



State of
New Hampshire

HOUSE RECORD

Second Year of the 166th General Court Calendar and Journal of the 2020 Session

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Friday, June 5, 2020

No. 23

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

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will be in session on **Thursday, June 11th at 10:00 a.m.** Due to the COVID-19 pandemic, this session will take place **at the Whittemore Center at UNH in Durham.**

As you can imagine, the logistics of a session away from our historic Representatives Hall during a pandemic are quite extensive. Many people are working hard to make this as safe and efficient as possible for all of us.

Comprehensive instructions, including parking and handicapped parking, as well as arrival times are being prepared. For example, we are planning to stagger arrival, so please be sure to check to see when you should arrive at the Whittemore Center. I also want to remind members that the building has handicapped access.

Please remember to wear your legislative name badge and security pin so you can be easily identified.

I would like to take a moment to thank Eileen Kelly, Paul Smith and Terry Pfaff, along with the leadership of both parties, for their constant involvement and work to ensure our session day will be successful.

Should you have a question that is not covered in the forthcoming mailing, please reach out to Eileen Kelly.

Stephen J. Shurtleff, Speaker of the House

NOTICE

The entire House session on June 11th at the University of New Hampshire Whittemore Center will be livestreamed at the following link:

<http://nhhouse.edifymultimedia.com>

Please note, this link will not be live until the session on June 11th at 10:00 a.m.

NOTICE

Remote meeting information and any updates will be posted on the front page of the General Court Website:

<http://www.gencourt.state.nh.us/>

NOTICE

Due to the current situation with the COVID-19 pandemic, for the foreseeable future we will not be approving reimbursement for members for out-of-state travel.

Stephen J. Shurtleff, Speaker

AMENDMENT TO HOUSE RULE 65 (A)

AS PROPOSED BY THE HOUSE RULES COMMITTEE

June 11, 2020
June 25, 2020
June 30, 2020

Last Day to Act on all House Bills
Last Day to Report all Senate Bills
Last Day to Act on Senate Bills, Last Day to Concur on Amended House Bills

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 1114, relative to state motor vehicle inspections. (Pending Question: Inexpedient to Legislate)

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

HB 1165, prohibiting ATVs on a rail trail in Gorham. (Pending Question: Ought to Pass with Amendment)

HB 1195, relative to pesticide use and notification of such use on community playgrounds. (Pending Question: Inexpedient to Legislate)

HB 1225, allowing increased net energy metering limits for municipal hydroelectric facilities. (Pending Question: Refer for Interim Study)

HB 1229, requiring proposed natural gas facilities to include decommissioning costs. (No Pending Question)

HB 1256, establishing a committee to study the effectiveness of the Granite Hammer/Shield programs. (Pending Question: Inexpedient to Legislate)

HB 1261, relative to the energy consumption reduction goal. (Pending Question: Inexpedient to Legislate)

HB 1309, relative to the effect of warrant articles. (Pending Question: Inexpedient to Legislate)

HB 1337, permitting parents or guardians to opt out of armed assailant drills in their child's school. (Pending Question: Refer for Interim Study)

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 1391-FN, relative to prohibiting discrimination in housing against persons with pets. (Pending Question: Inexpedient to Legislate)

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

HB 1463, relative to the operation of a mixed use school bus. (Pending Question: Inexpedient to Legislate)

HB 1481, relative to the net metering cap for customer-generators. (Pending Question: Inexpedient to Legislate)

HB 1489, allowing registered nurses to certify walking disability plate eligibility. (Pending Question: Inexpedient to Legislate)

HB 1533-LOCAL, limiting the increase in property taxes for certain persons. (Pending Question: Inexpedient to Legislate)

HB 1571, relative to the qualifications for the members of the fish and game commission. (Pending Question: Inexpedient to Legislate)

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

HB 1628-FN, increasing the age for vaping. (Pending Question: Inexpedient to Legislate)

HB 1644-FN, relative to information required on marriage licenses. (Pending Question: Refer for Interim Study)

HB 1646-FN, relative to historic racing. (Pending Question: Ought to Pass with Amendment)

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)

HB 1713, relative to continuing education requirements for child day care workers. (Pending Question: Inexpedient to Legislate)

HCR 9, rescinding all requests by the New Hampshire legislature for a federal constitutional convention. (Pending Question: Ought to Pass with Amendment)

HCR 10, urging Congress to grant states broader authority to set higher environmental standards than those established in federal law. (Pending Question: Ought to Pass)

HJR 4, urging Congress to enact legislation or propose a constitutional amendment to grant statehood to the District of Columbia. (Pending Question: Ought to Pass)

HR 10, urging the return of armed service members from the Middle East. (Pending Question: Inexpedient to Legislate)

HR 11, urging Congress to remove marijuana as a schedule I drug and to support the Ending Federal Marijuana Prohibition Act. (Pending Question: Inexpedient to Legislate)

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

In the event of an adoption of the amendment to the deadlines proposed by the Rules Committee, the following House Bill Committee Reports are printed so that they may be considered.

