If the people of New Hampshire believe their representatives have abused the redistricting process, they are free to seek other representation, as they have done in the past. This is the most effective and direct form of checks and balances upon this process available.

HB 1672-FN, allowing voters to vote by absentee ballot. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Pearson for the **Majority** of Election Law. The majority believes that New Hampshire's Constitution affords all eligible voters the freedom to use an absentee ballot. The majority also believes that eligible voters should not need to provide excuses to the state to access the franchise. The majority trusts New Hampshire voters and the Secretary of State's tireless efforts to ensure the integrity of the franchise. **Vote 12-8.**

Rep. Katherine Prudhomme-O'Brien for the **Minority** of Election Law. New Hampshire has very high voting rates, higher than states that have no-excuse absentee balloting. Interestingly, those states have had higher voting rates in the past when they did not have no-excuse absentee balloting. We heard testimony that absentee voting is an area where most cases of voting fraud occur. There is no need for this bill in New

Hampshire, disability rights organizations have stated that current laws regarding absentee voting protect their rights and that both absentee and in-person voting work well for them. Lastly, we have seen elections in other states where candidates dropped out of the race very close to the election but weeks after large scale absentee voting began. Many of those voters then desired to vote anew, an option that is not possible after casting an absentee ballot.

ENVIRONMENT AND AGRICULTURE

HB 1319, prohibiting the siting of new landfills or expansions of existing landfills near state parks, national parks, or United States Department of Agriculture forest land. **OUGHT TO PASS WITH AMENDMENT.** Rep. Peter Bixby for Environment and Agriculture. This bill as amended bans the siting of new solid waste landfills within 2 miles of state or national parks. We heard significant concerns about a landfill being considered within a quarter mile of Forest Lake State Park and the impact that a nearby landfill would have on the attractiveness of the park to visitors. The majority of the committee was also concerned with the effect that a nearby landfill siting would have on any state park. State parks are a critical part of NH tourism infrastructure and are funded only by visitor fees. The House Counsel indicated that such a ban would not likely be considered an illegal taking under constitutional law. **Vote 11-9.**

HB 1422-FN, establishing a moratorium on the issuance of permits for new landfills or the expansion of existing landfills for the purpose of studying the creating of municipal waste districts. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Liz McConnell for the **Majority** of Environment and Agriculture. The committee finally settled on a recommendation of Interim Study after motions of OTP/A and ITL failed. The committee believes that the topic is deserving of a more in-depth look at the pros and cons of a moratorium on new landfill permits. **Vote 15-5.** Rep. Jane Beaulieu for the **Minority** of Environment and Agriculture. The minority felt that to Interim Study the bill would duplicate studies proposed in similar legislation this year. Passing the bill as amended this year would provide a pause by means of a 2-year moratorium in the siting of new landfills, rather than just a continuation of study efforts.

HB 1570-FN, establishing an architectural paint program. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Bixby for Environment and Agriculture. This bill would have established a New Hampshire "Paint Care" program. This is an industry orchestrated program to facilitate the collection of unused house paint. Bad weather prevented the prime sponsor and an industry expert from testifying. Our main source of information was from the Department of Environmental Services (DES). DES testified that the bill as written would impose administrative requirements for which the department has neither personnel nor funding. The committee felt that the intent of the bill has merit, but will not work as written. We would recommend that the sponsor rewrite the bill, in consultation with DES, and resubmit it next session. **Vote 19-0.**

HB 1630-FN, relative to pet vendors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard Pearl for Environment and Agriculture. This bill supports the House position on this issue passed earlier this session in HB 371 concerning the numbers of animals transferred for an entity to be considered a pet vendor under the law. Additionally, the bill provides for an exemption process, administered by the Department of Agriculture, Markets and Food, for a person who inadvertently qualifies as a pet vendor due to a larger than expected litter of dogs, cats, or ferrets. **Vote 19-1.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1122-FN, relative to death benefits of first responders who die from suicide. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark Proulx for the **Majority** of Executive Departments and Administration. This bill addresses the presumption that first responders who complete the act of suicide have engaged in such behavior as a result of the constant stress, critical incidents, and trauma inherent in the professions of law enforcement, firefighting, emergency medical services practitioners, and rescue squad personnel. The underlying precepts of this bill follow similar considerations for active duty military personnel under the Uniform Code of Military Justice. **Vote 18-1.**

Rep. John Burt for the **Minority** of Executive Departments and Administration. For someone to be so low in one's life to think suicide is the only way out is sad when there is help. But this bill will pay that police officer, firefighter, emergency medical technician or rescue squad member's loved ones money if they commit suicide. The benefit in this law amounts to \$100,000. The minority does not want the person in that low spot of their life thinking, "I am worth more dead than alive." The minority also wonders why just police officers, firefighters, emergency medical technicians, and rescue squad members? The constitution says one group of men should not be above another group of men. If this bill comes forward, it should include all NH residents that sadly would commit suicide and not get the help they deserve and need.

HB 1228, proclaiming Climate Change Awareness Day on October 1. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sallie Fellows for Executive Departments and Administration. This bill directs the Governor to proclaim Climate Change Awareness Day every year. This proclamation includes asking citizens of New Hampshire to consider the unique environmental and economic impact climate change is having on our state. The committee amendment changes the date from October 1 to April 22, creating an opportunity to combine the local perspective with the global perspective of Earth Day activities. **Vote 11-8.**

HB 1253, establishing an advisory council on the dispensing of eyeglasses and contact lenses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Merchant for the **Majority** of Executive Departments and Administration. Pursuant to RSA 327-A, the Office of Professional License and Certification (OPLC) is required to establish rules related to opticians and ophthalmic dispensing of spectacles, eyeglasses and contact lens. Rules are required to include the process for registration, setting ethical and professional standards, procedures for handling complaints, procedures for approving or denial of an application for registration, conducting investigations, and imposing administrative fines. OPLC requested the establishment of an advisory council composed of four opticians and one public member to assist and advise OPLC in rule writing, complaints and investigations, and periodic review of professional and ethical standards including continuing education. The bill does not create a new regulatory entity or regulatory authority as current law, RSA 327-A, is in place. The amendment adds a provision requiring the council to meet at least once each calendar quarter and establishes a quorum of the council. **Vote 11-8.**

Rep. Carol McGuire for the **Minority** of Executive Departments and Administration. Opticians are registered, not licensed, and with minimal requirements for the initial license, it is very possible to be registered right out of high school, then learn on the job. Complaints are given to the Attorney General's Consumer Protection Bureau and have been negligible for years. There is no need for an advisory committee and nothing for them to do.

HB 1286-FN, relative to the licensure and regulation of music therapists. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for the **Majority** of Executive Departments and Administration. This bill, with the amendment, establishes a Music Therapy Governing Board in the Office of Allied Health Professionals for the licensure and regulation of practitioners of music therapy. In this time of growing concern regarding mental health care for our citizens, it is important that NH avail itself of all recognized treatment modalities. Although we already have accredited music therapists practicing in our state, they are significantly impeded in their outreach by being limited to private pay patients, since most insurance coverage requires licensed providers. The bill grants such licensure and creates regulation under the well established allied health board model. **Vote 14-5.**

Rep. Carol McGuire for the **Minority** of Executive Departments and Administration. This bill is yet another attempt to gain a government stamp of approval for yet another tiny, self-defined profession. Music therapists are not qualified mental health professionals, as can be seen in their alignment with the allied health professions (recreational therapists, occupational therapists, athletic trainers, physical therapists, etc.) rather than the Board of Mental Health Practice. No evidence was presented that "unqualified" music therapists are a problem in New Hampshire, and creating a board for the 33 working at present is unjustified.

HB 1382, establishing April 8, 2024 as Solar Eclipse Day. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. This bill gives one-time recognition for an upcoming total solar eclipse in NH's North Country, which will take place on April 8, 2024. Full solar eclipses are typically a once-in-a-lifetime event. Knowing this far ahead of time that a total solar eclipse will be moving across a broad swath of America - including New Hampshire- will enable our schools and our economic development engines to prepare and plan. The tourist dollars that will come to NH, and the science, technology, engineering and mathematics (STEM) educational opportunities for our kids, are worth the honor this bill will give and this bill costs nothing! Preplanning for this, though, is priceless. **Vote 17-2.**

HB 1494-FN, relative to death benefits for public works heavy equipment operators killed in the line of duty, and relative to workers' compensation offsets for certain retirement system benefits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill adds state or municipal public works employees killed while in the performance of their duties to the list of first responders who currently have that benefit for their dependents. The amendment deletes the reference to 'heavy equipment operators' as the committee learned that many of these workers were, for example, killed by equipment that they were not actually operating or hit by inattentive drivers, but the very nature of their work puts them in harm's way. The Commissioner of the Department of Safety will determine whether the circumstances of the deaths will qualify for the benefit. **Vote 15-4.**

HB 1644-FN, relative to information required on marriage licenses. **REFER FOR INTERIM STUDY.**

Rep. Kristina Schultz for Executive Departments and Administration. The intention of this bill is to eliminate the collection of race data, a vestige of a very outdated and never appropriate tracking of interracial marriages, used in the so-called fake field of “miscegenation.” This data-gathering in NH briefly gained national attention in the news, when a story assessed this outdated practice at the state level and put the Granite State on par with states with a real history of racism. Unfortunately the bill as introduced needs to address concerns from officials at the Department of Health and Human Services and their understanding of needed data gathering for various federal grant applications. Thus, as all affected parties share the desire for this bill to succeed, while more work is needed, we recommend that it be referred for Interim Study. **Vote 16-3.**

HB 1713, relative to continuing education requirements for child day care workers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Jaci Grote for the **Majority** of Executive Departments and Administration. This bill reduces the continuing education training hours required for child day care agency workers from the 18 hours, currently required in rules, to at least 6 hours. The committee’s spirited discussion involved attempts to weigh the concerns of day care center owners with those of parents. The center owners described their challenges with workforce availability, pay level, and the cost of training to the employee and the agency. Parents stressed the importance of quality care for young children. The committee reviewed both NH’s continuing education requirements and basic education requirements for day care agency workers compared to those in neighboring states. First aid, water safety (when applicable), and CPR training, all which can take up to six hours in the first year, do not count currently towards continuing education hours in NH. A compromise was reached with the Department of Health and Human Services (DHHS) to count first aid, water safety and CPR training courses towards the 18 hour training requirement. This compromise will be implemented through the rulemaking process within the next few months, therefore the bill is not needed. The subcommittee has taken the responsibility to confirm with DHHS that this agreement has been fulfilled. **Vote 13-5.**

Rep. Kristina Schultz for the **Minority** of Executive Departments and Administration. No doubt everyone wants training and educational standards for child day care workers. The concern is that the expenses for said ongoing education are typically paid for by the workers out of their own pockets. Child day care workers, especially at the entry and non-management level, are notoriously paid a low wage. Child care agency owners are forced to pit the financial needs of parents against those of their employees. This is an impossible dichotomy in an already strained sphere of our state: a sincere lack of affordable childcare pitted against a notoriously low wage workforce typically filled by women. This is impossible. One of the few things we can do to give relief in this otherwise impossible situation is to reduce the number of hours required for the continuing education of child day care workers. That is what this bill seeks to do. We can achieve relief while ensuring the adequate training for those caring for our children while we work.

FISH AND GAME AND MARINE RESOURCES

HB 1504, establishing a committee to study prohibiting recreational trapping. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Klose for the **Majority** of Fish and Game and Marine Resources. Having considered the merits of studying recreational trapping, the majority of the committee believes studying prohibiting trapping to be unnecessary. The Fish and Game Department can provide any necessary trapping information. **Vote 15-5.**

Rep. Mary Eisner for the **Minority** of Fish and Game and Marine Resources. The minority believes a study on prohibiting recreational trapping is needed to determine the effects of recreational trapping and the financial impact on New Hampshire cities and towns. However, the bill could be improved by changing the wording and makeup of the committee members.

HB 1571, relative to the qualifications for the members of the fish and game commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Cathryn Harvey for Fish and Game and Marine Resources. This bill was introduced to amend the membership qualifications of the Fish and Game Commission. Having had a form of this bill introduced seven times in the recent past, the majority of the committee felt that the bill was unnecessary. The committee heard testimony that the Fish and Game Department follows the North American Model of Wildlife Conservation and as such is a premier department in conservation. If passed, the majority of the committee felt that our wildlife would no longer be regulated by the respected biologists and scientists in the department. **Vote 14-6.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1223, relative to schedule I and unscheduled drug take-back programs. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gary Woods for the **Majority** of Health, Human Services and Elderly Affairs. This bill outlines a potential program to take back schedule I and unscheduled drugs. The committee was appreciative of such a measure

to remove these substances from community circulation as well as preclude them from inappropriate disposal into our environment. Nevertheless, a wide variety of technical, procedural and legal issues became evident. Safety and legal issues were raised about the ability of a receiving entity not connected to law enforcement to safely receive, store, and dispose of illegal drugs, especially given the toxicity of drugs such as fentanyl. Extending an existing immunity statute meant to enable an overdosing person to receive life-saving treatment to this program raises the possibility of misuse of the immunity by persons holding illegal drugs who had no original intent to dispose of them. Improper implementation of the program might adversely impact other take-back programs already in place. Acknowledging the meritorious intent, the committee believed that further considerations need to be resolved before such a program can be implemented. **Vote 13-6.**

Rep. William Marsh for the **Minority** of Health, Human Services and Elderly Affairs. We all agree on the need to remove category I controlled substances from our streets, yet the Health, Human Services and Elderly Affairs Committee heard testimony that the only disposal methods recommended by the Drug Enforcement Administration (DEA) are both illegal and a threat to the environment. This bill is enabling legislation that would create a voluntary program to dispose of these substances. We heard testimony from law enforcement concerned that the intermixing of category I substances with category II-V substances would put their offices at risk, yet this bill specifically prohibits this practice, requiring a separate collection. We heard testimony that collection of category I substances could put the DEA numbers of hospitals at risk, yet this bill provides for rules to prohibit DEA-licensed facilities from collecting category I substances. The minority feels this bill addresses an unmet need and heard no objections not already addressed in this bill and therefore recommends that this bill ought to pass.

HB 1275-FN, relative to laboratory testing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jerry Knirk for the **Majority** of Health, Human Services and Elderly Affairs. This bill would allow a person to obtain any laboratory test from a licensed clinical laboratory without a request or authorization from a medical provider. Laboratory tests are only one part of the diagnosis of a medical condition. Diagnosis relies primarily on the history and physical examination of the patient with laboratory testing to confirm the suspected disorder. For any given laboratory test, the range of normal is defined such that 95% of people will fall into that range, meaning that 5% of perfectly normal people will have an “abnormal” value. Many laboratory tests have significant false positive and false negative rates in the normal population. As a result, a person may be lulled into a sense that there is not a problem when a false negative occurs, delaying seeking care for a condition. A false positive may drive a person to seek care when there is no clinical problem, increasing unneeded visits to a provider, thereby increasing the workload of the provider and increasing medical costs. The false positive result may lead to a diagnostic cascade of unnecessary, repeated tests and additional tests to reassure the person of the absence of a disease. The sponsor suggested that this bill would provide a way for a person with an already diagnosed chronic condition, such as diabetes, to be able to self-order tests to track their long-term control without a provider visit. This is unneeded as current practice is that most providers will place an order for a person to get a lab test in the future or will order one in response to a phone call from a patient with whom they already have a relationship. There also were concerns with the bill stating that the provider would not be held responsible for the results of a lab test which they did not order. This violates the standard of care of providers to act upon abnormal test results on their patient regardless of who ordered the test. **Vote 16-4.**

Rep. William Marsh for the **Minority** of Health, Human Services and Elderly Affairs. This bill enables laboratories offering laboratory testing on a direct access basis to allow individuals to order their own lab tests at their own expense without a doctor’s order. It specifically provides that insurers do not have to pay for testing done in this manner. This legislation is modeled after a similar working program in Arizona. The minority is aware of instances where patients want particular tests but their doctors do not agree. Allowing patients to perform these tests at their own expense may well result in a more amicable resolution than having them confront their physicians. Further, many patients have health insurance with high deductibles and co-pays. Allowing them to get routine testing done without having to see a physician first may well enable them to obtain needed health care at a lower cost. The minority amendment addresses certain quality assurance concerns raised by the NH Society of Pathologists. The minority therefore recommends that this bill ought to pass with the amendment.

HB 1404, relative to HIV/AIDS prophylaxis treatment for minors without parental consent and allowing pharmacists to dispense a limited supply of pre-exposure prophylaxis for the human immunodeficiency virus. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Jerry Knirk for the **Majority** of Health, Human Services and Elderly Affairs. This bill as amended allows minors, 14 years of age or older, to consent to and to obtain confidential prevention treatment for sexually transmitted diseases, including HIV/Aids prophylaxis. RSA 141-C:18, II already allows minors 14 years of age or older to consent to diagnosis and treatment of sexually transmitted diseases without the knowledge or consent of a parent or legal guardian. Since prevention is the most effective treatment, the majority of the

committee believes that the current statute should be extended to include prevention. The amendment also removes the problematical provision allowing pharmacists to dispense pre-exposure prophylaxis without a prescription, and updates the list of healthcare providers authorized to treat minors to include physicians assistants and advanced practice registered nurses as well as physicians. **Vote 11-7.**

Rep. William Marsh for the **Minority** of Health, Human Services and Elderly Affairs. The Health, Human Services and Elderly Affairs Committee recognizes the good intentions behind this bill, most specifically that increasing access to life-saving prophylactic medication may well enable certain individuals to become productive citizens. However, this bill has a number of issues which prevent the minority from recommending that it move forward at this time. The bill is modeled after a California law which presupposes that pharmacists have prescriptive authority. In New Hampshire, pharmacists do not have prescriptive authority; we have used a standing order model to expand access for emergency contraception, Narcan and hormonal contraceptives. The drugs involved are exceedingly expensive and it is unlikely this bill would actually make them available to the target population absent some mechanism to also make them affordable. The testing procedures for HIV in this bill conflict with provisions in RSA 141-F. This issue is resolved by the majority amendment. For these reasons, we recommend this bill for interim study.

HB 1520, establishing the New Hampshire health policy commission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for the **Majority** of Health, Human Services and Elderly Affairs. The healthcare delivery system of New Hampshire is vital to the economy and well-being of all New Hampshire citizens. Healthcare policy decisions affect multiple stakeholders, but too often state agencies and stakeholders work in their own silos. This bill will create a long-term New Hampshire health policy commission to bring together healthcare policy experts, stakeholders and agencies to function as a forward-looking think tank, being proactive to analyze and propose policies to improve healthcare outcomes and manage healthcare costs across the state. The commission is charged with advising and making recommendations to state agencies, the legislature, the governor, and the executive council, regarding healthcare needs and delivery in the state. The commission will have no regulatory authority so it will not function as a certificate of need body. The majority of the committee feels that New Hampshire will benefit from the collaboration this commission will provide. **Vote 15-5.**

Rep. William Marsh for the **Minority** of Health, Human Services and Elderly Affairs. This bill would establish a New Hampshire health policy commission modeled after a similar commission in Massachusetts. Like most commission bills, on the face this seems innocuous, since the commission would have no regulatory authority, but the charges to the commission appear to be paving the way to just such a regulatory body. Members of the minority believe that section IV(a)(2) would usurp and potentially conflict with the authority given to licensing boards and with the Commissioner of the Department of Health and Human Services, both for providers and facilities. Section IV(a)(3) would attempt to establish standards of care in NH, long a prerogative of the court system. Section IV(a)(4) would potentially conflict with authority over mergers and transactions, long residing with the Charitable Trust Division of the Attorney General's Office and the Federal Trade Commission. Section IV(a)(6) would potentially conflict with the oversight authority of the NH Insurance Department. Section IV(a)(7) would potentially conflict with licensing authority granted to the Commissioner of Health and Human Services. Section IV(a)(8) would pave the way to the reestablishment of a certificate of need program. Section IV(a)(9) is a remarkably broad mandate. Last, all of the above is given to an un-elected commission, accountable to no one, without any sunset date. The minority therefore recommends this bill as Inexpedient to Legislate.

HB 1577-FN, relative to initiating amendments and corrections to birth records. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gerri Cannon for the **Majority** of Health, Human Services and Elderly Affairs. This bill will replace RSA 5-C:87, V. which reads, "Upon receipt of a certified copy of a court order advising that such individual born in the state of New Hampshire has had a sex change, a new birth record shall be prepared to reflect such change." The current statute does not address the needs of our courts, city clerks, town clerks, the Vital Records Department or the applicants. It also does not address the needs of NH gender dysphoric residents who are either unable to afford the very expensive surgical procedures or who would be at high medical risk, or the needs of non-binary people. This bill is identical to HB 446, passed by the House and Senate last year. It clearly defines what legally documented information will be required from the applicant and their licensed medical healthcare professionals to initiate a request for a birth record change. It defines how minors, with the consent of their parents or legal guardians, may apply for a birth record change. It also defines the procedures that our city and town clerks will follow to accept a birth record change application and how they should process it with the help of the State Vital Records Department. The amendment, not included in last year's bill, defines how a NH resident who was born in another state can request a NH Court hearing to obtain a court order that they can use to request a birth record change in the state of their birth. **Vote 15-5.**

Rep. Walter Stapleton for the **Minority** of Health, Human Services and Elderly Affairs. Allowing gender designation changes on or to original birth certificate records constitutes an inappropriate change of osten-

sible gender condition at birth, and doing so retroactively based upon later gender changes, orientations or determinations, is an undue alteration of factual information at time of birth. Changes or amendments to birth records should be confined only to verifiable typos, clerical or entry errors. A better alternative would be a “gender re-designation certificate”, a legal document reflecting a medically verifiable physiologic change, or an individual’s assumed identity change.

HB 1655-FN, expanding the New Hampshire vaccine association to include adult vaccines. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for the **Majority** of Health, Human Services and Elderly Affairs. This bill would expand the New Hampshire universal purchasing program for pediatric vaccines to cover adult vaccines as well. In the existing universal purchasing program for pediatric vaccines, all insurers are assessed for each of their insured pediatric lives in New Hampshire, and the pooled assessment is used to purchase the pediatric vaccines at the discounted Center for Disease Control rate. The vaccines are then provided to the providers for free. This allows the pediatric program to purchase \$36 million of vaccines for \$26 million, a savings of 28%. Expansion of the program to adults will allow the same savings to be extended to adult vaccines. The amendment removes some outdated language from the current pediatric vaccine program statute regarding the medical loss ratio calculation which has been superseded by the requirements of the Affordable Care Act and extends the effective date to July 1, 2021. In order to prevent any exposure of the state to liability, the amendment also excludes coverage of the pneumococcal polysaccharide vaccine and the zoster vaccine as these are not covered by the National Vaccine Injury Compensation Program. Vaccination still remains voluntary. The majority of the committee feels that this program will decrease the costs of vaccines for the adults of New Hampshire. **Vote 15-5.**

Rep. William Marsh for the **Minority** of Health, Human Services and Elderly Affairs. The minority believes this bill should be found Inexpedient to Legislate as it raises three serious issues which are not addressed in the bill. First, there is a liability issue which does not exist in the current program for children’s vaccinations. The federal Vaccine Injury Compensation Program (VICP) covers liability for all vaccinations in the current program, and covers liability for any person of any age who receives a vaccination which is recommended for children or pregnant women. However, the Herpes Zoster vaccination, which is specifically included in this bill, is specifically excluded from such compensation under federal law. The pneumococcal polysaccharide vaccination is another common vaccination not currently covered under VICP, and there is a long list of vaccinations uncommonly administered which would similarly not be covered. If we were to expand NH’s vaccination program as proposed, it is quite likely that NH would become liable for injuries not covered under the federal VICP, and there is no appropriation in this bill to cover such liability. Second, expanding this program as proposed may put our federal matching dollars for Medicaid at risk. The reason is that administrative costs of this vaccination program are passed on to insurers as medical costs, and potentially could result in a violation of the medical loss ratio requirements of the Affordable Care Act. The minority believes the program needs to be reworked so that administrative costs are properly accounted for, and NH does not end up violating federal law. Third, it is unlikely that this program is workable as drafted. Simply adding adults to the program and assessing insurers for the cost of adult vaccinations would not change the provisions of section 1928 of the federal Social Security Act, which governs the purchase of vaccines through the existing federal contracts for the purchase of pediatric vaccines. Until and unless these concerns are addressed, the minority believes this bill, even though it is well-intended, should be Inexpedient to Legislate. The minority recognizes that the amendment partially addresses the first concern and does address the second concern.

HB 1666-FN, relative to investigations of sudden undetermined infant deaths (SUID) by the office of the chief medical examiner. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Ticehurst for the **Majority** of Health, Human Services and Elderly Affairs. The committee feels compassion for families who experience the loss of an infant and agrees that attempting to determine possible causes is a worthy endeavor. However, the bill raised concerns that the committee was not able to overcome by the amendment process. The bill requires the medical examiner to investigate sudden undetermined infant deaths (SUID) for vaccine-related correlation to death. However, once the medical examiner determines that a death has been caused by a reaction to a vaccine, the death is no longer “undetermined” and would not be reportable under the provisions of the bill. Some of the required tests for that determination do not exist. There is concern about the quality of the data that would be generated because most infants receive immunization on the recommended schedule, so correlation would not necessarily prove causality. Portions of the bill are already in practice or law. Current statutes provide for release of reports to next of kin. All SUID investigations are reviewed by the SUID subcommittee of the Child Fatality Review Committee (CFRC). De-identified data is already provided to the Centers for Disease Control for the purpose of identifying risk factors. Nevertheless, due to the seriousness of the matter, and out of respect for grieving families, the majority of the committee believes it is important to continue working on this bill. **Vote 11-9.**

Rep. William Marsh for the **Minority** of Health, Human Services and Elderly Affairs. The minority agrees with the majority that this bill is unworkable as drafted. We also believe the state medical examiner is currently performing all currently available tests to determine the cause in cases of sudden, undetermined infant deaths (SUIDs). However, we do understand the good intent behind this bill in trying to do more in this area. In particular, we note that reporting to the Vaccine Adverse Events Reporting System (VAERS) is currently voluntary. As death is clearly an adverse event, and VAERS desires to collect data about adverse events irrespective of causality, we believe as amended, this bill should pass, which would require such reporting.

JUDICIARY

HB 1120, requiring periodic water tests of rental property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for the **Majority** of Judiciary. The prime sponsor of this bill, requiring periodic water tests of rental property, worked with a number of principals involved, including landlords and relevant state agencies. In the end, the decision was that while the bill had merit, there were a number of issues that needed to be resolved, and the committee agreed to the request that we create a study committee. **Vote 12-8.** Rep. Michael Sylvia for the **Minority** of Judiciary. The minority believes this study to be unnecessary. Landlords stand to face liability if there are any problems with water quality. They will test as needed to avoid law suits and unnecessary expenses. The cost of this study will be borne by taxpayers just as excessive water testing would be passed on to tenants.

HB 1143, repealing limited liability for manufacturers, distributors, dealers, or importers of firearms or ammunition. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for the **Majority** of Judiciary. The firearms industry is the only industry which has a blanket immunity from civil liability under state law. This immunity has only been in place since 2004. Our firearms industry flourished for centuries before that law was passed, and it will thrive even after this bill becomes law. This bill is not a gun control bill. It does not restrict the Second Amendment in any way, nor does it take anyone's firearms away. This bill simply allows anyone who has been harmed by the gun industry to seek justice through the New Hampshire civil courts. These cases might not be numerous or successful, but the victims deserve their day in court. The firearms industry should not be above the law. **Vote 12-8.**

Rep. Jason Janvrin for the **Minority** of Judiciary. This bill seeks to undo a protection of the firearms industry put in place that confers immunity to civil lawsuit, except when a warranty of suitability for a specific purpose was breached, or when a product was faulty. Such lawsuits only serve to put these lawful businesses out of business by costing considerable amounts of attorney fees even though a fault is not found in the adjudication of the civil case.

HB 1164, concerning support for cats and dogs that are neglected or treated cruelly. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. This bill intends to alleviate the limbo-like conditions that animals may suffer when their owners are involved in court proceedings arising out of animal cruelty charges. The way this bill attacks the problem is to create a court approved spokesperson to advocate for those animals. Adding this level of advocacy complicates an already complex and hard fought proceeding without really getting to the nub of the issue. Other bills, as yet to be drafted, could better and more directly provide relief to the animals without negatively impacting the court's procedures. **Vote 13-6.**

HB 1169, relative to requiring a roll call vote when one member of a public body participates electronically. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Wendy Chase for the **Majority** of Judiciary. This bill, as amended, changes the language of the Right-to-Know Law regarding meetings open to the public under RSA 91-A:2, III(e). As the law stands now, it is required by the public body to have all votes taken as roll call if a member or members are participating in the meeting utilizing electronic communication, which the committee heard can sometime be a lengthy process. The amendment would allow a roll call vote option to a public body for members participating in a meeting by electronic and other means of communication. **Vote 12-8.**

Rep. Jason Janvrin for the **Minority** of Judiciary. The committee heard no testimony that the requirement of a roll call vote is so onerous that it cannot be done. There is no advantage to not requiring the roll call required in current statute. Therefore, the minority would recommend the bill be found Inexpedient to Legislate.

HB 1177, relative to qualifications of referees in the superior courts and circuit courts. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jason Janvrin for the **Majority** of Judiciary. The committee has debated this policy several times in the last few sessions. Each time, it is revealed in testimony that the policy is only applicable to one referee that is not a resident of the state and thus not eligible to be a justice of the peace. It is because this bill only would apply to one referee that the committee recommends Inexpedient to Legislate. **Vote 15-4.**

Rep. Michael Sylvia for the **Minority** of Judiciary. This bill would require court referees to be commissioned as justices of the peace. The minority believes this to be a beneficial policy, giving some oversight beyond the judiciary.

HB 1178, relative to safety requirements for pools on foreclosed residential property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for the **Majority** of Judiciary. This bill requires that a pool, spa, or other water feature on the premises of a foreclosed residential property be secured to prevent harm. This requirement only applies when the property is unoccupied and the foreclosure has been completed for at least 60 days. The amendment clarifies that the requirement does not apply to surface waters on the property. The majority of the committee agreed with testimony that this is a reasonable safety measure and is consistent with current practices of major lenders such as the Federal National Mortgage Association (FNMA) and insurance companies. **Vote 16-4.**

Rep. Michael Sylvia for the **Minority** of Judiciary. This bill requires a mortgagee in possession of a foreclosed residential property to securely cover pools. It is intended to protect children from an attractive nuisance. Even if a mortgagee does so without being forced to by the government, older children and teens are likely resourceful enough to remove a covering. And when these older children leave, they are unlikely to properly re-secure the cover. This bill is simply government overreach which does extremely little good.

HB 1202-LOCAL, relative to matters discussed in nonpublic session under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the **Majority** of Judiciary. This change to the law may cause more problems than it solves. In responding to a reported problem with an employee, depending on the nature, administrators would and should take immediate action, particularly investigating. Delaying any discussion with the employee for 48 hours could possibly raise a safety issue. Currently, when there is a decision made on disciplinary action, after investigation, the employee is notified and may ask to have the discussion in public. This bill would cause an open meeting before any assessment has been made about the severity of the complaint. **Vote 16-3.**

Rep. Charlotte DiLorenzo for the **Minority** of Judiciary. This bill clarifies the rights of an individual being discussed in non-public session of a public body as defined by RSA 91-A, New Hampshire's Right-to-Know Law. The so-called "reputation" exemption to the law was created to place a protective shield around matters which if discussed in public would likely adversely affect or tarnish the reputation of any person. This bill allows the person to be discussed at a non-public session the rights to: 1) receive a 48-hour written notice of the non-public session; 2) be present at the non-public session; 3) have counsel to observe at the person's own expense; 4) have the right to speak on their own behalf and to create an audio recording or written transcript at their own expense.

HB 1212, relative to the effect of homicide on distribution at death. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Gordon for Judiciary. This bill is a well-intended attempt to clarify the law regarding the ability of a person who kills a decedent to inherit from the decedent's estate or serve as the decedent's fiduciary. However, the bill has created many question regarding when the law will be applied, what delays will be caused to distribution of estate assets, how probate administration will be impacted, and who should decide that a person is a killer. Given the many issues, the committee recommends Inexpedient to Legislate. **Vote 14-5.**

HB 1226, prohibiting surveillance by the state on public ways or sidewalks. **OUGHT TO PASS.**

Rep. Gary Hopper for Judiciary. This bill prohibits the state from surveilling its people with methods such as video or electronic surveillance. The people overwhelmingly supported an amendment to our constitution that protects them from surveillance by the state, "Right to Privacy: An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent." This bill helps to protect our constituents' privacy. We can live in a state of liberty or in a surveillance state but we can't do both. **Vote 16-3.**

HB 1236, relative to the expectation of privacy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sandra Keans for Judiciary. Two years ago, the citizens voted overwhelmingly for a constitutional amendment to protect their privacy. This bill is a modest attempt to put some statutes in place to start the process. It does not cover everything and future legislatures will certainly find more areas to cover. It does require warrants for governmental bodies before they snoop. However, it does allow for an emergency situation. Your personal information should remain private to the extent possible. **Vote 14-5.**

HB 1247, relative to notice of rent increases in certain residential rental property. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Cam Kenney for the **Majority** of Judiciary. Currently in New Hampshire, we undoubtedly have a housing crisis. Over the last five years, rents have increased by up to 33 percent in our state, according to the New Hampshire Housing Finance Authority. The statewide vacancy rate is 1 percent, and in several counties it is even lower. This bill would require landlords to notify tenants of certain rent increases. As amended, the bill requires landlords to provide 60 days notice for rents slated to increase by 5 percent and 90 days notice

for rents slated to increase 8 percent or more. Current law requires only 30 days notice. This would allow an individual adequate time to find a different housing option if the rent increase is too egregious. There is nothing about this bill that limits how much any landlord can charge any tenant. It only requires them to give notice in situations when the increase rises above a certain threshold. **Vote 12-7.**

Rep. Michael Sylvia for the **Minority** of Judiciary. This bill, as amended, will have landlords notify tenants of rent increases of 5-8% 60 days prior to the increase, and 90 days prior to increases over 8%. The consequences of this bill will clearly harm those on the fringe of the housing affordability crisis. With the extended notice, more people will begin shopping for what few apartments are available. More demand in the market, caused by this bill, will push up rents. This is basic economics. Further, if the shopper is lucky enough to find a suitable unit, they will likely need to put down a deposit and take possession before they are free to leave their current lease. This bill introduces chaos into a very tight rental market and will put those on the fringe in the street; homeless. One can also view this as a baby step toward rent control. It tells a landlord when he may raise the rent; if we can say 60 days, we can say 365 days. The result of rent control is well understood; apartments are refitted to offer luxury accommodations at every turnover, reducing the number of units available for the average working person.