THURSDAY, JUNE 11 CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1601-FN, removing the exception for married minors from the definition of sexual assault. **OUGHT TO PASS.**

Rep. Daryl Abbas for Criminal Justice and Public Safety. For all forms of felonious sexual assault, consent is a central issue. Whether the parties are married or not is irrelevant to the issue of consent. Under our current law, in certain circumstances it is not illegal for someone to engage in nonconsensual sexual conduct with their spouse. This loophole is based solely on the fact the parties are married, while it is a crime if the parties are not married. A person does not consent to any particular sexual conduct when they enter into a marriage. This bill is common sense legislation because there should never be an exception to nonconsensual sexual conduct. **Vote 20-0.**

HB 1606-FN, relative to cruelty to a wild animal, fish, or wild bird. **OUGHT TO PASS.**

Rep. Beth Rodd for Criminal Justice and Public Safety. This bill establishes an enhanced criminal penalty for cruelty to any wild animal, fish, or wild bird. New Hampshire is one of only five states that does not prohibit deliberate acts of cruelty toward wildlife in statutes. Current law makes malicious torture of domestic animals a crime, but there is not a similar provision for someone acting with deliberate cruelty to wildlife. This bill closes this loophole by making it unlawful to beat, whip, torture, or mutilate any wild animal, fish, or wild bird. This bill does not pertain to lawful hunting practices. The penalties in this bill are consistent with other penalties for animal cruelty. **Vote 20-0.**

HB 1667-FN, (New Title) 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. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill modifies the circumstances under which a driver's license may be suspended or revoked. It eliminates moral impairment as a reason for suspension or revocation and limits the type of offenses for which a driver's license may be suspended or revoked for default on an arraignment or failure to pay a court fine to motor vehicle offenses only. This bill also adds legal orders of child support to the court orders for which noncompliance leads to license suspension or revocation. The committee found that the failure to have a driver's license can prevent a defendant for traveling to work thus putting his or her family at risk and is an additional penalty that affects further the ability to pay fines etc. The amendment removes provisions from the bill creating a committee to study the creation of a restricted driving license for drug court participants. **Vote 20-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1710, relative to the disclosure of the results of child day care monitoring visits. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill revises the procedure for posting the results of child day care monitoring visits on the Department of Health and Human Services website and expands the time frame for the child day care agency's response before posting. This change in statute allows for greater transparency and was introduced based on a recommendation of the Committee to Study Issues and Impediments to Starting, Running, and Growing Home and Commercial Day Care Facilities in New Hampshire (HB 524; Chapter 173, Laws of 2019). **Vote 20-0.**

HB 1712, relative to the appeals process for child day care licensees. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill was a request of the Committee to Study Issues and Impediments to Starting, Running, and Growing Home and Commercial Day Care Facilities in New Hampshire (HB 524; Chapter 173, Laws of 2019). It permits child day care providers a mechanism to appeal decisions from the informal dispute resolution process under RSA 170-E:10-a. In addition, under the bill, should the Department of Health and Human Services suspend, revoke, deny or refuse license renewal, the department cannot immediately terminate operation of the provider unless the provider poses a present and credible threat to the health or safety of children served by the provider. This bill also prevents retaliation against a child day care provider by the department. **Vote 20-0.**

FINANCE

HB 1205-FN, relative to the reduction in the calculation of state retirement system annuities at age 65. **REFER FOR INTERIM STUDY.**

Rep. Patricia Lovejoy for Finance. This bill proposes that the automatic 10% reduction in retirement annuities of Group I members beginning at age 65 be changed to the member's full retirement age for Social Security beginning with employees who retire after passage of this bill. This would create two classes of retirees – those that retired prior to passage would have the automatic 10% reduction take place at 65 and those that retired after passage would not experience the 10% reduction until they reached the normal retirement age per Social Security. The fiscal impact of making this change is quite significant: the projected costs to the state is slightly over \$1 million per year, the projected cost to political subdivisions is in excess of \$3.5 million per year and the unfunded actuarial accrued liability of the pension fund would rise by \$37 million. The final report of the Decennial Retirement Commission dated 1/10/18 recommended making this change while acknowledging that the cost would be substantial, and they could not come to a consensus for how to pay for the proposed change. The committee recommends that the potential funding of such a change needs further study and that any change should be made as part of larger budget considerations. **Vote 22-0.**

HB 1235-A, establishing a committee to study ensuring workforce maintenance through enhancement of the retirement system, and making an appropriation therefor. **REFER FOR INTERIM STUDY.**

Rep. Patricia Lovejoy for Finance. This bill calls for a study committee that would need to report out by November 1. With the Covid-19 situation it does not make sense to require any more study committees. The original bill had a fiscal note of \$100,000 which we were going to reduce to \$10,000. But at this time, when we do not know how large the fiscal hole is going to be, we should not be funding new endeavors. **Vote 21-1.**

HB 1596-FN-A, relative to the funding for search and rescue operations of the fish and game department and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Ford for Finance. While this bill has good intentions, the fiscal note does not reflect the current need of the department, the bill asks for \$200,000 from general funds to fund search and rescue operations. While this is a laudable goal the current fund does not indicate the need for this infusion of cash. This need and request are best made to the Governor in the usual budget request process. **Vote 22-0.**

HB 1600-FN-A, (New Title) relative to smoking cessation therapy and pharmacist reimbursement under Medicaid and making an appropriation therefor and relative to insurance coverage for pharmacist cognitive services. **INEXPEDIENT TO LEGISLATE.**

Rep. Sharon Nordgren for Finance. This bill came to the Finance Committee from the Health and Human Services Committee. It is our opinion that it should have also been considered by the Commerce Committee before being sent to the Finance Committee. Furthermore, with the assumed budget deficits looming, it would be wise for the sponsors to file another bill next September. **Vote 22-0.**

HB 1638-FN-A, relative to the administration of the SNAP incentive programs. **REFER FOR INTERIM STUDY.**

Rep. Joelle Martin for Finance. This bill directs the Department of Health and Human Services to broaden the Supplemental Nutrition Assistance Program (SNAP) Incentive Programs beyond current pilot programs so that more Granite State SNAP recipients have access to locally-grown fresh fruits and vegetables. The committee agrees that pilot programs have proven beneficial to both participating SNAP recipients and local

farmers; however, given the current fiscal situation due to the COVID-19 pandemic, there are no available state funds to appropriate at this time. We recommend Interim Study on this bill so that the committee can work with the department to consider the program's statewide implementation as well as the required appropriations during the next state budget process. **Vote 22-0.**

HB 1691-FN-LOCAL, relative to kindergarten adequate education grants. **INEXPEDIENT TO LEGISLATE.** Rep. Susan Ford for Finance. Schools that operate a full day kindergarten get their adequacy funding depending on the past year enrollment – the same as funding for students in grades 1-12. School districts who are opening full day programs have no past student enrollment data and at times get additional funding. Currently, it is unknown whether the Education Trust Fund is solvent and could even fund this program with available funds, so the recommendation is Inexpedient to Legislate. **Vote 22-0.**

HB 1698-FN, relative to equal access and opportunity for students with disabilities to participate in co-curricular activities and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Ford for Finance. This bill provides \$50,000 on a yearly basis to fund schools to provide co-curricular opportunities for students with disabilities. This bill has no guidance to the Department of Education (DOE) as to how the funds will be allocated to school or districts nor is there any accountability. The DOE estimates that it will cost \$10,000 to develop those guidelines. Participation in co-curricular activities for students with disabilities is allowed as a component of the federal IDEA grant and this goal may be eligible for a grant. The committee encourages the sponsor to determine what is currently available across the state and to encourage schools to provide co-curricular activities for students with disabilities. **Vote 22-0.**

WAYS AND MEANS

HB 1248-LOCAL, relative to community revitalization tax relief incentives. **OUGHT TO PASS.**

Rep. Willis Griffith for Ways and Means. This bill addresses the housing crisis we are facing in this state by expanding the community revitalization tax relief program under RSA 79-E. The bill includes opportunity zones in the program, but does not change the tax structure. There is nothing in the bill that changes revenue, thus the Ways and Means Committee unanimously supported the Municipal and County Government Committee's policy recommendation. **Vote 20-0.**

HB 1563-FN, relative to the use of funds in the drug forfeiture fund. **REFER FOR INTERIM STUDY.**

Rep. Thomas Southworth for Ways and Means. This bill relates to the drug forfeiture fund. It changes the administration of the fund from the Attorney General to the Governor and Council. During the work session on this bill, there were many questions about how this change would be implemented. An amendment moved the administration of the fund to the Department of Health and Human Services, which pointed out that by statute they only receive 10% of it and would have to depend on the Attorney General's administration. Further clarification is needed. The bill's intent was to have more transparency in how the money is spent by the Attorney General's Office and to extend fund use to rehabilitation and education. The committee agreed to ask for a performance audit of these funds to examine the issue of transparency. **Vote 19-0.**

HB 1603-FN, (New Title) establishing the per and polyfluoroalkyl substances contamination remediation and mitigation revolving loan and grant program and fund. **OUGHT TO PASS.**

Rep. Lisa Bunker for Ways and Means. This bill establishes a system to receive funds from possible future settlements with PFAS polluters and makes them available in the form of loans to municipalities, water districts, and individuals affected by PFAS contamination. It reached the floor of the House with a unanimous vote from its first committee, Resources, Recreation, and Development, and passed by voice vote in the House. What remains for the Ways and Means Committee is to sign off on the establishment of a new dedicated revolving fund. All seems in order with establishment of the fund, so the Ways and Means committee voted 20-0 to pass this bill. **Vote 20-0.**