HB 1312, relative to persons held in civil contempt. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for the **Majority** of Judiciary. This bill, as amended, requires family division circuit courts to make written findings of fact prior to incarcerating a person for civil contempt. While findings of fact is currently required, said findings are not necessarily written and may lack detail. **Vote 16-3.**

Rep. Timothy Horrigan for the **Minority** of Judiciary. Under current law, parties to family court cases can be jailed for civil contempt if they fail to meet the terms of court orders. This is an extreme sanction, which is only rarely resorted to, but sometimes is needed when a parent blatantly disregards their child support obligations or other obligations to their families.

HB 1376, establishing a civil penalty for unauthorized sharing of electronic location information. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to begin protecting your privacy by enacting a civil penalty for unauthorized sharing of electronic location information by telecommunications service providers. The majority believes these companies should not be profiting from tracking you just because you pay for some other services, like cell phone service or internet access. The bill contains broad exemptions for law enforcement and for emergency agencies/situations. It would not apply to any free service, or anything to which you authorize to keep, sell, and/or use. We believe New Hampshire must act to protect our citizens in the digital age and this bill is a small step in the right direction. **Vote 11-8.**

HB 1391-FN, relative to prohibiting discrimination in housing against persons with pets. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia for Judiciary. This bill, as amended, represents a significant compromise which will benefit tenants seeking apartments with pets, and will give landlords an incentive to make more units available to pet owners. With this agreement between landlords and tenants' rights advocates, more apartments will become available to those with pets. Tenants with pets will be given notice regarding service and support animals as it relates to the federal Fair Housing Act. Those with service animals are exempt from pet deposits. Concerns about allergies will be as it is currently with service animals. This bill places no mandate on landlords to accept pets. **Vote 10-9.**

HB 1461, relative to the penalty for carnival or amusement ride operators. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for Judiciary. This legislation is designed to keep the courthouse doors open to persons who have been injured as a result of negligent violations or rules relating to the operation of carnival or amusement rides. It guarantees citizens, by statute, an opportunity to access the courts irrespective of efforts by businesses to avoid responsibility through waivers of liability. The amendment clarifies that such a lawsuit must allege both a violation of rules and a resultant injury. **Vote 13-6.**

HB 1475-FN, prohibiting abortions after detection of fetal heartbeat. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the **Majority** of Judiciary. This bill would ban abortion after about six weeks of pregnancy, before most women even know they're pregnant and well before viability. The U.S. Supreme Court ruled long ago that bans on abortion prior to viability are unconstitutional and has repeatedly reaffirmed that position. (*Roe v. Wade*, *Planned Parenthood v. Casey*, *Whole Woman's Health v. Hellerstedt*). Arkansas and North Dakota passed "heartbeat" ban bills in 2013 that were struck down in 2015 and 2013 respectively. Iowa followed suit in 2018 and its law was struck down in January, 2019. Despite this, six states passed such legislation in 2019: Georgia, Mississippi, Kentucky, Ohio, Louisiana, and Missouri. They are all being challenged, most have been blocked and several have already been struck down. **Vote 12-7.**

Rep. Kurt Wuelper for the **Minority** of Judiciary. The beating heart is a universal indication of life. The presence of a fetal heartbeat is a very strong indicator that a child will survive to birth. Studies have shown that less than 5% of normal, natural pregnancies result in spontaneous miscarriage after a heartbeat is detected. We believe that when enough states stand in defense of the pre-born, even the Supreme Court will change its mind and honor the compelling interest of the state to protect them. This bill will be a brick in the wall of protection for the most defenseless humans.

HB 1511, relative to actions against tenants. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for Judiciary. This bill would change the current statute by taking away the judge's discretion and forcing the court to issue an eviction order if the tenant does not file an appearance for the trial. The tenant's failure to file an appearance places the tenant in default. If the default is not removed by the discretion of the court, a judgment for possession will issue and the tenant can be evicted from the apartment in just a few days. The current statute allows the judge discretion to remove the tenant's default and proceed to trial. There are valid reasons that tenants fail to file for an appearance, including improper service of notice of the hearing, and tenants may have a reasonable excuse due to language proficiency, illness, disability, or military service that can be verified and excused by the court. This bill would change the court's discretionary power to allow up to a 90-day grace period to stay possession when the court finds for the landlord. It reduces the 90-day stay of possession to 45 days or less. During the discretionary stay of possession, the court orders and the tenant agrees to pay for use and occupancy of the apartment equal to the rent for the unit on a court-imposed payment schedule. Additionally, in the written terms of the discretionary stay, the court can and will order the tenant to pay the old rent arrearage. In the event the tenant does not pay use and occupancy and/ or the arrearage, writ of possession will issue, and the sheriff shall evict the tenant as soon as possible. The New Hampshire Local Welfare Administrators Association opposes this bill. Municipalities, through local welfare and state and federal homeless prevention programs will be penalized by this bill. This increases the costs to local taxpayers and uses homeless prevention resources that are already in short supply. **Vote 18-1.**

HB 1539, relative to the relocation of children with elevated lead levels. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Langley for the **Majority** of Judiciary. This bill requires landlords to reduce further harm from lead poisoning. Lead poisoning, as a result of a child's exposure to particles of lead paint, has been plaguing children for years, while remediation efforts that protect children from lead paint poisoning are understood. This bill outlines ways for property owners to remediate the cause of continued poisonings. However, our children continue to be exposed even when we know the solution! Federal and state monies are available to cover the expenses incurred by landlords to free their buildings of lead paint damages. Many of these funds go unused annually as the industry fails to take advantage of their availability and undertake remediation efforts. Any amount of lead in a child's body is not safe. Lead is a cumulative toxin that, even in small amounts, can result in permanent irreversible harm. It is safer for a child to be out of their home environment while full remediation is done and the safety of the dwelling for occupancy is established. Therefore, the majority believes we have an obligation to eradicate the cause of known poisonings from children's lives. **Vote 11-7.**

Rep. Kurt Wuelper for the **Minority** of Judiciary. This bill requires landlords under lead remediation orders to unconditionally offer a tenant needing to relocate for the duration of repairs to return the entire security deposit, regardless of any arrears or the condition of the apartment, to relocate the tenant to a temporary similar place and pay any increase in rent for the duration of relocation; to pay moving and storage costs (both ways); and to allow the tenant to re-occupy after remediation. The landlord and tenant may reach a lump sum buyout. The minority believes these excessive costs will drive rents up, reduce the stock of affordable housing, and be grossly unfair to landlords who could face these costs even if tenant actions caused the problems to begin with; and for these reasons recommends Inexpedient to Legislate.

HB 1542, relative to children, vulnerable adults, and animals in hot vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. This bill, while being well intended, stands to cause confusion in a critical situation. It outlines seven steps which must be taken prior to taking action to break into a car to rescue a child or animal. This bill would give a person immunity from civil suit if he or she follows the seven steps. Failing to follow the process would void the immunity. If there is a true emergency, no rational person would waste time notifying police, getting a witness, trying to find the owner, checking the locks, pondering when assistance may arrive, determining the proper force to use, and, after the fact, remaining with the child or animal until law enforcement arrives. All of this is not to save a child or animal, but to provide immunity to the rescuer. **Vote 13-7.**

HB 1559, relative to sealing records in nonpublic session under the right-to-know law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark McLean for Judiciary. This bill seeks to address the concern that minutes sealed in non-public session rarely are unsealed after the fact. While the entering of public bodies into non-public session serves

a legitimate function, the sealing of minutes in perpetuity can erode trust and, in rare cases, hide activity that should be disclosed to the public. The bill, as introduced, attempted to correct this issue by requiring the unsealing of all minutes after one year, unless a majority of the public body voted to keep them sealed. The committee recognized that this was too broad a remedy. There may be circumstances under which minutes should remain forever sealed, such as matters which would hurt the reputation of a person. The amended version of the bill, therefore, mandates the automatic unsealing, after one year, of only one category of minutes; those having to do with the “acquisition or sale of property which, if discussed in public, would benefit parties whose interests are adverse to the general community.” The bill would continue the current practice of allowing sealed minutes generated for all other purposes to remain sealed in perpetuity. The automatic unsealing of this one category will provide public bodies with the opportunity to develop and evaluate mechanisms in a very narrow area which might be applied in the future to broader areas of the law governing non-public sessions. The amended bill also incorporates a safeguard that allows minutes in this one category to remain sealed if a majority of members vote to keep them so. The majority of the committee supported the bill as a modest step towards increasing public trust. **Vote 10-9.**

HB 1640-FN, relative to parental notification prior to abortion. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the **Majority** of Judiciary. This bill removes the judicial bypass provision of the law, such that all minors would be forced to notify their parents without exception, even if notification would be harmful or dangerous to the minor. New Hampshire has a law that requires parental notification before a minor can obtain an abortion. This law includes a judicial bypass system, such that if a pregnant minor is unable to notify her parents, often for safety concerns, there is a system set up where she can appear before a judge who will decide if she is mature enough to make the decision to have an abortion. In 1979, the U.S. Supreme Court ruled that parents cannot have veto power over a minor’s constitutional right to abortion, and if states are going to require parental involvement, then there must be a waiver process available to minors who do not or cannot involve a parent in their abortion decision. In *Planned Parenthood v. Casey*, the Supreme Court was clear that a statute that will have the practical effect of giving someone else a veto over a person’s abortion decision is an undue burden and must be struck down as unconstitutional. Young women who have a supportive relationship with parents are likely to consult them about an abortion decision, but not all young people are fortunate to have a healthy relationship with parents. For those who do not share it with parents, there is usually a good reason. In New Hampshire, our experience has been that almost no young women have utilized the judicial bypass, but it has been essential to protect the young women in the few remaining cases. **Vote 13-6.**

Rep. Kurt Wuelper for the **Minority** of Judiciary. The minority believes that a pregnant teen needs the support of her parents more when she has an unintended pregnancy than at any other time in her life, and parents are far more likely to be loving and caring than even teens in troubled households believe. We believe that the law should protect both the mother and her child. We think parents have moral, legal, financial, and natural rights to care for their child, but are hindered in that when denied any chance to even know when their daughter has an invasive medical procedure. We think the judicial bypass hurts far more women than it helps and should be repealed.

HB 1659-FN, relative to patient directed care and patient’s rights with regard to end-of-life decisions. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for the **Majority** of Judiciary. This legislation provides for legally assisted dying. The committee heard considerable testimony from the public. It is a complex subject and the sponsor has filed an extensive redraft which has not been subject to either public nor committee scrutiny. For that reason, the committee recommends Interim Study. **Vote 11-8.**

Rep. Mark McLean for the **Minority** of Judiciary. This bill allows mentally competent persons who have been diagnosed with a terminal disease to receive a prescription to enable them to end their life at the time and place of their choosing. The minority of the committee felt that the bill’s protections against coercion were extremely inadequate and had deep concerns that the elderly and disabled might be taken advantage of out of a desire for expediency. This view was universally shared by every disabled group that testified, all of whom were unanimous in their opposition to the bill. Attempts to study the subject in the past have always been defeated due to the legitimate fear that once the journey to medical aid in dying is begun, it will be very difficult to reverse course. It is on these grounds that the minority of the committee opposed Interim Study and seek a motion of Inexpedient to Legislate.

HB 1673-FN, relative to the definition of “public body” under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for the **Majority** of Judiciary. This bill seems to extend the reach of the Right-to-Know Law from publicly elected or appointed boards to non-governmental organizations which receive a certain low measure of “state funding.” The committee recognized that this bill sought to turn RSA 91-A on its head by extending it into the private sector. This unprecedented extension did not find favor under the circumstances. **Vote 19-1.**

Rep. Michael Sylvia for the **Minority** of Judiciary. The minority believes that any organization that derives 50% of their income from the public purse should be subject to the transparency required under RSA 91-A.

HB 1675-FN, relative to the right of any infant born alive to medically appropriate and reasonable care and treatment. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the **Majority** of Judiciary. There is no such thing as an abortion up until birth. The idea that there is state law to somehow allow a woman to have an abortion as she gives birth is flat-out untrue — it's simply not how medical care works. In February, the U.S. Senate defeated a similar bill. This bill drives a false narrative. There is no such thing as abortion resulting in "infanticide." Harm to anyone, including a newborn, is illegal. During the committee hearing on this bill, New Hampshire physicians could not even understand the concept that such an action would be considered. If a woman is in labor, she couldn't and wouldn't have an abortion. That suggestion is not only misleading, it is dangerous. Even if a child were to be born after an abortion attempt, laws already exist to protect the baby. In 2002, Congress passed the Born-Alive Infants Protection Act, which guaranteed to infants born at any stage of development full legal rights. Also, see state law on this issue at RSA 132:22. In 2019, governors in North Carolina, Montana, and Wisconsin vetoed similar bills. **Vote 12-7.**

Rep. Kurt Wuelper for the **Minority** of Judiciary. This bill makes it clear that in NH, every baby born alive must be given nourishment and appropriate medical care. In NH, seeking an abortion does not trump the inalienable right to life of one accidentally born. All legal abortions remain legal with this law in place. It neither constrains nor harms anyone. It could save the life of an innocent born baby.

HB 1678-FN, relative to prohibiting abortion in certain cases. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the **Majority** of Judiciary. This is a ban on abortion following fetal diagnoses. The majority believes that we all have a responsibility to make sure that people with disabilities do not face discrimination and are treated with dignity and respect. But this bill does not address discrimination, nor does it address the needs of people with disabilities. Instead, it takes away an individual's right to make one of life's most deeply personal decisions and turns it over to the government. Laws that ban abortion before viability are unconstitutional. The U.S. Supreme Court precedent clearly prohibits states from placing bans on abortion before viability. Banning pre-viability abortions based on the reason a woman seeks an abortion prohibits women in those circumstances from exercising their constitutional right to obtain the procedure. A ban on abortions sought because of the diagnosis of a disability or the sex of the fetus is, therefore, unconstitutional. **Vote 13-7.**

Rep. Kurt Wuelper for the **Minority** of Judiciary. The minority believes women are a vital part of our society and possess the same fundamental human rights as men. In spite of this, sex-selection abortion has been documented to increasingly exist in the U.S. and the victims are overwhelmingly female. Persons with Down syndrome, physical or mental deformities, or handicaps contribute to American culture and are a valuable part of our society. In some countries, Down has been virtually eliminated by aborting every baby with a prenatal Down diagnosis. We find that horrific and terrifying. Who is next? Left-handed people? We believe NH should stand for the inalienable right to life of every baby, no matter what the Supreme Court says.