HB 1620-FN, relative to electric vehicle parking spaces. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Almy for Ways and Means. Before it was possible to hold an executive session for this bill, a member of our committee brought forward a problem that is outside our policy area. The first committee has requested that we find the bill Inexpedient to Legislate to allow them to consider the new information through a bill they will develop for 2021. **Vote 20-0.**

HB 1627-FN, (New Title) creating an animal records database. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. The creation of the animal records database is the year's highest priority for the Department of Agriculture, Markets and Food. Its limited staffing means it has not been able to get copies of vaccination records which are held only at town halls and needed quickly after a dog bite, and they would not be able to deal with receiving all health certificates, which are required of them for various key functions by law, most particularly the new pet vendor program. The department is run primarily on user fees, making it hard to get into the capital budget. The bill came to the Ways and Means Committee in our capacity as the overseer of dedicated funds. It borrows from two funds, one closely related and one not,

to establish a computerized database for all animal health records. These two funds, one for animal feeds and scales and another for integrated pest management, accumulated surpluses over several years because the department did not fully staff the functions. Now fully staffed, they do not need the surpluses to operate for the foreseeable future. The database will be developed borrowing funds from those surpluses and be maintained over time from a new fee of \$2 or less on certificates of health and rabies vaccinations. The department believes that veterinarians' current costs of time, forms, and postage exceed this fee. The committee amendment directs the repayment of the donor funds first to integrated pest management, which is about plants, and then to the animal feed fund. It specifies the timing and direction of all the transfers, and allows that full repayment not be made to the second fund, if the \$2 fee cannot cover it. At the request of the first committee and the department, it allows the customers' certificate copies also to be digital. Finally, it sets a five-year limit after the database goes live on transfers, to end any further leakage between funds. **Vote 17-1.**

HB 1696-FN, relative to fees for notices and applications for financial institutions. **OUGHT TO PASS.**

Rep. David Karrick for Ways and Means. This bill amends the application fee for new state bank or credit union charters and requires applicants to pay any additional investigation and examination costs that exceed the fees set forth in the statute. The NH Banking Department is self-funded by fees, fines, and assessments of licensed and chartered entities. This bill would increase the application fee for a state charter from \$10,000 to \$15,000. This bill further provides that if the fee charged is not sufficient to cover examination and application costs, the applicant shall pay the additional costs. These changes shift the cost burden from the total universe of state-regulated banks to the actual applicants. **Vote 20-0.**

THURSDAY, JUNE 11 REGULAR CALENDAR

CHILDREN AND FAMILY LAW

HB 1716-FN, relative to the treatment of veterans' disability benefits for purposes of determining child support. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Skip Berrien for the **Majority** of Children and Family Law. This bill is intended to address inequity of child support payments for disabled veterans, some of whom live with very limited resources. By eliminating disability payments in the calculation of the veterans' gross income, the child support payment is reduced, but it provides less money for the child, greater dependence on state benefits, and is in violation of federal child support regulations. The committee recognizes the problem faced by some disabled veterans and voted for interim study in order to find a solution in the context of the existing periodic review of legislatively directed child support guidance. **Vote 12-8.**

Rep. Deanna Jurius for the **Minority** of Children and Family Law. It is the opinion of the minority of the committee that HB 1716 Ought to Pass. This bill seeks to remedy the fact that disabled veterans are having their disability benefit considered as income or as a pension and being considered in the formula for paying child support. The committee heard numerous testimonies of veterans who have been, or were, on the verge of homelessness because so much of their veterans disability was taken for child support. One testified that lying nearly dead on the side of the road in combat after being hit by a roadside bomb was a cakewalk compared to dealing with the family court system. This must stop. New Hampshire must do more to support our veterans who were disabled in the line of duty protecting our country. They have put their lives on the line for all of us as Americans. This bill does not fix all of the issues with parenting formulas, but it takes a step in the right direction. The Department of Veterans Affairs has an apportionment process outlined in IM-98-03 that determines the allocations of funds to children, and passage of HB1716 would send a strong message to our Federal Delegation that this needs to be followed and not usurped by states. The New Hampshire House has a moral obligation to ensure that it enacts legislation to do right by those who have been permanently disabled in defense of our great nation.

SB 295-FN, relative to the office of the child advocate. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Francesca Diggs for the **Majority** of Children and Family Law. This bill recodifies the statutes governing the Office of the Child Advocate (OCA), clarifying the authority and independence of the OCA and expands the jurisdiction of the office to include a wider range of agencies that serve children. The bill also establishes an oversight commission on children's services. **Vote 18-2.**

Rep. Linda Camarota for the **Minority** of Children and Family Law. Although this bill's intent is laudable and the minority agrees the expansion of services the Office of Child Advocate delivers is needed, Associate Attorney General James Boffetti testified that there were a number of concerns with the current draft of this bill. According to Boffetti's June 2, 2020 email, which was forwarded to the CFL committee members the day of the hearing and subsequent executive session, even with the proposed amendments recommended back at the original 2019 Senate hearing, the AG's office has "continued concerns and reservations with some of the provisions." As SB 295 is written, the AG's office has the following concerns: 1) language gives the Office of Child Advocate authority to "operate with full independence from any state official, department, or agency..." thus "effectively render inoperative all other New Hampshire statutes." 2) questions of accountability and oversight exist 3) relative to protected attorney/client privileges and 4) the disclosure of confidential information to "anyone responsible for, or providing services to the child" provision, "has the potential to jeopardize sensitive criminal investigations and could impinge on a defendant's right to a fair trial."