HB 1685-FN, providing for the appointment of special conservators of the peace. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charlotte DiLorenzo for the **Majority** of Judiciary. This bill expands policing in a society that already feels over-policed because it provides for the appointment of special conservators who would, in effect, provide private police services to corporations, municipalities, condo or apartment complexes, retail establishments including shopping malls, and other entities. The New Hampshire Police Association opposes this legislation which, if passed, would effectively de-professionalize policing and reduce transparency, accountability, and inter-agency logistics amongst policing agencies. If passed, this law would allow contracted police officers to make misdemeanor arrests, and that prospect leads to many questions about jurisdiction, transportation and detention of arrestees, and processing and retaining evidence records and paperwork. **Vote 17-3.**

Rep. Michael Sylvia for the **Minority** of Judiciary. This bill would create special conservators of the peace. They would be appointed by the superior court to perform duties as assigned. They could be employed in towns lacking a police department. Unlike law enforcement, these special conservators of the peace would not be protected by limited or sovereign immunity. As such, they would have to operate in a much restrained manner. They would not be law enforcement officers, but would be required to have similar training. Their power to arrest would be detailed in their appointment. As occurs in a free market, over time, competition would lead to better services that are properly valued by consumers.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1171-FN-LOCAL, relative to the application of federal Occupational Safety and Health Act standards to public employers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Brian Sullivan for the **Majority** of Labor, Industrial and Rehabilitative Services. The amendment clarifies that the board created in this bill is charged with developing a state plan to cover public section employees under standards at least as strong as the federal Occupational Safety and Health Act standards. The majority feels that public employees should be covered by standards equal to those that cover private sector employees. Employee safety should be a priority for private and public employees. **Vote 12-8.**

Rep. Jack Flanagan for the **Minority** of Labor, Industrial and Rehabilitative Services. This bill attempts to place all Occupational Safety and Health Act (OSHA) standards upon the state and municipal governments. The trouble is that it will place an unfunded mandate upon the cities and towns (RSA 28-A issue), and its true cost is unknown. Most agencies that presented felt the bill should have been a committee due to all of the unanswered questions. According to information received in conversations regarding OSHA rules, this bill creates an 8-year, multi-million dollar project. The minority strongly believes in the safety of our employees, however, this bill is not the solution to any current or future problems.

HB 1386, relative to employment protection for qualified patients of New Hampshire's therapeutic cannabis program. **REFER FOR INTERIM STUDY.**

Rep. Lino Avellani for Labor, Industrial and Rehabilitative Services. This bill, while well-intended, needs more work. There were several questions that need to be further explained and given more detail in how they are interpreted to make it a better bill. **Vote 11-9.**

LEGISLATIVE ADMINISTRATION

HB 1358, relative to the identification of lobbyists. **INEXPEDIENT TO LEGISLATE.**

Rep. Gregory Hill for Legislative Administration. The legislation seeks to recall the days of the scarlet letter, but with a prominent letter "L" for lobbyist. The bill requires lobbyists to identify themselves as such in all manner of communication - telephone, fax, email, and speech where a lobbyist has even tangential contact with any member of the legislature, or legislative staff or any member of the Executive Branch. The majority therefore felt the new requirements would be difficult to enforce and onerous for lobbyists to comply with.

Vote 10-3.

HB 1486, establishing a committee to study information technology in the legislative process. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Matthew Wilhelm for the **Majority** of Legislative Administration. This bill establishes a committee to study information technology in the legislative process. The majority believes that significant time and energy should be invested to explore opportunities to increase efficiency, effectiveness, and equity especially for both legislators and members of the public who live further away from the state house. The amendment expands the duties of the committee to include the study of the expansion of public testimony opportunities to remote locations. **Vote 7-6.**

Rep. Kimberly Rice for the **Minority** of Legislative Administration. The minority has serious concerns with this bill. The sponsor testified that he wanted to essentially open up the entire legislative process, including voting without quorums. The bill and amendments were drafted without correct references (i.e. mentioning the Department of Information Technology, which has nothing to do with the legislative branch). This should be handled by the Legislative Administration Committee, which is required by rule to study these very items. This is why the minority would prefer to refer this bill for Interim Study.

HB 1694, relative to recusal by members of the general court for conflicts of interest. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kimberly Rice for Legislative Administration. This bill clarifies the law requiring a legislator to recuse himself or herself from participation in a legislative activity when the legislator or the legislator's household member has a conflict of interest in an official legislative activity. The amendment more clearly defines conflict of interest and special interest. **Vote 12-0.**

MUNICIPAL AND COUNTY GOVERNMENT

HB 1105-LOCAL, relative to warrant articles in official ballot town, school district, or village district meetings. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Julie Gilman for the **Majority** of Municipal and County Government. In a traditional town meetings, participating voters may amend proposed warrant articles. If the amendment passes, they then vote Ought to Pass with Amendment or Inexpedient To Legislate on the amended article in the same session. In SB 2 towns, amendments may be made only at the first, or deliberative, session and is then voted Ought to Pass with Amendment or Inexpedient To Legislate by a majority of voters at the second session. By ballot, this bill mandates printing the warrant article in its original wording and also the amended version, if there is one. This will lead to confusion at the polls by having two articles that may have only small differences between them. With both versions on the ballot, the deliberative session, becomes ineffective, leading to less participa-

tion. Imagine if there were more than one amendment? This bill is a solution looking for a problem. **Vote 10-7.** Rep. Tony Lekas for the **Minority** of Municipal and County Government. Currently, the deliberative session in political subdivisions that use the official ballot for voting, otherwise known as SB 2 towns, may amend a warrant article to significantly change it. At the polls, voters may only accept or reject the amended warrant article, but if they prefer the article as initially presented they may feel they are forced to vote for the amended article and accept what they see as its problems, rather than rejecting the article in its entirety. They may also feel that they must reject the amended article even if they believe the article addresses an important need. While this can occur for any article, it can be a particular issue for petitioned warrant articles which might have been amended to be something very different than the petitioners intended. This bill would present the voters with the choice of accepting the amended article, accepting the original article, or rejecting both. It requires that both the original and the amended article appear on the ballot and, if both pass, the amended version is the one that takes effect.

HB 1115, relative to the discharge of a firearm in the compact part of a city or town. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Donna Mombourquette for the **Majority** of Municipal and County Government. The committee is sympathetic to homeowners experiencing repetitive gunfire from target shooting by neighbors in close proximity. However, the bill does not address this specific concern, nor did testimony validate a 900-foot radius in non-residential areas. The committee considered testimony from the New Hampshire Fish and Game Commission when voting in opposition, due to its effects on hunting. It should also be noted that the committee encourages the bill's authors to consider further study and resubmission of a bill that could address the concerns raised by established shooting ranges, hunters, and homeowners. **Vote 17-1.**

Rep. Max Abramson for the **Minority** of Municipal and County Government. Due to the many issues affecting hunters, sport shooters, property owners, and veterans, the minority felt that this issue needed to be sent to Interim Study.

HB 1147, prohibiting municipalities from requiring a license for a lemonade stand operated by a person under the age of 18. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jim Maggiore for the **Majority** of Municipal and County Government. The Municipal and County Government Committee was not presented with any evidence of a statewide or even localized issue of violations issued for the operation of a lemonade stand. The proposed bill is limited to lemonade and does not include any other soft drinks or refreshments. This bill left a bitter taste in the mouths of those who want to encourage a business spirit without additional government interference. **Vote 15-4.**

Rep. Max Abramson for the **Minority** of Municipal and County Government. New Hampshire should not wait until a couple of small children face oversight from City Hall. Every single comment on Citizens Count was in favor of keeping children's lemonade stands up and running.

HB 1160-LOCAL, allowing municipalities to collect an occupancy fee from operators of local room rentals. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bruce Tatro for the **Majority** of Municipal and County Government. This bill enables municipalities to charge up to two dollars as an occupancy fee for local room rentals which goes directly to local government to help offset costs of added services for paying guests staying overnight. **Vote 10-7.**

Rep. Tom Dolan for the **Minority** of Municipal and County Government. This room fee will be in addition to the current rooms and meals tax of 9%. The fee represents an additional tax that was not supported by the minority. It would be more appropriate to insist on the original sharing of 40% of the rooms and meals tax with municipalities from the state which actually shares only approximately 28%.

HB 1173-LOCAL, relative to the use of an official ballot in towns. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Dargie for the **Majority** of Municipal and County Government. For municipalities and school districts that have adopted the official ballot form of government, if the proposed budget fails at the second session of town meeting, then the default budget becomes the enacted budget. A person that votes against a proposed budget can vote against it because they believe that it is too high, or they can vote against it because they believe that it is too low. To account for this, the fairest approach is to set the default budget at a level that approximates the level of funding that will result in the status quo for provided services. The default budget can be higher or lower than the proposed budget depending on the choices made for the proposed budget. The default budget definition starts with the previous year's authorized expenditures and either removes or adds costs for debt service, contracts, other obligations previously incurred or mandated by law, and one-time expenditures. The changes contained in this bill remove items that had been included in the default budget definition that were purposely included to drive the default budget lower than a status quo definition. An example is the removal of that portion of the default budget definition that requires the removal from the default budget positions that are eliminated in the proposed budget. If this rule is left in place, then voters will not be given the option of

voting against a proposed budget for being too low, since the eliminated positions are removed from both the proposed budget and the default budget, and the voters will have no opportunity to vote to keep the positions. **Vote 10-8.**

Rep. Vincent Paul Migliore for the **Minority** of Municipal and County Government. This bill is a noble, but short-circuited attempt to fix a complex challenge when it comes to default budgets, which is part of a far larger and monumental problem known to us as “SB 2.” Default budgets were fixed in the recent past, with a great deal of bi-partisan work and effort, subcommittee work and with an important element sorely missing in this unneeded fix/version: education of voters. The bill, if passed, will likely be litigated because it authorizes monies to be included in defaulted budgets that is unapproved by the legislative body.

HB 1211, relative to a capital reserve fund in towns under the control of the budget committee. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jim Maggiore for the **Majority** of Municipal and County Government. There does not seem to be a budget committee within the state that has both oversight authority and spending authority. The committee was not presented with a deficiency that this bill remedies. The bill itself has a deficiency that creates a conflict with the Division of Charitable Trust should the budget committee be required to accept grants or gifts rather than the governing body. **Vote 17-1.**

Rep. Max Abramson for the **Minority** of Municipal and County Government. Many opportunities exist to save money if towns enjoyed the flexibility that cities, business, and non-profits already have. Contractors offer 5 - 10% discounts on contracts when projects are put out to bid in November or December. Some projects cost less if they are insourced or outsourced. Likewise parking lot, water, sidewalk, and other infrastructure maintenance can be done in the fall at a much lower cost than putting a project on the March ballot as a complete rebuild. Voters, under this bill, would be allowed to fund a capital reserve through a warrant article permitting selectmen or school boards to draw on during the year with a 2/3 vote by the budget committee.

HB 1309, relative to the effect of warrant articles. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jim Maggiore for the **Majority** of Municipal and County Government. This bill would make the decision of the legislative body binding for any petitioned warrant articles. While illegally petitioned warrant articles would still be illegal under this bill, the responsibility of the governing body to manage the prudent affairs of the town is usurped. A legally petitioned warrant article could have the effect of vacating legally binding decisions of a governing body, empty a fund balance in spite of prudent fiscal management, affect the bond rating of the municipality, or set a governing body on a path inconsistent to best practices for short-term political gains among other potential problems. **Vote 10-7.**

Rep. Tom Dolan for the **Minority** of Municipal and County Government. A citizen’s petitioned warrant article should be sacred and implemented if voted by a majority of the legislative body. Failure to implement by the governing body undermines the faith citizens have in their government.

HB 1443, relative to the city of Claremont police commission. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the **Majority** of Municipal and County Government. This bill was brought forth on behalf of the city of Claremont. Under current law, the city’s police commission is appointed by the city manager. HB 1443 changes that, allowing the city council to make those appointments instead. Claremont’s city council approves this change. **Vote 14-3.**

Rep. Tom Dolan for the **Minority** of Municipal and County Government. While the change from “city manager” to “city council” is supported, the fact that the law still requires candidates for the Police Commission to pass a political party litmus test was objectionable to some on the committee. The minority felt an amendment to fix the political litmus test should have been offered.

HB 1451, relative to the definition of contracts relative to official ballot default budgets. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Julie Gilman for the **Majority** of Municipal and County Government. The definition of default budgets in SB 2 towns has been amended several times. This amendment changes the definition of contract in default budgets to remove the restriction to only pay contracts in the same amount as the previous year regardless of any escalators or mid-year price raising. The results may force select boards to manipulate budget lines. **Vote 10-8.**

Rep. Vincent Paul Migliore for the **Minority** of Municipal and County Government. Under our current system, not one single dollar can be spent without the approval of a majority of the voters in the town or school board meeting. This bill would take away from the voters both this vital check on select boards and school boards and the authority to approve town and school district spending, giving it to selectmen and school boards. This massive transfer of spending authority would cut the heart out of our democratic traditions and should be rejected.

HB 1460, relative to the form of municipal budgets. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Clyde Carson for the **Majority** of Municipal and County Government. This bill has the objective of increasing transparency to the municipal budget process by requiring that the budget be available to the public in an active, detailed, spreadsheet format. There is nothing prohibiting municipalities from making detailed budget information available and most do so in a format and time frame that works for their municipality. The majority of the committee supports making budget detail available to the public, but has concerns about the unintended consequences of requiring all towns to follow the same format and timing requirements. **Vote 10-8.**

Rep. Tony Piemonte for the **Minority** of Municipal and County Government. This would allow select boards, budget committees, and the public the ability to plug and play their existing budget on an active, exportable, commercially-available, spreadsheet (excel if you will). This legislation would allow the budget in live spreadsheet format, and, with any unopened package, a thumb drive can be used to download a workable, active budget that could provide a “what if” situation instantly. The governing body will hold and maintain the original budget and any duplicate budgets could have a watermark on any unapproved budgets. This would be an extremely valuable tool that could save time and provide experience to future committee volunteers. Right now the ability to download the budget is available if you provide a thumb drive, but in read-only format. This has to be taken one step further and would apply the requirement for full line item detail in an active, exportable, commercially-available spreadsheet.

HB 1490, establishing a committee to study the taxation of property owners on private roads. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laurel Stavis for the **Majority** of Municipal and County Government. This bill establishes a study committee to examine the status of private roads in New Hampshire. While the stated concern of the bill is “taxation of residents on private roads,” we note that all state residents, whether they live on private roads or not, pay taxes to support a shared burden. However, we do feel that the issues involved with private road developments should be reviewed more broadly at this time. New Hampshire faces a housing shortage and planning boards statewide are dealing with developers eager to create communities that may or may not be well-served by being situated on private roads. **Vote 12-6.**

Rep. Donna Mombourquette for the **Minority** of Municipal and County Government. Testimony of supporters of the bill indicated that they knowingly purchased a home on a private road and paid a homeowners association fee. Over time, the roads have become very expensive to maintain or repair, including water lines, drainage, etc. While a study committee has been proposed, it would seem most appropriate to handle this issue locally to protect the investments of their residents.

HB 1533-LOCAL, limiting the increase in property taxes for certain persons **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce Tatro for Municipal and County Government. This bill mandates cities and towns not increase property taxes for persons 67 years and older by more than 1% per year. The bill does not take into consideration the value of the property or the income level of the owner and transfers the increase to other taxpayers. These tax limits are generally handled by individual towns and cities with the state empowering them instead of mandating them. **Vote 16-2.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1124, relative to the definition of prime wetland. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Chuck Grassie for the **Majority** of Resources, Recreation and Development. Prime wetlands are those few wetlands which a municipality has asked to be so designated by the state “because of their size, unspoiled character, fragile condition or other relevant factors making them of substantial significance.” Nomination by the town follows a thorough study and a vote by the town. A wetland permit application for a prime wetland receives a higher level of review by the state. Several years ago the statutes defining prime wetlands were changed so they eliminated some of the most important parts of the wetland, the narrower portions that might connect two wetland systems or be an integral part of their water supply and wildlife habitat. This bill corrects this by allowing these significant but narrower portions to be included in the delineated prime wetland as they should be. These areas must meet the same requirement that they “provide significant contribution to the primary wetland functions of the prime wetland.” The bill provides for exemptions for man-made structures such as drainage ditches and berms, work conducted by the Department of Transportation within highway right-of-ways, does not require any set buffers, and would not impact forest management activities on adjoining uplands. The bill also provides that a “municipality shall consider any potential adverse effects on the landowner from including any narrower portion.” Any designation as a prime wetland shall require landowner and abutter notice, a vote by the local land use board, receive a full public hearing, and a vote by the local legislative body. Finally, the EPA has stated that “wetlands’ highly developed root systems hold the soil in place and filter pollutants, naturally improving water quality (including water that is eventually used for drinking).” **Vote 11-9.**

Rep. Andrew Renzullo for the **Minority** of Resources, Recreation and Development. On July 29th, 2019, Governor Sununu vetoed House Bill 326, relative to the definition of prime wetland. The Governor stated that

“New Hampshire currently has sound and responsible protections for wetlands and our environment. This bill adds additional and unnecessary regulations to those laws and does not properly account for property owners who could be negatively affected by them. Any change to the definition of prime wetland should allow for sufficient protection for individual property rights before moving forward.” This bill is a second bite of the apple and, according to the prime sponsor, is no different than the vetoed final committee of conference version of HB 326. The NH Association of Natural Resource Scientists, an organization of wetland scientists, soil scientists, biologists, foresters, surveyors, ecologists, state and municipal employees and citizens who work to promote the science of New Hampshire’s wetlands and soils, opposed the bill. In 2012, SB 19 was enacted that tightened up the regulations as to what characteristics made a wetland “prime.” Among these objective requirements were that a prime wetland must be contiguous, at least two acres in size, and have a width of at least 50 feet at its narrowest point, plus meet four of the primary wetlands functions. The Association of General Contractors, speaking against this bill, testified that they participated in the 2011/2012 effort that first established the 50 foot minimum in response to some cities and towns claiming channels and drainage ditches as prime wetlands, which made it extremely difficult for development. People from the forestry industry testified of the difficulties dealing with DES to get permits to log in the prime wetlands, especially in dealing with alternating areas of wetland and upland (fingers and toes mentioned in the bill). There are many sections in DES statutes dealing with prime wetlands. The minority believes that expansion of the prime wetlands designation proposed by this bill will have a deleterious effect on land owners who will be subject to setback requirements and stringent permitting requirements on usable land presently not under such requirements.

SCIENCE, TECHNOLOGY AND ENERGY

HB 1116, relative to the definition of “eligible facility” as it pertains to renewable generation to provide fuel diversity. **OUGHT TO PASS.**

Rep. Lee Oxenham for Science, Technology and Energy. To safeguard public health and the environment, NH has adopted a number of policies to reward generation by diverse renewable, clean energy technologies such as solar, wind, and small hydro. In the last session, however, a non-renewable source, solid waste incineration, was added to the definition of an “eligible facility” in the statute dedicated to the preservation and use of renewable generation. Not only is waste incineration non-renewable, it is the opposite of a clean and green energy resource. People living near waste incinerators are regularly exposed to toxic emissions of dioxins, mercury, and lead for which there are no “safe” exposures. Waste incinerators are far more toxic than the fossil fuel plants renewable energy is designed to replace. In comparison to the coal-fired Merrimack plant, the Wheelabrator incinerator in Concord emits, per MWh produced, more than 8 times the lead, 4.5 times the mercury, 3.5 times as much particulate matter, and more than double the carbon monoxide and sulphur dioxide. NH has a solid waste problem, and there are bills before the legislature this session to address that problem. We know the best way to deal with waste is to reduce, reuse, and recycle. Burning waste doesn’t make it disappear, it just converts it into more concentrated hazardous waste and toxic emissions. This bill removes a glaring anomaly in our statutes by removing municipal solid waste from qualifying as a renewable energy source. **Vote 14-4.**

HB 1225, allowing increased net energy metering limits for municipal hydroelectric facilities. **REFER FOR INTERIM STUDY.**

Rep. Howard Moffett for Science, Technology and Energy. Although well-intentioned, this bill, which would apply only to a single municipality in New Hampshire, is unnecessary because more comprehensive legislation which has passed the House and been referred to a second committee would accomplish the same result for a much broader group of municipalities and private businesses as well. **Vote 11-9.**

HB 1229, requiring proposed natural gas facilities to include decommissioning costs. **WITHOUT RECOMMENDATION**

Statement in support of Inexpedient to Legislate: This bill singles out natural gas (NG) facilities for additional decommissioning requirements that do not apply to most other energy facilities. This sends a strong message that NH does not want to expand its use of NG. Expanding the use of NG for heating would mainly replace heating oil. This would reduce air pollution emissions including CO2 and mercury. In addition, this bill is just not needed. The Administrator of the Site Evaluation Committee which has jurisdiction over energy projects of all types stated that it is redundant and not needed. According to testimony, under existing law the SEC cannot issue a certificate to any energy facility projects that lacks plans for a fully funded decommissioning plan. This bill is a solution in search of a problem.

Rep. Michael Harrington

HB 1261, relative to the energy consumption reduction goal. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kenneth Wells for the **Majority** of Science, Technology and Energy. This bill changes the focus of New Hampshire’s energy consumption reduction goal to “greenhouse gas emissions” rather than “fossil fuel con-

sumption.” This adds an unnecessary complication to our efforts to reduce air pollution from state-owned buildings because the ambiguous mixture called “greenhouse gas” is more difficult to quantify. The current straightforward method of tracking building energy and CO2 emissions is accomplished through fuel receipts. This bill does not clarify by which new means the emitted mixture of greenhouse gases shall be tabulated, or whether it simply continues the status quo. Most important, the bill’s stated goal of attaining a 25% reduction of our greenhouse gas pollution relative to 2005 levels was surpassed several years ago, according to testimony by the Department of Environmental Services. This bill accomplishes little, complicates accountability, and sets a retrograde goal. **Vote 11-8.**

Rep. Michael Harrington for the **Minority** of Science, Technology and Energy. The minority believes this bill would help lower emissions of greenhouse gases by allowing not just fossil fuels to be included in the energy consumption reduction goal for state buildings contained in statute. We have seen the switch to natural gas drastically reduce the amount of CO2 emitted by electric generation in New England. This bill would allow the switch in state buildings from oil heat to natural gas or propane, both of which emit less CO2 per BTU and less of other pollutants, to be included in the energy reduction goals.

HB 1301, establishing a committee to study applications of microgrids in electricity supply. **OUGHT TO PASS.**

Rep. Peter Somssich for Science, Technology and Energy. The bill would create a committee to study the opportunities in New Hampshire to benefit from electrical micro grids. These micro grids can be seen as energy islands that while normally connected to the primary grid have the option to disconnect from that grid whenever needed or when it is advantageous. The committee would explore applications in NH that would lend themselves to a micro grid. These could be as small as a community solar network or as expansive as several towns connecting to each other and sharing energy resources. These energy islands could serve as emergency areas in the case of severe weather events or in the case of a grid malfunction. The committee heard strong testimony for this idea from numerous groups including utilities and the clean energy industry. In fact, UNH is currently working with a utility to set up its own micro grid, the first in our state. **Vote 12-6.**

HB 1430, establishing a commission to study attainment of a clean-energy electric grid by 2030. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kat McGhee for the **Majority** of Science, Technology and Energy. This bill, as amended, pulls together electric utilities and relevant expertise to review renewable and clean energy plans for the region in relation to the goal of achieving a 100% clean electric grid within a rapid time frame (10 years). The commission’s goal will be to work towards a realistic plan for achieving a zero emissions electric grid, while allowing sufficient growth to accommodate beneficial electrification of transportation, heat pumps, etc. The majority believes this can make an important contribution to meeting this goal. **Vote 12-7.**

Rep. Michael Vose for the **Minority** of Science, Technology and Energy. The commission established by this bill will be charged with the unachievable task of determining how to create a clean-energy electric grid in NH by 2030. Building such grid in nine years from the date of the commissions’ final report would require building the equivalent of a new Seabrook Station, which cannot be accomplished in nine years. Building a Seabrook equivalent using solar panels or windmills would consume two to three square miles of land to provide a few hours of electricity per day. This bill further instructs the commission to sacrifice the state’s sovereignty to “aggressive regional planning.” Since part of our state’s grid consists of transmission lines controlled by ISO New England and the Federal Energy Regulatory Commission, the envisioned clean energy grid will need federal buy-in. But the minority finds the bill’s most glaring weakness to be its absence of any requirement to determine the cost of attaining a clean-energy grid. Without knowing how much such a transition will cost, there can be no plan to fund or to build it.

HB 1444-FN, requiring the adoption of vehicle emissions standards based on the California clean car standards. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rebecca McWilliams for the **Majority** of Science, Technology and Energy. This bill, as amended, brings NH in line with all of the surrounding states in the Northeast and enables NH residents to test drive low and zero-emissions vehicles by directing manufacturers to deliver cars and light duty trucks that meet the California Clean Air Act, Section 177, to auto dealerships in NH. Auto manufacturers will not deliver these vehicles to NH unless NH closes the donut hole and joins the existing 13 states who have adopted Section 177. Last year approximately 1,100 zero and low-emissions vehicles that meet this standard were registered in NH. Unfortunately, this represents around \$36 million in vehicles sold out of state and imported by their owners into NH, all because Section 177 vehicles are not available in NH. The number of Section 177 vehicles on the road have doubled year-over-year in NH, ME, and VT, resulting in significant NH business revenue loss. The extended emissions-related warranty provisions of Section 177 of up to 15 years and 150,000 miles would be a cost benefit to NH consumers. This bill represents a compromise with the NH Automotive Dealers Association and creates a retroactive two-year credit bank for all vehicles delivered to NH lots prior to implementation on January 1, 2022 in order to build credits and ease the transition to providing Section 177 vehicles to NH. **Vote 10-8.**

Rep. Fred Plett for the **Minority** of Science, Technology and Energy. Passage of this bill abdicates the responsibility we carry as New Hampshire legislators to unelected regulators in California who have drafted electric vehicle regulations designed for California's consumers, not New Hampshire's. Worse still, a vote in favor is a vote to force our constituents to live under rules that these unelected regulators in California have not even drafted yet. Under federal EPA regulations, NH cannot even begin to enforce the provisions of this bill until 2025. California's regulations expire in 2025 and regulations for 2026 and beyond have not yet been drafted. We are effectively voting for one year of a known program, after which nobody knows the impact. The switch to electric vehicles (EVs) has not been made by NH consumers. This is not due to lack of availability, but because NH is largely rural, hilly, and suffers extreme weather in winter, none of which works well with EVs and EV batteries. Perhaps the technology will evolve to provide better options for our consumers, but until then we should focus on policies that understand our state, not something designed for California. Moreover, there is clear evidence from neighboring states that this bill will do little to increase the number of EV drivers in New Hampshire. Both Maine and Rhode Island adopted a Zero Emission Vehicle mandate over a decade ago, and they are still within one half of one percent of New Hampshire's EV adoption rate. Electric vehicles make up 1.0% of vehicles on New Hampshire roadways, while Maine and Rhode Island are at 1.2% and 1.4%, respectively. This is hardly the path to an EV future that proponents describe. Further, this bill forces EVs on dealer lots but does nothing to incent consumers to buy. So dealers will move the metal with discounts, at a loss or marginal income, and will attempt to make up the difference on all other vehicle prices.

HB 1478, repealing the law on preservation and use of renewable generation to provide fuel diversity. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Howard Moffett for the **Majority** of Science, Technology and Energy. The committee majority felt that this bill was inadvisable because, first, it will expire by its own terms in 2021, and second, regardless of any Federal Energy Regulatory Commission ruling that a particular application of the statute (RSA 362-H) may be pre-empted by federal law, the statute is an important expression of state policy to encourage the preservation and use of renewable energy, including energy from biomass sources. **Vote 10-8.**

Rep. Michael Harrington for the **Minority** of Science, Technology and Energy. This bill removes from statute RSA 362-H that was found to be in conflict with the Federal Power Act by the Federal Energy Regulatory Commission.

HB 1481, relative to the net metering cap for customer-generators. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. George Saunderson for the **Majority** of Science, Technology and Energy. The majority of the committee felt that the legislature should not be directly involved in rate setting and that this responsibility should be left in the hands of the Public Utilities Commission (PUC). The rate the bill proposes to set for electricity fed into the electrical distribution system for larger systems is only half of the existing rate that the PUC has found to be fair under current law. The PUC has also determined that with the existing rate, there is no significant evidence of cost shifting to other ratepayers. **Vote 12-7.**

Rep. Douglas Thomas for the **Minority** of Science, Technology and Energy. This bill would have guaranteed that a customer-generator greater than one megawatt would use 80 percent of the power generated. They could net meter the surplus 20 percent. Further, the bill would set the price for the surplus energy at avoided cost rates relative to the wholesale market. Essentially, it prevents cost-shifting and requires the Public Utilities Commission to investigate an appropriate new metering tariff.

HB 1496-FN, relative to the regional greenhouse gas initiative cap and trade program for controlling carbon dioxide emissions. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Mann for the **Majority** of Science, Technology and Energy. This bill, as amended, rededicates a portion of the Energy Efficiency Fund, derived from New Hampshire's participation in the Regional Greenhouse Gas Initiative (RGGI), to energy efficiency programs by ending the current rebate scheme for residential electricity customers, once utilities have had time to show ratepayers how to deal with this change. Retaining the annual millions formerly distributed as rebates will provide greatly increased support for energy efficiency programs which in turn will keep wealth in our economy that we now expend to import fuel. Energy efficiency reduces heating, cooling, and electricity costs for households that participate in these programs, reduces the production of greenhouse gases, makes buildings more livable and useful, and provides many new long-term job opportunities. Rebates to customers in the commercial and industrial sector will continue without major change. The bill also removes a prohibition against hiring expertise by the Energy Efficiency and Sustainable Energy Board and reinstates an oversight role for the board. **Vote 10-8.**

Rep. Michael Vose for the **Minority** of Science, Technology and Energy. Earlier this year the House tabled HB 735, a carbon fuels tax and dividend bill. That bill recognized that a tax on carbon-based fuels would only work if most of the funds so raised were returned as rebates or dividends. This idea has been part of NH energy law since 2012 when the legislature returned \$4 out of every \$5 of the RGGI carbon tax proceeds to ratepayers. This bill seeks to undo that well-established precedent and sound fiscal practice. It would remove \$5 million in residential rebates and use that money to buy an indeterminate amount of energy efficiency

improvements. Removing residential rebates while preserving rebates for commercial/industrial customers amounts to a corporate subsidy. This change in current law has been attempted for the past five years without success. The minority believes that this year's attempt deserves the same result.

HB 1518-FN, relative to the alternative compliance payments for renewable energy obligations not met through the purchase of renewable energy credits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca McWilliams for Science, Technology and Energy. This bipartisan bill seeks consistency in alternative compliance payments (ACP) in our Renewable Portfolio Standards program. The amendment sets ACPs based on a base amount of \$55, while doing no harm to eligible facilities currently in classes I and II. The amendment also unifies the escalation rate at 50% of the consumer price index (CPI), as some classes were being raised at 100% of CPI. The committee agreed that these changes were warranted and would benefit the renewable energy program. **Vote 13-5.**

HB 1676-FN, requiring monitoring of certain radioactive air pollutants. **WITHOUT RECOMMENDATION**
Statement in support of Ought to Pass: This bill charges the Department of Health and Human Services (DHHS) with implementing a real-time monitoring system to identify any radiological air emissions within NH's 10 Mile Emergency Planning Zone. Such real-time monitoring would provide enhanced safety for NH residents living near the Seabrook nuclear power plant. This type of real-time monitoring provides immediate and actionable data, which currently is not available using the TLD devices deployed by DHHS. Since these real-time monitors would include measurement of both wind direction and wind speed, they would detect any radioactive material in the air regardless of its source. This would provide enhanced safety in a number of obvious scenarios including radioactive releases from Seabrook, radioactive material blown in from the ocean, accidental release of radioactive medical waste, and in the extreme case, radioactive material released in a terrorist incident. Such real time monitoring has been in place in Massachusetts since the late 1990s, however, NH still does not have this capability. The cost of implementing such real-time monitoring can easily be absorbed by the annual emergency planning budget of approximately \$3 million.

Rep. Peter Somssich

Statement in support of Inexpedient to Legislate: This bill seeks to provide additional monitoring of radioactive discharges. Seabrook Station is its obvious target, and the bill proposes to locate real-time radiation monitors that are not regulated by the Nuclear Regulatory Commission (NRC) further away from the source of radiation than those in place today. That would be like protecting your home from fires by putting your smoke detector on your neighbor's fence a half mile down the road instead of having one on each floor of your house. Seabrook Station's NRC and Federal Emergency Management Agency (FEMA) compliant radiation-monitoring system currently includes 80 on-site monitoring stations as well as off-site monitors within a 20-mile emergency-planning zone. This bill postulates that this existing network of 80 real-time monitoring stations may not be sufficient. It further asserts that real-time data from off-site monitors authorized by this bill, captured continuously, provides better information than the on-site monitors. It would remove the state system that collects cumulative data that tracks what, if any, long-term exposure exists at any given location. Seabrook's off-site monitoring (which exceeds federal regulations) began operation in 1982 (eight years before the plant went on line) and in the subsequent 30 years of plant operations, no changes in offsite radiation conditions attributable to the plant have been detected. This monitoring involves direct radiation monitoring, groundwater sampling, milk sampling, food crop and vegetation sampling, and fish and invertebrate sampling. This legislation seeks to establish a program similar to one called C-10 in Massachusetts. In over 20 years of continuous radiation monitoring, C-10 has detected no radiation that has resulted in the NRC issuing even a low-level finding against Seabrook Station. C-10 monitoring has resulted in no changes in programs, policies, or procedures at Seabrook. This bill also suggests that real-time monitors can alert us to a terrorist attack or a hospital radiation accident, but that kind of monitoring would have to be statewide to be effective, making this bill much more expensive. The bill's fiscal note estimates the three-year cost of this expanded network at \$350,000. The bill expects the funds to be added to the yearly \$3.2 million charge to Seabrook for state emergency planning as authorized by RSA 107-B. However, such an additional charge may not be approved for an activity that is already being conducted and deemed appropriate. The bottom line here is that the bill provides no additional safety or protection over what currently exists at Seabrook Station.