COMMERCE AND CONSUMER AFFAIRS

HB 1411, establishing a commission to study long-term supports and services in New Hampshire. **WITHOUT RECOMMENDATION**

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1117-FN, relative to penalties for dog theft and tampering with a dog's radio collar. **OUGHT TO PASS.**

Rep. Beth Rodd for Criminal Justice and Public Safety. This bill elevates the penalty for dog theft and tampering to a Class B felony. The purchase, care and training of dogs can cost thousands of dollars to owners. Removal of tracking devices, including microchips can cause damage to the animal and is costly for the owner. Since these activities are becoming more common, a penalty that is commensurate with the illegal activity as well as the financial and emotional strain is reasonable. **Vote 17-3.**

HB 1580-FN, (New Title) regulating the use of unmanned aircraft systems. **OUGHT TO PASS.**

Rep. Terry Roy for Criminal Justice and Public Safety. This bill regulates the use of unmanned aircraft systems and establishes criminal penalties and for violations of the law. The citizens of New Hampshire value their privacy from both private and government intrusion and as such, the use of unmanned drones for intentional surveillance should be properly regulated where necessary and prohibited where not. The committee feels the proposed penalties for violation of the new law are just and appropriate. **Vote 17-3.**

HB 1662-FN, relative to the purchase, use, and possession of tobacco products and e-cigarettes. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Beth Rodd for the **Majority** of Criminal Justice and Public Safety. While a majority of the committee voted to adopt a proposed amendment to this bill to bring the language of the bill into compliance with current federal standards, there were remaining concerns about other aspects of the bill. Discussion within the committee included what some members believe to be an inconsistency between the age someone is eligible to purchase, use and possess tobacco products and other activities that are legal for 19-21 year olds such as voting, driving and military service, and therefore were uncomfortable with the penalties included in the bill. While efforts to discourage tobacco and e-cigarette use, especially among young people, have merit, the majority felt the bill merited further study would be needed to clarify constitutional questions posed as well as passing a state law that does not comply with federal standards. **Vote 11-9.**

Rep. Daryl Abbas for the **Minority** of Criminal Justice and Public Safety. The rationale behind this bill was to make our state law consistent with federal law in respect to selling and possessing tobacco products by increasing the age from 19 to 21. However, the amendment added language addressing cannabis which remains illegal under federal law. Such inconsistent and flawed logic should not be the basis for passing any bill. That issue aside, as written, HB 1662 is unconstitutional because it can amount to an unconstitutional taking. It is unconstitutional for the government to deprive any person of their property without just compensation. Article 23 of the New Hampshire Constitution states that "Any retrospective law is highly injurious, oppressive and unjust." What a 19-20 year old is lawfully possessing today will be criminalized by HB 1662 where the individual possessed and owned their property before it was criminalized. Had the precedents HB 1662 is attempting to create apply to any other type of property, presumably it would be overwhelmingly rejected by people. Regardless of the debate relating to public health, morality and emotion, this bill is unconstitutional and based on that alone, inexpedient to legislate is more appropriate. Considering the restrictions and backlog both legislative bodies are dealing with because of COVID-19, the people are better served if the state government does not allocate our limited resources associated with creating an interim study.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 702-FN, (New Title) relative to requirements for supervised visitation centers. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. This bill requires supervised visitation centers to comply with certain guiding principles of safe havens. Its purpose is to enhance standards of procedure for supervised visitation centers in NH by codifying national principles for safe havens in New Hampshire statute, and by prohibiting state, county, or municipal funding or financial transactions with NH supervised visitation centers unless they can demonstrate compliance with these standards. **Vote 17-3.**

HB 1692-FN, (New Title) establishing a license for mushroom harvesters. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sallie Fellows for the **Majority** of Executive Departments and Administration. The federal Food and Drug Administration Food Code prohibits the sale of wild mushrooms by restaurants and markets unless their oversight agency has an approval process for wild mushrooms sales. This bill gives the NH Department of Health and Human Services (DHHS) rulemaking authority to approve training programs, test and license wild mushroom harvesters, and develop a list of safe varieties approved for sale. Harvesters must obtain landowner permission to gather wild mushrooms from their property. DHHS supports this bill and indicated they can absorb the operational cost. Restaurants relish the opportunity to expand their menus. The public can be assured wild mushrooms sold at markets and restaurants are safe. Legalization will create new business opportunities. This bill doesn't apply to cultivated mushrooms and doesn't apply to individuals harvesting mushrooms for personal consumption. The amendment corrects two drafting errors and extends the effective date from January to July 2021. **Vote 15-4.**