Rep. Michael Vose

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1330, proclaiming an annual observance of a day commemorating caregivers of wounded veterans. **OUGHT TO PASS.**

Rep. Ryan Buchanan for State-Federal Relations and Veterans Affairs. We, as a state, recognized the importance of our wounded and disabled veterans and their caregivers. We believe that these wonderful and dedicated people should have their day of observation. This did not go on consent so we may speak on the floor to honor those that serve and those who have served. **Vote 20-0.**

HB 1493, establishing a committee to study the effects of deportation of primary earners on United States citizen family members. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Latha Mangipudi for the **Majority** of State-Federal Relations and Veterans Affairs. This study committee will provide the much needed current data on the economic impact of deportation of primary bread winners on communities in NH. At this time when NH communities are experiencing work force shortage, reduced vibrancy and vitality of communities due to underutilized human potential due to increased deportations. This study would give us a basis to find appropriate solutions to sustain communities economic growth. **Vote 11-9.** Rep. Al Baldasaro for the **Minority** of State-Federal Relations and Veterans Affairs. The minority recommends ITL because this study is a waste of time and tax payers dollars. Per the constitution, the federal government is responsible for all immigration enforcement matters, and custom enforcements (or ICE) comes under federal law. Everyday immigration matters, such as application processing are handled by U.S. citizenship and immigration services, or USCIS. Customs and border protection is also a player, guarding not only the U.S. border but a broad swat of land within it, plus other points of entry such as air and seaports. The study will have no affect on NH and will just lead back to the federal government and constitution.

HCR 9, rescinding all requests by the New Hampshire legislature for a federal constitutional convention. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Anne Warner for the **Majority** of State-Federal Relations and Veterans Affairs. This resolution rescinds any active requests for Article 5 conventions. The amendment simplifies the resolution, paring it down to a clear statement of purpose. It also adds the date of 01/01/2020 so that it will not affect any such requests initiated after that date. **Vote 18-2.**

Rep. Richard Lascelles for the **Minority** of State-Federal Relations and Veterans Affairs. The U.S. constitution is a marvelous document that provides for states to bring proposals for amendments when the congress is unwilling to bring this provision is Article V. To rescind all requests at this time would send the wrong message that deficit spending is tolerated and encouraged.

HCR 10, urging Congress to grant states broader authority to set higher environmental standards than those established in federal law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Joshua Adjutant for the **Majority** of State-Federal Relations and Veterans Affairs. In September of 2011, the federal government revoked the ability of a state to set higher admission standards than the federal standards. The majority of this committee is not concerned which administration this may be aimed at. New Hampshire has several environmental issues facing us and the majority believes the state should choose whether or not we surpass the minimum federal standards. **Vote 11-9.**

Rep. Al Baldasaro for the **Minority** of State-Federal Relations and Veterans Affairs. The minority believes that shifting regulatory power to the states won't improve the environment. Per the conversation article: "Many U.S. environmental laws include roles for states and the federal government to work cooperatively to achieve shared objectives." Often, this involves the federal government setting strict goals, with states taking the lead on implementation and enforcement. this careful balance of federal and state power has been implemented by Republican and Democratic administrations alike. In recent years, scholars have expanded on Justice Brandeis' famous "laboratories of democracy" model of federalism with the notion of "democratic experimentation." Brandeis' core insight, updated for contemporary society, is that decentralization lets state and local governments experiment with different policies to generate information about what works and what doesn't. Other states and the national government can use those insights to generate better policy outcomes. This resolution does not work for NH because we are already working with the federal government and we have raised standards above federal regulations.

HJR 4, urging Congress to enact legislation or propose a constitutional amendment to grant statehood to the District of Columbia. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ryan Buchanan for the **Majority** of State-Federal Relations and Veterans Affairs. We believe that the citizens of Washington DC, also known as the District of Columbia, should enjoy the same rights as all other citizens of the United States. As of now, none of our fellow Americans in DC enjoy the rights that their fellow Americans with representation in Congress have with an equal vote. They cannot set their own laws without the threat of Congress overriding those laws, or changing their budgets. The majority believes we should stand up for our brothers and sisters in DC. **Vote 11-9.**

Rep. Al Baldasaro for the **Minority** of State-Federal Relations and Veterans Affairs. The minority of the committee believes HJR4 does not acknowledge the U.S. Constitution, article 1, section 8, clause 17 regarding the establishment of a permanent federal seat of government. DC maintains a neutral geographic area for all three branches of federal government; however, the U.S. Congress retains control over the district's revenue and expenditures. This is not the first time we have seen this resolution and we are sure it won't be the last. We expressed support in their determination to become a state but Congress has a bill (HR 51) that has been filed in 2019 and it still sits on someone's desk. This bill would admit Washington, DC, minus the federal properties, into the union as the 51st state.

HR 10, urging the return of armed service members from the Middle East. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Al Baldasaro for the **Majority** of State-Federal Relations and Veterans Affairs. The majority believes that HR10 needs a lot of work. Many veterans support bringing our warriors back home but are willing to let our Department of Defense and Pentagon work with the intelligence on the ground to identify the right time to depart from the theater of operations. We should not be trying to second guess, or be a Monday morning quarterback, when we do not have the intelligence on the ground. The president has made it very clear, he wants to bring our military personnel home but not broadcast a time line. **Vote 17-3.**

Rep. Joshua Adjutant for the **Minority** of State-Federal Relations and Veterans Affairs. For the last 18 years, the United States has been involved in numerous lasting conflicts all over the Middle East. Recently, Americans were shocked to see with all the bloodshed in Afghanistan, that the United States was making peace talks for control with the Taliban.

TRANSPORTATION

HB 1114, relative to state motor vehicle inspections. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael O'Brien for the **Majority** of Transportation. This bill would have eliminated the current state annual inspection program for motor vehicles. The majority of the committee felt that the current annual inspection ensures the operational safety of the vehicle, making the roads safe for us all. This bill would not have eliminated the annual on-board diagnostics requirements; therefore, it is prudent to keep annual inspections along with emission standards and vehicle safety standards. **Vote 18-2.**

Rep. Peter Torosian for the **Minority** of Transportation. The link between inspections and highway safety is tenuous at best. Right now, 34 states don't have safety inspections, including states like Minnesota, Wisconsin, and Washington that have similarly difficult winters, and similar or better highway safety data as New Hampshire. A federal highway study on 2.1 million crashes found component failure accounted for only about 2 percent of crashes. Inspections capture only a moment in time and they offer a degree of comfort about a vehicle's safety, but there is no way to be sure 12 or even 16 months later that a vehicle is safe or roadworthy. Further, countless vehicles from states without inspections travel New Hampshire roads on a daily basis without any problems or any concerns from state highway or law enforcement officials.

HB 1153, relative to limited driving privilege after operating under the influence revocation or suspension. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael O'Brien for Transportation. The majority of the committee voted to recommend this bill Inexpedient to Legislate because it mirrored a similar bill, HB 1465. The committee felt HB 1465 was a better vehicle to meet the expectations of the bill's author. **Vote 16-4.**

HB 1401, prohibiting smoking and e-cigarettes in motor vehicles when a passenger is under 16 years of age. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Pickering for the **Majority** of Transportation. This bill, as amended, shall prohibit any person from smoking tobacco products or e-cigarettes in a motor vehicle at any time when a child under the age of 16 is in the vehicle. The fine for violation shall be \$100, provided that a police officer has detained the driver of the vehicle for a suspected violation of another provision of Title XXI. The committee took into account statistics from the Environmental Protection Agency regarding secondhand smoke and its link to many diseases and illnesses affecting children such as cancer, asthma, and brain tumors. **Vote 10-9.**

Rep. Thomas Walsh for the **Minority** of Transportation. The minority agrees that smoking in a vehicle is irresponsible. However, this bill, if passed, is simply unenforceable. Does that cigarette actually contain tobacco? How old is the child in the vehicle? They rarely have an identification card. The committee amendment changes the enforcement to a secondary action, but the underlying questions remain.

HB 1463, relative to the operation of a mixed use school bus. **INEXPEDIENT TO LEGISLATE.**

Rep. Nicole Klein-Knight for Transportation. This bill would allow non-certified bus drivers to transport children. The Department of Safety (DOS) opposes the bill as there would be no way to ensure or enforce any safety measures on non-certified drivers. This would put children at risk and compromise their safety. Similar bills have attempted this in the past and have been opposed by NH school superintendents for the exact safety concerns that the DOS raised. The committee agrees with New Hampshire school superintendents and DOS. **Vote 10-9.**

HB 1489, allowing registered nurses to certify walking disability plate eligibility. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for Transportation. This bill would have allowed registered nurses to sign off on walking disability placards. The form from the Division of Motor Vehicles requires them to attest to certain patient diagnoses under penalty of law. There were many questions regarding their ability to legally do that. **Vote 13-6.**

HB 1502, relative to equipment required for vehicle inspections. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Skip Cleaver for the **Majority** of Transportation. This bill seeks to ensure that a state inspection cannot be failed because of faulty equipment on the vehicle if such equipment is not required or is added on after sale; for example, extra fog lights. Required equipment for inspection is very clearly delineated in existing law, therefore this bill is superfluous and unnecessary. **Vote 15-5.**

Rep. Charlie St. Clair for the **Minority** of Transportation. While RSA 266 informs inspection stations on what working equipment is required to pass inspection, some stations may not follow the law. This bill gives added protection to the consumer. Rather than having the car owner go from station to station, this bill will help clear up any misunderstanding about added on equipment, put on by the car's owner. If such equipment is not in working order, such as a fog light, it shall not have a bearing on the pass or fail of an inspection.

HB 1547, eliminating fees for walking disability placards. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Nicole Klein-Knight for the **Majority** of Transportation. Charging disabled people for their disability placard violates the current federal law under the Americans with Disabilities Act (ADA). This bill will update the old state law that is in conflict with the ADA and bring the state law in conformance with the federal law and current Division of Motor Vehicles practice. **Vote 16-3.**

Rep. Chris True for the **Minority** of Transportation. In 2016, the governor signed into law SB 471 which set the \$5 application fee for disability placards. Notwithstanding the fact the bill passed the General Court and was signed by the governor, the Division of Motor Vehicles stated they do not charge the fee due to a letter from the New Hampshire Disability Council, stating the fee is against the Americans with Disabilities Act. The committee was not given a copy of the letter. New Hampshire is a state with a history of pay a fee for service. The minority does not agree the \$5 fee to cover the cost of printing and mailing is against the Americans with Disabilities Act.

HB 1552-FN, requiring learner's permits for certain persons seeking drivers' licenses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael O'Brien for the **Majority** of Transportation. This bill, as amended, will require a learner's permit as part of a 15 1/2- to 18-year-old's entry point for driving. This bill will move the written exam from the back side of the process to the first requirement before the new operator goes on the road. This will demonstrate the new operator's knowledge of the rules of the road prior to any driving. The majority of the committee believes this bill assists the Division of Motor Vehicles to improve the graduated license program. **Vote 11-9.**

Rep. Steven Smith for the **Minority** of Transportation. The stated goal was to ensure that once eligible to practice driving at 15 1/2 years old, a knowledge test of rules of the road be taken. Unfortunately, instead of using the same model as off-highway recreational vehicle and boating safety certificates, a new Division of Motor Vehicles card is created. This costs \$65,000. Further, the bill neglects to include the new card in the statutes requiring that they be kept accurate and up-to-date. The minority believes this is too flawed and expensive to implement.

HB 1617-FN, clarifying the prohibition against the use of mobile electronic devices while driving. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael O'Brien for the **Majority** of Transportation. This bill, as amended, will increase the fines for the use of mobile electronic devices while driving. These include \$100 plus penalty assessment for a first offense (no change from current law) and \$300 plus penalty assessment for a second offense, up from \$250 plus penalty assessment. It also eliminates the \$500 fine plus penalty assessment to be replaced by a 30-day suspension of a person's license for any third or subsequent offense. This bill also cleans up current law where the use of mobile electronic devices while driving were mentioned in two separate statutes to one, RSA 265:79-c, making consistency of law and enforcement by eliminating confusion. **Vote 10-9.**

Rep. Steven Smith for the **Minority** of Transportation. This bill, as amended, increases the fine for second offenses and removes the fine for third offenses. In lieu of the fine, a mandatory 30-day license suspension is created. The committee previously heard HB 1506, establishing a commission to study this topic. The committee also learned that this chapter of law, "Serious Traffic Offenses" contains no provision for points to be assigned. That would be a better problem to solve and would make this bill unnecessary.

HB 1622-FN-LOCAL, relative to the use of passenger restraints in motor vehicles. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Skip Cleaver for the **Majority** of Transportation. Seat belts save lives. This bill was written and promoted in conjunction with the Department of Safety, a priority for them. New Hampshire has been the only state in the USA not to have a seat belt law for adults. New Hampshire, therefore, has the lowest seat belt usage in the nation, 67%. This bill was amended to make it a secondary offense, but even so, it will serve to educate the public and increase seat belt usage statewide. This bill will save scores of lives and prevent significant numbers of serious injuries. **Vote 10-9.**

Rep. Steven Smith for the **Minority** of Transportation. This bill repeals RSA 265:107-a (Child Passenger Restraints Required) and replaces it with mandatory belt usage for all drivers and passengers of vehicles with a gross domestic vehicle weight of 8,000 pounds or less. Unfortunately, the committee amendment, which replaces the entire bill, confuses this weight exemption with an existing exemption for school buses. Today, if your 9-year-old rides in your camper or 15 passenger van, they must wear a seat belt. If this bill becomes law, they do not. This is too important and major a policy change to pass with glaring flaws.

WAYS AND MEANS

CACR 17, relating to taxation. Providing that a new state broad-based tax may be enacted only to reduce property taxes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dennis Malloy for the **Majority** of Ways and Means. This constitutional amendment proposes to establish a broad-based tax that can only be used to lower property taxes. The Ways and Means committee recommends Inexpedient to Legislate because the amendment does not explain to voters which broad-based taxes would be affected. It's also not certain if this CACR would restrict future legislatures, or whether property taxes would actually go down. Letting voters decide on whether to accept a broad-based tax that would lower property taxes has merit, and since property taxes have risen by nearly 25% over 10 years, this bill's sponsor felt it was time to look at other revenue streams. **Vote 17-3.**

Rep. Thomas Schamberg for the **Minority** of Ways and Means. The minority of the committee believes that this amendment provides an incentive to voters to express to both ends of the political spectrum their view for reducing the mandated Statewide Education Property Tax and county taxes. By adding Article 6-c to the NH State Constitution for the purpose of reducing property taxes by the same amount of revenue raised by such tax, and putting this new designated tax revenue into a "lock box," this bill gives the voters a voice and the legislature the knowledge that they have the backing of the voters to move forward and establish a tax, hopefully a discretionary tax, to reduce state and county mandated property taxes. The money released from the "lock box" would go directly to the tax obligations of the school district and county for each town thus reducing local property tax obligations. With NH having the third-highest property tax bills in the nation, this bill provides a universal method statewide property tax reduction but still leaves the power to the legislature of deciding upon multiple avenues of the type of tax to be enacted and the distribution percentages.

HB 1132, establishing a committee to study the establishment of a multi-state agreement to phase out corporate giveaways. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Ways and Means. The majority believes that the State of New Hampshire provides many fewer tax breaks or special arrangements than do our neighboring states. The likelihood of convincing our neighbors to follow our approach seems limited. To the extent outreach may be beneficial, the Governor's Office is already in a position to enter into discussions. **Vote 16-4.**

HB 1200, relative to the tax expenditure report. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. The amended bill removes an antiquated tax expenditure from the tax expenditure report and purview of the committee (the original purpose); adds the new career and technical education center tax credit; and most importantly, delays the start of a single sales factor for calculating business taxes from 2022 to 2026. Currently, when a business operates in several states, its portion available for taxation by New Hampshire is determined by a combination of the ratio of New Hampshire to nationwide amounts of three factors: payroll, real and tangible property, and sales. In the budget trailer, there is a provision for New Hampshire to change this to a dependence on sales only starting in January 2022, unless a special committee, after hearings, votes that it is not in the state's interest to do so. But we have just converted to market-based sourcing through a bill passed by the House, Senate and Governor, and there will be no useful data available for the single sales decision until that transition has been complete for at least two full years. A bipartisan commission report on these issues last term agreed that market-based sourcing was an urgent need, and that consideration of single sales should await the results of the new situation. We cannot know which types of businesses will be hurt or helped, and we cannot guess whether our state's revenues will increase or decline. The Ways and Means Committee is unanimous in continuing to support this decision, and amended this bill, after a non-germane hearing, to put off the single sales factor decision and change until the end of 2024 and beginning of 2026 respectively. This is the earliest that good data will be available for the decision. **Vote 20-0.**

HB 1477-FN, relative to the rate of the tobacco tax for cigarettes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edith Tucker for Ways and Means. The original bill, which proposed to raise the cigarette tax from \$1.78 to \$1.90 per pack, has been replaced by a study committee. Previous research has shown that raising the tobacco tax by less than 10% does not discourage youth smoking. The amended bill calls for a study of our state's tobacco and nicotine taxes, their impact on tobacco and nicotine use, the funding and effectiveness of smoking cessation programs, and the online nicotine sales to NH residents from out-of-state suppliers. The committee shall report its findings on or before November 1, 2020. **Vote 12-8.**

HB 1646-FN, relative to historic racing. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for the **Majority** of Ways and Means. This bill would allow the installation of historic racing machines in our already existing charitable gaming facilities. The bill places a three-year moratorium on these machines being allowed in any new licensed facility to ensure these new facilities establish the traditional charitable games of chance before adding these new machines. These machines are not slot machines. Slot machines are based upon a random number generator in which the patron is playing against the house and cannot influence the outcome. Historic racing machine patrons are betting on historic races that have been run years ago with the outcomes known and the winnings calculated based upon a pari-mutuel form of wagering in which the winning pool is based upon the amount wagered by patrons. For a patron to increase their chances of winning, they can review the history of the horses running, the history of the jockey, etc. as published when that historic race was run. All names, dates, records, etc. are blinded, so a patron cannot ever look up the historic race before they place their bet. The Kentucky Supreme Court ruled that these are not slot machines in that state. There are six states all without slot machines that have allowed the historic racing machine. Even when played in the auto-play mode, these machines are slower than a slot machine. The committee heard testimony that these machines will never be found in a true casino since slot machines are much faster. To ensure that these machines do not have the feel of a slot machine the amendment says that an auto-play feature will not be allowed in NH. Three significant differences from last year's bill is that money from "breakage" is directed to the Council for Responsible Gaming; it caps each bet to \$10 which is consistent with the other charitable games; and each charitable gaming facility must submit a self-exclusion program plan approved by the Lottery Commission to identify those over betting. As far as the integrity of these machines and the company that maintains the pari-mutuel pools, the Lottery Commission already has protocols in place since the state does allow simulcast betting at all former race tracks (at this point only the old Seabrook dog track) which the Lottery Commission oversees. With the Encore Casino in MA opening on 6/23/19, there has been a 10-15% drop in total charitable gaming revenues (depending upon the periods chosen) before and after this date, with even a greater drop attributed to the charitable gaming facilities along the NH southern border. At the hearing on this bill, many charities presented that they have seen falling revenues and see historic racing machines as a way to bring these revenues back. The majority of the committee feels that the charities need to be supported to this end. **Vote 14-6.**

Rep. Lisa Bunker for the **Minority** of Ways and Means. The most consistent concern expressed by the minority of the committee in opposition to historic racing machines was the addictive nature of gaming. The minority found disingenuous the majority's insistence on the technical differences between these machines and slot machines. The feeling was that an unsophisticated end user would not be aware of the differences and would be attracted to game play in direct proportion to the similarities between the two types of machines. Despite the passage of a committee amendment to disable the autoplay feature, those in the minority had heard too many stories of lives destroyed by gaming addiction to feel comfortable allowing yet another form of gaming-based revenue into the state's income stream. Also, when this amendment was being considered, several suggestions were made immediately as to how the autoplay disabling could be circumvented, for example by an electronic override when no law enforcement was present, or, more simply, by a player simply blindly picking three horses per race and making the wager. Committee members also expressed skepticism about the soundness of the financial and development practices of any non-profit charity whose continued existence would be imperiled by the loss of a revenue stream dependent on gaming. And, it was finally noted that the majority of the house's take from each play would go to the gaming establishment, not to the charities or to the state. We were informed that for each \$100 a player bets, \$1.05 would go to the charities. In sum, the minority feels historic racing machines would bring a lot of trouble for little actual benefit to New Hampshire.

COMMITTEE MEETINGS

FRIDAY, MARCH 6

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

9:00 a.m. Continued meeting.

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), New Hampshire Department of Revenue Administration, Training Room, 109 Pleasant Street, Concord

12:00 p.m. Subcommittee meeting - Equalization.

1:00 p.m. Regular meeting.

COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a), Room 204, LOB

10:00 a.m. Regular meeting.

COMMISSION ON THE SEACOAST CANCER CLUSTER INVESTIGATION (RSA 126-A:74), Room 205, LOB

9:00 a.m. Regular meeting.

COMMISSION TO STUDY BARRIERS TO INCREASED DENSITY OF LAND DEVELOPMENT IN NEW HAMPSHIRE (RSA 4-C:8-a), Room 201, LOB

9:00 a.m. Regular meeting.

ELECTRIC VEHICLE CHARGING STATIONS INFRASTRUCTURE COMMISSION (RSA 4-G:1), Room 203, LOB

11:00 a.m. Regular meeting.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1), Governor and Council Chambers, State House

9:30 a.m. Regular meeting.

INFORMATION TECHNOLOGY COUNCIL (RSA 21-R:6), Department of Safety, 33 Hazen Drive, 2nd Floor Conference Room, Concord

1:00 p.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Subcommittee work session on *HB 1632-FN-A-L*, relative to financial investments and incentives for affordable housing development.

MONDAY, MARCH 9

ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b), Room 206, LOB

9:00 a.m. Regular meeting.

COMMISSION TO STUDY SCHOOL FUNDING (RSA 193-E:2-e), New Hampshire Department of Business and Economic Affairs, 100 North Main Street, Suite 100, Kinsman Room, Concord

2:00 p.m. Regular meeting.

INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2), Room 204, LOB

2:30 p.m. Regular meeting.

JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1), Room 104, LOB

2:00 p.m. Regular meeting.

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

2:00 p.m. Regular meeting.

NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), New Hampshire Higher Education Assistance Foundation, 4 Barrell Court, Concord

9:00 a.m. Regular meeting.

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q), Room 205, LOB

1:30 p.m. Regular meeting.

NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4), Rooms 201-203, LOB

9:00 a.m. Regular meeting.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Full committee work session on *HB 1248-L*, relative to community revitalization tax relief incentives; *HB 1563-FN*, relative to the use of funds in the drug forfeiture fund; *HB 1599-FN-A*, establishing a special marriage officiant license; *HB 1603-FN*, establishing the per and polyfluoroalkyl substances contamination remediation and mitigation revolving loan and grant program and fund; *HB 1620-FN*, relative to electric vehicle parking spaces; *HB 1627-FN*, creating an animal records database; *HB 1632-FN-A-L*, relative to financial investments and incentives for affordable housing development; *HB 1696-FN*, relative to fees for notices and applications for financial institutions.

TUESDAY, MARCH 10

CHARTER SCHOOLS AND OPEN ENROLLMENT LEGISLATIVE OVERSIGHT COMMITTEE (RSA 194-B:21), Room 104, LOB

3:00 p.m. Regular meeting.

WEDNESDAY, MARCH 11

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

12:00 p.m. or during session break. Executive session on **HB 2020**, relative to the 10-year transportation improvement plan.

FRIDAY, MARCH 13

COMMISSION ON PRETRIAL DETENTION, PRETRIAL SCHEDULING, AND PRETRIAL SERVICES (RSA 597:43), Room 206, LOB

10:00 a.m. Regular meeting.

COMMISSION TO STUDY THE ESTABLISHMENT OF A STATE DEPARTMENT OF ENERGY (RSA 162-H:23), Room 303, LOB

10:30 a.m. Regular meeting.

COMMISSION TO STUDY THE INCIDENCE OF POST-TRAUMATIC STRESS DISORDER IN FIRST RESPONDERS (RSA 281-A:17-b), Room 304, LOB

10:00 a.m. Regular meeting.

COMMISSION TO STUDY TEACHER PREPARATION AND EDUCATION PROGRAMS (RSA 190:8), Room 207, LOB

8:30 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

10:30 a.m. Audits: State of New Hampshire Lottery Commission Management Letter for the Fiscal Year Ended June 30, 2019.

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, D), Room 104, LOB

9:30 a.m. Regular meeting.

SUNDAY, MARCH 15

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1), New Hampshire Technical Institute, Sweeney Crocker Building, Room 235, Concord

1:00 p.m. Regular meeting.

MONDAY, MARCH 16

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

10:30 a.m. Regular meeting.

COMMISSION TO STUDY THE EFFECTIVENESS OF THE CURRENT STATUTES RELATED TO MANAGEMENT OF NON-TIDAL PUBLIC WATERWAYS AND THE CONSTRUCTION OR PLACEMENT OF STRUCTURES WITHIN THEM (RSA 482-A:35), Room 305, LOB

1:30 p.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

9:30 a.m. Full committee work session on **HB 1692-FN**, establishing a license for mushroom harvesters; **HB 1712**, relative to the appeals process for child day care licensees; **HB 1710**, relative to the disclosure of the results of child day care monitoring visits.

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

11:00 a.m. Regular meeting.

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

9:00 a.m. Regular meeting.

STATE COMMISSION ON AGING (RSA 19-P:1), Room 205, LOB

10:00 a.m. Regular meeting.

THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD (RSA 170-G:6-a), Room 205, LOB

2:00 p.m. Regular meeting.

TUESDAY, MARCH 17**COMMITTEE TO STUDY DIRECT PRIMARY CARE (HB 508, Chapter 330:6, Laws of 2019), Room 205, LOB**

12:00 p.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. **HB 1117-FN**, relative to penalties for dog theft and tampering with a dog's radio collar.

10:30 a.m. **HB 1606-FN**, relative to cruelty to a wild animal, fish, or wild bird.

11:30 a.m. **HB 1580-FN**, regulating the use of unmanned aircraft systems.
Pursuant to House Rule 43(b), executive session may be held at the concussion of committee hearings.

1:00 p.m. Executive session on **HB 1117-FN**, relative to penalties for dog theft and tampering with a dog's radio collar; **HB 1580-FN**, regulating the use of unmanned aircraft systems; **HB 1601-FN**, removing the exception for married minors from the definition of sexual assault; **HB 1606-FN**, relative to cruelty to a wild animal, fish, or wild bird; **HB 1662-FN**, relative to the purchase, use, and possession of tobacco products and e-cigarettes; **HB 1667-FN**, relative to the suspension of drivers' licenses and creating a committee to study the creation of a restricted driving license for participants in drug court.

EDUCATION, Rooms 210-211, LOB

1:00 p.m. Joint informational meeting with House Finance, Division II, regarding NH Career Academy.

ELECTION LAW, Room 308, LOB

10:00 a.m. **SB 229-FN**, establishing a committee to study the value of conducting post-election audits in New Hampshire.

10:30 a.m. **SB 231-FN**, establishing a committee to study truth in political advertising.

11:00 a.m. **SB 304-FN-A**, establishing a committee to study public funding of certain state election campaigns.

11:30 a.m. **SB 422**, relative to changes of registration of voters at primary elections.

1:00 p.m. **SB 485**, relative to the disqualification of certain persons from performing duties as an election official.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

1:00 p.m. Executive session on **HB 702-FN**, relative to requirements for supervised visitation centers; **HB 1692-FN**, establishing a license for mushroom harvesters; **HB 1712**, relative to the appeals process for child day care licensees; **HB 1710**, relative to the disclosure of the results of child day care monitoring visits.

FINANCE - DIVISION II, Rooms 210-211, LOB

1:00 p.m. Joint informational meeting with House Education Committee regarding NH Career Academy.

FINANCE - DIVISION III, Rooms 210-211, LOB

10:00 a.m. Division work session on **HB 1600-FN-A**, relative to smoking cessation therapy and pharmacist reimbursement under Medicaid and making an appropriation therefor and relative to insurance coverage for pharmacist cognitive services.

10:15 a.m. DCYF update with Joe Ribsam, Director.

11:15 a.m. Discussion with Erica Ungarelli, DHHS, Division of Children's Behavioral Health.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

10:00 a.m. **SB 567**, relative to the commission on interdisciplinary primary care workforce.

10:30 a.m. **SB 673-FN**, relative to recovery of unauthorized payments by the state.

11:00 a.m. **SB 642-FN**, relative to the administration of epinephrine.

11:30 a.m. **SB 634**, relative to establishing a peer support program in the department of health and human services.

1:00 p.m. **SB 420**, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

1:30 p.m. **SB 703-FN**, relative to the use of cannabis for therapeutic purposes program.

2:00 p.m. **SB 466**, relative to the patient's bill of rights.

2:30 p.m. **SB 647-FN**, relative to telemedicine and substance use disorder.

JUDICIARY, Room 208, LOB

10:00 a.m. Full committee work session on **HB 1642-FN**, prohibiting the state or a state official from using a face recognition system.

11:00 a.m. **SB 430**, relative to the child fatality review committee.

11:30 a.m. **SB 431**, establishing a commission to study the adoption of remote online notarization in New Hampshire.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Executive session on **HB 1218-FN**, relative to net energy metering limits for customer generators and the purchase of output of limited electrical energy producers; **SB 79**, relative to required reporting on waste reduction.

WEDNESDAY, MARCH 18

FINANCE, Rooms 210-211, LOB

1:00 p.m. Executive session on **HB 1205-FN**, relative to the reduction in the calculation of state retirement system annuities at age 65; **HB 1235-A**, establishing a committee to study ensuring workforce maintenance through enhancement of the retirement system, and making an appropriation therefor; **HB 1647-FN**, relative to post-conviction DNA testing; **HB 1708-FN-A**, relative to certain liquor license fees and establishing 2 liquor investigator positions; **HB 1549-FN-A**, establishing the office of school counseling and psychology, establishing the position of school counselor coordinator, and making an appropriation therefor; **HB 1596-FN-A**, relative to the funding for search and rescue operations of the fish and game department and making an appropriation therefor; **HB 1681-FN**, establishing a committee to study school meal programs in New Hampshire's public schools and non-sectarian schools that accept public funds; **HB 1691-FN-L**, relative to kindergarten adequate education grants; **HB 1698-FN**, relative to equal access and opportunity for students with disabilities to participate in co-curricular activities and making an appropriation therefor; **HB 1600-FN-A**, relative to smoking cessation therapy and pharmacist reimbursement under Medicaid and making an appropriation therefor and relative to insurance coverage for pharmacist cognitive services; **HB 1638-FN-A**, relative to the administration of the SNAP incentive programs.

FINANCE - DIVISION I, Room 212, LOB

11:00 a.m. Division work session on **HB 1647-FN**, relative to post-conviction DNA testing.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

10:00 a.m. **SB 506**, establishing a commission to study workplace safety in health care settings.
 10:30 a.m. **SB 545**, establishing a committee to study the safety of residents and employees in long-term care facilities.
 11:00 a.m. Subcommittee work session on **SB 466**, relative to the patient's bill of rights; **SB 506**, establishing a commission to study workplace safety in health care settings; **SB 545**, establishing a committee to study the safety of residents and employees in long-term care facilities; **SB 567**, relative to the commission on interdisciplinary primary care workforce; **SB 642-FN**, relative to the administration of epinephrine; **SB 673-FN**, relative to recovery of unauthorized payments by the state.

Room 104, LOB

11:00 a.m. Subcommittee work session on **SB 420**, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use; **SB 634**, relative to establishing a peer support program in the department of health and human services; **SB 647-FN**, relative to telemedicine and substance use disorder; **SB 703-FN**, relative to the use of cannabis for therapeutic purposes program.

HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E), Room 107, SH

10:30 a.m. Or immediately following Joint Legislative Facilities Committee meeting - Regular meeting.

JOINT LEGISLATIVE FACILITIES COMMITTEE (RSA 17-E), Room 103, SH

10:10 a.m. Regular meeting.

JUDICIARY, Room 208, LOB

10:00 a.m. Executive session on **HB 1642-FN**, prohibiting the state or a state official from using a face recognition system.
 11:00 a.m. **SB 440**, establishing the New Hampshire collaborative law act.
 11:30 a.m. **SB 442**, relative to alternative dispute resolution.

FRIDAY, MARCH 20

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

9:00 a.m. Regular meeting.

COMMISSION TO STUDY THE ENVIRONMENTAL AND HEALTH EFFECTS OF EVOLVING 5G TECHNOLOGY (RSA 12-K:12), Room 202, LOB

8:30 a.m. Regular meeting.

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a), Public Utilities Commission, Hearing Room A, 21 South Fruit Street, #10, Concord

9:00 a.m. Regular meeting.

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

1:00 p.m. Regular meeting.

NEW HAMPSHIRE RARE DISEASE ADVISORY COUNCIL (RSA 126-A:79), Department of Health and Human Services, Room 311, 29 Hazen Drive, Concord

3:00 p.m. Regular meeting.

NEW HAMPSHIRE TRANSPORTATION COUNCIL (RSA 238-A:2), Room 203, LOB

1:00 p.m. Regular meeting.