Rep. Steven Beaudoin for the **Minority** of Executive Departments and Administration. In 2009 (with revisions in later years) as part of the Food and Drug Administration (FDA) Food Code, new requirements were established that prohibit the sale of wild mushrooms without meeting FDA food safety guidelines. This bill was filed to bring NH into compliance with those guidelines. The requirements of

this bill unnecessarily exceed those dictated by FDA. The intent of this bill is to again allow the sale of wild mushrooms in NH by farm stands, grocers and restaurants. Unlike those set forth by the FDA, the compliance requirements of this bill apply to the entire supply chain from harvesters, to “identifiers,” to grocers, and to chefs. Many of the exemptions allowed by FDA are not included in this legislation the result being that many smaller grocers, restaurants, and harvesters may not find it worthwhile to sell, serve, or harvest wild mushrooms. Further, though most states allow commercial food processing plants an exemption to sell wild mushrooms without following these guidelines, this bill does not. Finally, the fine for noncompliance in this bill can be as high as \$1000. It is unclear whether the fine is per sale, per package, or even per mushroom.

FINANCE

HB 1549-FN-A, establishing the office of school counseling and psychology, establishing the position of school counselor coordinator, and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Heath for Finance. The bill as amended, establishes the office of school counseling and psychology in the division of learner support, Department of Education. This bill also establishes the position of school counselor coordinator in the office of school counseling and psychology. The amendment removes the funding aspect and requests the Department of Education to establish the position of school counselor coordinator and office of school counseling and psychology and request the said position be put into their 2022 budget for future consideration by the General Court. **Vote 13-9.**

HB 1647-FN, relative to post-conviction DNA testing. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia Lovejoy for Finance. This bill is an enhancement of our post-conviction DNA law that addresses shortcoming in our current law. This bill extends the post-conviction DNA testing to those not incarcerated; either on parole or have served their term. The petitioner has to petition the superior court and meet all the criteria before the court would appoint counsel to the indigent petitioner. The effective date has been extended until July 1, 2021 thereby having no fiscal effect in this biennium. This would allow the Governor and legislature to decide whether to provide the necessary appropriation in the next biennium’s budget. **Vote 13-9.**

HB 1681-FN, (New Title) establishing a committee to study school meal programs in New Hampshire’s public schools and non-sectarian schools that accept public funds. **OUGHT TO PASS.**

Rep. Mary Heath for Finance. This bill provides for a committee to examine state and federal guidelines regarding school meal programs. The committee will identify legislation to reduce hunger among students. The committee will report on or before November 1 and the committee will sunset at this time. **Vote 13-9.**

HB 1708-FN-A, relative to certain liquor license fees and establishing 2 liquor investigator positions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia Lovejoy for Finance. This bill makes changes to the license fees for retailers selling tobacco products and e-cigarettes. The bill also adds two investigators within the Liquor Commission that are responsible for the enforcement of tobacco laws and now are also responsible for the enforcement of regulations regarding e-cigarettes. Funding for the positions will come from the license fees. **Vote 14-8.**

SB 8, establishing an independent redistricting commission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patricia Lovejoy for the **Majority** of Finance. This bill creates an independent redistricting commission comprised of 15 members of the public who are registered to vote and who are not members of the US House, NH Senate, NH House or Executive Council. The majority and minority party each choose five members, and those ten choose the final five members. The amendment removes the exemption from the “Right to Know” law for choosing the final five members. The Finance Committee reviewed the costs associated with the bill. The bill requires the Secretary of State to advertise in daily newspapers the application process for eligible voters to apply to the commission and to advertise the availability of the final maps proposed by the commission. The Secretary of State’s Office did not have exact costs but estimated at least \$10,000 for each case. The other additional cost of the commission was for mileage reimbursement. The budget already has a fund for mileage reimbursement which should be able to absorb these expenses. The majority of the committee believes the benefits to the state of an independent redistricting committee far outweigh the costs identified in this bill. **Vote 13-8.**

Rep. Lynne Ober for the **Minority** of Finance. The minority believes this bill should be Inexpedient to Legislate because, although it is a well-intentioned bill it has a number of issues. According to the NH Constitution, Article 9 specifies that the legislature will redistrict. While this bill ignores the constitutional issue, it also fails to appropriate money to accomplish the tasks being assigned in this bill. The bill requires that the Secretary of State be responsible (with no funding) for advertising for members to sit on the commission and we heard testimony that at least \$25,000 would be needed for this. However, it also requires that the Secretary of State develop an application form but, provides no money for forms design or a consultant who

is knowledgeable to design forms. Once designed there is no money to print or mail the forms. Testimony said that applicants might be able to apply via email or paper mailed to the office. When asked the size of the applicant pool, the committee was told that it could be as many as 800,000 to 900,000 applicants. Since not every applicant would be eligible because the bill specifies that an applicant may not hold any elected position, someone will need to sift through the paper applications as well as the emailed applications. No money for staff to do this and the concept of reviewing 800,000 applications is daunting. Once the commission is chosen, the Secretary of State must keep applications in case one of the members chosen has to be replaced. How and where will these applications be stored? What will the cost be? How long do they need to be stored? The bill fails to specify. The bill does require a minimum of two meetings will be held in each county. The fiscal note of the bill, but not the actual bill verbiage, states that the Secretary of State must provide secretarial and administrative support to this commission, including those meetings held in the counties. The Secretary of State is not staffed for this and no money was provided. As a result, the minority believes that this bill should be marked Inexpedient to Legislate.