SHORELAND SEPTIC SYSTEM STUDY COMMISSION (RSA 485-A:44-a), Room 305, LOB

9:00 a.m. Regular meeting.

MONDAY, MARCH 23**COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILD-LIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30), Room 305, LOB**

11:00 a.m. Regular meeting.

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4), Room 305, LOB

9:00 a.m. Regular meeting.

TUESDAY, MARCH 24**WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), New Futures, 101 North Main Street, Concord**

9:00 a.m. Regular meeting.

THURSDAY, MARCH 26**COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T), New Hampshire Hospital Association, 125 Airport Road, Concord**

2:00 p.m. Regular meeting.

FRIDAY, MARCH 27**COASTAL RESILIENCE AND CULTURAL AND HISTORIC RESERVE DISTRICT COMMISSION (RSA 12-A:70), Rooms 202-204, LOB**

9:00 a.m. Organizational meeting.

COMMISSION ON DRINKING WATER (RSA 485-F:6), New Hampshire Department of Environmental Services, 222 International Drive, Suite 175, Portsmouth

2:00 p.m. Regular meeting.

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a), New Hampshire Department of Environmental Services, 222 International Drive, Suite 175, Room A, Portsmouth

10:00 a.m. Regular meeting.

OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 170-G:19), Room 203, LOB

8:30 a.m. Regular meeting.

MONDAY, MARCH 30**COMMISSION ON DEMOGRAPHIC TRENDS (RSA 4-C:37), Room 307, LOB**

10:00 a.m. Regular meeting.

COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a), Room 204, LOB

2:30 p.m. Subcommittee meeting.

LEGISLATIVE OVERSIGHT COMMITTEE TO MONITOR THE TRANSFORMATION OF DELIVERY OF ELECTRIC SERVICES (RSA 374-F:5), Rooms 302-304, LOB

1:30 p.m. Regular meeting.

FRIDAY, APRIL 3**COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a), Room 204, LOB**

10:00 a.m. Regular meeting.

MONDAY, APRIL 6**COMMISSION TO EVALUATE THE EFFECTIVENESS AND FUTURE OF THE NEW HAMPSHIRE GRANITE ADVANTAGE HEALTH CARE PROGRAM (RSA 126-AA:4), Room 100, SH**

10:00 a.m. Regular meeting.

COMMISSION TO STUDY THE BUSINESS ENVIRONMENT FOR MENTAL HEALTH PROVIDERS IN NEW HAMPSHIRE (RSA 330-A:26-a), Room 302, LOB

1:00 p.m. Regular meeting.

COMMISSION TO STUDY WAKE BOATS (RSA 270:133), Room 305, LOB

10:00 a.m. Regular meeting.

TUESDAY, APRIL 7**STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), New Hampshire National Guard, Regional Training Institute, 722 Riverwood Drive, Pembroke**

5:00 p.m. Regular meeting.

FRIDAY, APRIL 10**STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, D), Room 104, LOB**

9:30 a.m. Regular meeting.

MONDAY, APRIL 13**INTERBRANCH CRIMINAL AND JUVENILE JUSTICE COUNCIL (RSA 651-E:2), Room 204, LOB**

2:30 p.m. Regular meeting.

FRIDAY, APRIL 17**NEW HAMPSHIRE RARE DISEASE ADVISORY COUNCIL (RSA 126-A:79), Department of Health and Human Services, Room 311, 29 Hazen Drive, Concord**

3:00 p.m. Regular meeting.

OFFICIAL NOTICES**COUNTY DELEGATION NOTICE**

The **Carroll** County Delegation will convene **Friday, March 13th at 9:30 a.m.** at the Carroll County Administration Building, 95 Water Village Road, 2nd Floor Meeting Room, Ossipee. The purpose of the meeting is review and approval of the 2020 Carroll County budget, authorization of TAN (tax-anticipation note) borrowing, and any other business as necessary.

In the event of weather-related cancellation, the meeting will be held Monday, March 16th at 9:30 a.m. at the above noticed location. The public is encouraged to attend. Documents pertinent to the business of the day are available for public review at the Carroll County Business Office during normal business hours or by calling (603)539-7751 or on the County website at www.carrollcountynh.net.

Rep. Lino Avellani, Clerk

COUNTY DELEGATION NOTICE

The **Coos** County Delegation will hold an optional work session on the Commissioners' revised County budget **Saturday, March 7th at 10:00 a.m.** at the Coos County Nursing Home, Cates Hill Road, Berlin. The Delegation will hold its formal Annual Budget Meeting on **Friday, March 13th at 10:00 a.m.** at the Coos County Nursing Home, Cates Hill Road, Berlin.

Rep. Wayne Moynihan, Chair

COUNTY DELEGATION NOTICE

The **Grafton** County Executive Committee will meet on **Monday, March 23rd at 9:00 a.m.** at the Grafton County Complex, Dartmouth College Highway, North Haverhill.

Rep. George Sykes, Chairman

COUNTY DELEGATION NOTICE

The **Merrimack** County Delegation Executive Committee will meet **Friday, March 6th at 9:00 a.m.** in the 2nd floor conference room of the Old Courthouse, 163 North Main Street, Concord. The purpose of the meeting is as follows: 1. 2020 Budget Review/Approval 2. 4th Quarter Financial Review 3. CIP Review/Approval 4. Any other business.

Rep. James MacKay, Chairman

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB253, HB385, HB496, HB546, HB705, HB1117, HB1273, HB1434, HB 1549, HB1580, HB1596, HB1603, HB1606, HB1611, HB1620, HB1643, HB1644, HB1647, HB1651, HB1652, HB1653, HB1663, HB1665, HB1667, HB1668, HB1669, HB1670, HB1671, HB1672, HB1673, HB1674, HB1677, HB1680, HB1681, HB1682, HB1684, HB1685, HB1687, HB1688, HB1691, HB1692, HB1695, HB1696, HB1697, HB1699, HB1700, HB1705, HB1707, SB7, SB283, SB287, SB435, SB680, SB736, SB737.

Paul C. Smith, Clerk of the House

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.

The House Republican Alliance will meet every **Tuesday at 8:30 a.m.** in Room 307, LOB. All Republicans are welcome.

Reps. Carol McGuire, Jim Spillane, and Mike Sylvia

The Zonta International and Unchained At Last invite all legislators to a luncheon on **Tuesday, March 10th from 11:45 a.m. to 12:30 p.m.** in the State House cafeteria.

Rep. Cassie Levesque

The New Hampshire Podiatric Medical Association is sponsoring a full breakfast in the State House cafeteria on **Wednesday, March 11th from 7:30 a.m. to 9:30 a.m.** All legislators and staff are invited to come meet the podiatry lobbyists and several podiatrists from around the state.

Rep. Douglas Ley

The Alzheimer's Association of New Hampshire cordially invites all legislators and staff to a luncheon in the cafeteria on **Wednesday, March 11th from 11:30 a.m. to 1:30 p.m.** Please stop by to enjoy a catered lunch and meet your constituents who have experienced this disease and professionals from the association who are happy to educate and answer your questions. The Alzheimer's Association is a non-profit that operates a 24/7 helpline, provides care consulting to families, educational programs for the public, and professional training for first responders, all free of charge across all 10 counties in New Hampshire.

Reps. Joe Alexander and Willis Griffith

Casino Free New Hampshire cordially invites all House members to a luncheon on **Wednesday, March 11th** during the House Session lunch break in the basement hall of St. Paul's Church located on Park Street. There will be a video of a historical racing machine and an expert to briefly explain how these machines operate and why NH should be concerned with introducing them in the state.

Rep. Patty Lovejoy

The New Hampshire Liberty Alliance cordially invites all legislators to attend a buffet-style luncheon **Wednesday, March 11th from 12:00 p.m. to 1:00 p.m.** at Tandy's Top Shelf, located at 1 Eagle Square, just across N. Main St. from the State House, in the back room. The NHLA compiles and distributes the Gold Standard (gold sheet) before each session day, as well as publishes annual ratings for each NH state legislator. Several members of the NHLA Board of Directors will be in attendance. You will have the opportunity to ask questions or make suggestions on how the NHLA can better fulfill its mission of promoting liberty within New Hampshire state government.

Reps. Michael Costable, Carol McGuire, Michael Sylvia, and Mark Warden

Members of the Legislative Sportsmen's Caucus are invited to lunch on **Thursday, March 12th at 12:00 p.m.**, or at the session lunch break, at Rath, Young, and Pignatelli, 1 Capital Plaza, Concord. Carter Heath the New England Regional Director of the National Wild Turkey Federation will be our guest along with representatives from NH Fish and Game.

Reps. John Klose and Jeff Goley

The OWLS will meet during session lunch break on **Thursday, March 12th** in the Webster room. Please bring your lunch. We have lots of planning to do.

Rep. Deb DeSimone

All legislators and their staff are invited to join the NH Oral Health Coalition for our annual oral health hot breakfast in the State House Cafeteria. This year's event, "Oral Health Matters: It's All Connected", will be held **Thursday, March 12th from 7:30 a.m. to 9:00 a.m.** Community oral health providers from communities throughout the state, including your regions, will be there with displays and the opportunity for you to learn about their programs.

Reps. Tom Bucu and Jennifer Bernet

The Health and Human Services Working Group on the Plan to Close the Cliff Effect for Individuals and Families Who Receive Public Benefits will be holding two upcoming meetings: **Monday, March 16th from 3:00 p.m. to 5:00 p.m.** and **Monday, April 20th from 3:00 p.m. to 5:00 p.m.** at the NH Employment Security Conference Room on 45 Fruit Street in Concord. The meetings are open and members of the public are welcome to attend.

Rep. Mary Jane Wallner

Breathe New Hampshire invites all legislators and staff to attend a Breakfast Reception on **Thursday, March 19th from 8:00 a.m. to 9:30 a.m.** in the State House cafeteria. Stop by for a light breakfast, take a free breathing test, take part in our raffle and meet some of our volunteers who are helping New Hampshire residents breathe better and live longer! Please RSVP to info@breatheenh.org or by calling 603-669-2411.

Rep. Patrick Long

The bipartisan Mental Health Caucus will be meeting on **Thursday, March 19th at 1:00 p.m.** in Room 104 of the LOB. This will be a planning session for the upcoming continuing education programs.

Rep. James MacKay

The Mount Washington Valley Housing Coalition, Workforce Housing Coalition of the Greater Seacoast, Vital Communities Workforce Housing program and Stay Work Play NH have partnered to host a lunch in the State House Cafeteria on **Thursday, March 19th**. Please join us to discuss upcoming housing legislation, learn about our work as advocacy organizations and how we can be a resource to you.

Rep. Ed Butler

The NH Preservation Alliance invites all legislators to the Old House and Barn Expo, **Saturday and Sunday, March 21st and 22nd**. Show your legislative badge for free admission. Hours are Saturday 9:30 a.m. to 5:30 p.m. and Sunday 9:30 a.m. to 4:30 p.m. at the Doubletree by Hilton Manchester Downtown. There will be over 100 exhibitors, presenters and demonstrations. Tips for barn repair, energy efficiency, researching house history, insurance and financing, stone wall building, timber framing and wood turning. New this year: Strategies for down-sizers and first-time home buyers, extreme weather preparedness, foundation and masonry, heating and cooling, household hazards, interior finishes, new old homes, pest management, porch styles and strategies, and much more. Contact: Jennifer Goodman at 603-224-2281 or www.nhpreservation.org for education session schedule and more information.

Reps. Judith Spang and Dave Danielson

Save the Date! All Legislators and Staff are invited to come and learn about acupuncture and receive a free treatment on **Monday, March 23rd from 9:00 a.m. to 3:00 p.m.** in Room 307, LOB. This event generously sponsored by AcuAid.

Rep. Ben Baroody

All are invited to the Welcoming Communities luncheon **Thursday, March 26th** in the state house cafeteria during the lunch break. Come meet community members from Nashua, Manchester, Concord, Laconia and other parts of our state who have made these communities their home, contributing to economic development and adding positive cultural flavor to their communities. Enjoy multi ethnic food and taste the multicultural contribution made to NH. All are welcome to enjoy the festival of cultures and celebrate diversity in our communities.

Reps. Karen Ebel and Latha Mangipudi

Please join us in the State House cafeteria for breakfast on **Thursday, March 26th from 7:30 a.m. to 10:00 a.m.**, provided by the UNH Cooperative extension. The Extension brings information grounded in research to the people of New Hampshire where they work and live. We look forward to meeting you and discussing the value of our work.

Reps. Susan Ford and John O'Connor

All are invited to bring your family and friends to New Hampshire Fish and Game Department's biggest and most popular free community event of the year, which is set for **Saturday, April 18th, from 10:00 am. to 3:00 pm.** on the grounds of the Fish and Game Department at 11 Hazen Drive in Concord. Discover WILD NEW HAMPSHIRE DAY is a fun way for the whole family to explore New Hampshire's wildlife resources and legacy of outdoors traditions. Browse educational exhibits presented by environmental and conservation organizations from throughout the state. See live animals, big fish and trained falcons. Try your hand at archery, casting, fly-tying and B-B gun shooting. Watch retriever dogs in action. Get creative with hands-on craft activities for the kids, and check out the latest hunting and fishing gear and gadgets. This educational and fun-filled event is free for all ages.

Rep. Robert L'Heureux

2020 STATE HOUSE VISITATION SCHEDULE

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in 2020. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes. Note that large groups are divided into smaller groups for tours.

Please contact the Visitor Center concerning school tour booking information. Legislators planning to meet with students should notify the Visitor Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director

DATE	TIME	GROUP	#/GRADE
March 6	10:15	DAR Good Citizens	50/HS
March 9	1:30	Road Scholars	20/adults
March 10	9:15	Broken Ground School – Concord	25/4
March 11	9:00	New Hampton School- (Prep.)	9/HS
March 11	9:15/10:15	Broken Ground School – Concord	98/4
March 11	10:45	Swasey Central School – Brentwood	50/4
March 12	9:15/10:15	Broken Ground School – Concord	95/4
March 12	9:00/10:30	Pembroke Hill School	80/4
March 13	9:45	Dondero School – Portsmouth	54/4
March 13	11:00	Mount Prospect Academy – Plymouth	10
March 13	1:00	AmeriCorps Volunteers	150/adults
March 16	10:00	Youth International Exchange Program	5
March 17	9:00	Deerfield Community School	50/4
March 17	12:30	Hancock Elementary School	29/3&4
March 19	9:30	Mount Lebanon Elementary School	35/4
March 19	11:00	Portsmouth Christian Academy – Dover	40/4
March 20	9:30	North Hampton Elementary School	36/4
March 20	9:45/11:00	Parker Varney School – Manchester	77/4
March 20	11:30	YMCA – Greater Concord area	35/k-5
March 23	9:00/10:30	Maple Ave. Elementary School – Goffstown	86/4
March 24	9:00	Maple Ave. Elementary School – Goffstown	23/4
March 24	9:30/11:00	Ledge St. School – Nashua	80/4
March 25	9:15/10:30	Barnstead Elementary School	70/4
March 26	9:00	Alton Central School	35/4
March 26	10:00	New Franklin School – Portsmouth	36/4
March 27	10:00/11:15	Chester Academy	70/4
March 30	9:45/11:00	Lincoln St. School – Exeter	80/4
March 31	9:45/11:00	Lincoln St. School – Exeter	80/4
April 1	9:00	Alvirne High School – French Exchange students	
April 1	9:30	Holy Trinity Catholic School – Laconia	12/4-5
April 1	12:00	Presentation of Mary Academy – Hudson	48/4
April 2	10:00/11:30	Little Harbor School – Portsmouth	76/4
April 2	11:15	Davenport School – Jackson	20/
April 3	9:00	Mount Zion Christian School – Manchester	13/4
April 3	9:45/11:00	Woodman Park School – Dover	91/4
April 3	10:15	School St. School – Rochester	18/4
April 6	10:00 *2 tours	Pollard School – Plaistow	81/4
April 6	1:00	St. Paul's School – Concord	13/HS
April 7	9:45	Merrimack Valley High School – Penacook	20/HS
April 7	10:15	Rye Elementary School	47/4
April 8	9:00	Green Valley School – Pembroke	10/4
April 8	9:30	Moultonborough Central School	34/4
April 8	10:00	Francestown Elementary School	30/4
April 8	12:30	Bridgewater – Hebron Village School	49/4
April 9	10:00	Laconia Christian Academy	30/4-6
April 9	11:00	Campton Elementary School	38/4
April 9	10:45/12:00	South Range Elementary School – Derry	76/4
April 10	9:00	Leadership Southern NH- Salem area	20/adults
April 10	10:00	Dublin Consolidated School and Greenfield Elementary School	40/3-4
April 10	10:00	East Kingston Elementary School	50/4
April 10	11:15	Tragedy Assistance Program for Survivors TAPS	25/adults