JUDICIARY

HB 1642-FN, (New Title) prohibiting the state or a state official from using a face recognition system. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for the **Majority** of Judiciary. Although an amendment which would have cut back the reach of this measure failed, this bill as received from the Executive Departments and Administration Committee would have proscribed the use in courts, hearings, and the like of evidence derived from facial recognition software. The objections voiced in Judiciary were varied, but centered on an unwillingness to plunge ahead with a measure strongly opposed by law enforcement without a much more thorough vetting than the current Coronavirus situation would allow. The entire question of police surveillance, of which this is only a part, deserves much more analysis which can come about in more normal times. Issues with this bill include the inability to get a search warrant in some cases without using facial recognition technology, thus leaving some really bad actors beyond the reach of the law. Also to be considered, are questions of the comparative reliability of computer generated analysis and human subjective judgment. These and other matters should be taken up next session. **Vote 12-7.**

Rep. Gary Hopper for the **Minority** of Judiciary. This bill is a first step to detailing the right to privacy adopted into our constitution in 2018. It prohibits the use of face recognition technology by the state. The amendment, developed with the assistance of some stakeholders, replaces the entire bill. The amendment significantly simplifies the bill, eliminating restrictions and penalties that the committee found inappropriate, but strengthening the protection of the driver license photo database, which is the major database of face photos in the state. As amended, the bill allows use of this technology in courts and other proceedings if the search is made with a warrant. We have all witnessed recently, in the news, what can transpire when power goes on unchecked. The minority believes that, as amended, this bill strikes a balance between the people's right to privacy and the police's ability to do their jobs.

MUNICIPAL AND COUNTY GOVERNMENT

HB 1218-FN, (New Title) relative to net energy metering limits for customer generators and the purchase of output of limited electrical energy producers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Clyde Carson for the **Majority** of Municipal and County Government. As amended, this bill reaffirms the policy passed by the House earlier this year by consolidating the language contained in three separate bills into a single, comprehensive, net energy metering bill. Two of those bills, HB 1262 and HB 1402, were introduced in 2020. The third bill is HB 365, which passed the House by a 254-98 majority in 2019. The Municipal and County Government Committee amended HB1218 by expanding the definition of municipal host, so that regional school districts and counties with buildings in more than one town could take advantage of the provisions of this bill. HB 1218 offers the potential of significantly expanding in-state production of clean energy. This benefits all NH rate payers by reducing the need for utilities to buy capacity on the regional grid to service customers when demand for power is high. This peak load capacity comes at a premium price and is a key factor in our high cost of electricity. The majority of the committee believes HB 1218 will move NH forward with a strong, clean energy policy. It will position our businesses to be more competitive and lower the cost of power for all NH rate payers. **Vote 12-6.**

Rep. Tony Lekas for the **Minority** of Municipal and County Government. This bill as amended requires the electric public utility company to purchase, at the default rate, any power generated over consumption from electrical generating facilities either powered by renewable energy or which employ a combined heat and power system with an output up to 5 megawatts from municipal hosts. Today such facilities may contract to sell the power they generate in any amount the utility can accept at the wholesale rate. This bill will result in

these producers being paid a higher price for the power they generate than the utility pays other generators. The effect is to subsidize such producers. It has been claimed that this will not shift cost to other rate payers. However, any time there is a subsidy it must be paid for in some way and the only source is the other rate payers. New Hampshire is already plagued by some of the highest electricity rates in the country. Businesses have decided to expand their operations outside of this state due to the high electricity rates. Individual rate payers already pay a great deal for electricity and especially with recent economic hardship we should not increase that burden. While this bill might provide some municipalities and counties with a way to raise additional revenue, it is not right for them to do so with what amounts to a tax on all of the people, businesses, and other municipalities of the state.

SB 79, relative to required reporting on waste reduction. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jim Maggiore for the **Majority** of Municipal and County Government. Currently, RSA 149-M:23 requires municipalities to be: "Responsible for continued and ongoing planning for solid waste management within its boundaries. In meeting this planning requirement, the town shall consider: I. Environmental impact, II. Economic impact, III. Area impact, including the planning processes, plans, and solid waste management practices of other area towns." This RSA was created in 1996. Safe disposal of solid waste and the reduction of solid waste in general has become much more complicated over the last 25 years. SB 79 will expand RSA 149-M:23 to include more consistent and more detailed data on municipal solid waste disposal for use by the NH Department of Environment Services (NHDES). Municipal data will now include total weight of solid waste, percentage of total waste going to recycling, composting, and reuse, total weight of solid waste going to landfill, and any municipal programs for reduction, recycling, reuse, and composting. With this data, NHDES will have better analytics for the management of solid waste in our state. **Vote 10-8.**

Rep. Tom Dolan for the **Minority** of Municipal and County Government. It was felt by several members of the Municipal and County Government Committee that the additional reporting requirements by municipalities represented an unfunded mandate and may represent an unconstitutional requirement (28-a). While in itself it is not a large effort, these efforts have a cumulative cost that must be born by the local taxpayers without state relief or funding.

PUBLIC WORKS AND HIGHWAYS

HB 2020, relative to the 10-year transportation improvement plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Cloutier for Public Works and Highways. This bill is more popularly known as the biennial update to New Hampshire's 10-Year Transportation Improvement Plan pursuant to RSA 228:99 and RSA 240. The bill, as amended, covers the period of FY 2021, which starts July 1, 2020, and runs through Fiscal Year 2030, which ends June 30, 2030. It would allocate over the just-described 10 years, money for various federal transportation projects and turnpike maintenance improvements using New Hampshire Highway and Turnpike Funds as well as federal transportation aid. Also, state money would be allocated for betterment projects to state highways and bridges as well as for municipal road and bridge aid. The committee's recommended 10-Year Plan, as amended, would spend a total projected amount of approximately \$4.1 billion over the next ten fiscal years, including a projected approximately \$3 billion for New Hampshire's state roads and bridges, as well as municipal roads and bridges. The remaining approximately \$1.1 billion would be spent on state rail lines, public transportation, state and municipal airports, as well as turnpike renewal and replacement projects. This amount includes the Capitol Corridor Rail Project, which was added after Senate Bill 241 became law last year. Despite the seemingly large expenditures of funds, the 10-Year Plan is a "financially constrained" document that was developed by three main state entities before being sent to the Public Works and Highways Committee. These entities included the New Hampshire Department of Transportation (DOT), which had proposed its recommended plan with the help from each of New Hampshire's Regional Planning Commissions. The DOT then submitted its recommendations to the Governor's Advisory Commission on Intermodal Transportation (GACIT) on August 14, 2019. GACIT, which is comprised of all five members of the Executive Council, held 20 public hearings in various communities around the state last September and October, so as to get citizens' input on what they believed should be included in the 10-Year Plan. GACIT also took written comments from citizens unable to attend such hearings. Furthermore, it made available to anyone with internet access an online survey that was available to be completed until November 12 of last year. The top three suggestions from all this gathered input, according to GACIT, were expanding travel options, maintaining the system, reducing congestion, and improving safety, as well as including specific projects within the plan. After reviewing all the public hearing and written comments as well as online survey answers, GACIT forwarded its recommended version of the plan to Governor Sununu on November 25, 2019. Governor Sununu then reviewed GACIT's recommendations to the plan and made one minor modification to it before sending it to the Public Works and

Highways Committee on January 13, 2020. The committee amendment to the 10-Year Plan includes several revisions to paying for infrastructure improvements made at DOT's suggestion. One of the most important revisions include authorizing the State Treasurer to borrow up to \$35 million in general obligation bonds so as to provide funds for state aid to municipal bridges under RSA 234. The amendment also authorizes to the Treasurer under RSA 228-A:2 to borrow up to \$490 million in federal highway grant anticipation bonds, also known as GARVEE Bonds, contingent on the availability of sufficiently anticipated federal aid over the term of the bonds. Such availability shall be determined by the Joint Legislative Fiscal Committee, as well as Governor and Council, and are for the costs of widening Interstate 93 between Manchester and Salem. The bonds' debt service would be paid from a portion of future federal funds. Additionally, the Treasurer is authorized to borrow no more than \$200 million in state general obligation or revenue bonds in accordance with the provisions of RSA 6-A for the same widening of Interstate 93. Borrowing should be done on the most favorable credit terms because the amendment also authorizes DOT to enter into a federal credit program known as TIFIA (Transportation Infrastructure Finance and Innovation Act). Borrowing will continue to be paid back through a 4.2 cent per gallon increase in our state's road toll, more popularly known as the "gas tax," which was authorized by passage of Senate Bill 367 into law in 2014. Other revisions, done with DOT's advice, contain appropriation of funds for improvements over the next ten years to New Hampshire's Turnpike System, which is funded through the tolls paid by vehicles using the turnpikes. Such appropriations include a \$63 million increase, from \$891 to \$954 million, for improvements to the Central New Hampshire Turnpike, which runs between Concord and Nashua. Improvements include widening of the Turnpike as well as removal of its Exit 11 ramp plaza in the Town of Merrimack in 2021 at a currently projected cost of \$600,000. Removal of these ramps is in response to a decision by the Governor and Executive Council in November 2019 to reduce the tolls charged at these plazas to \$0.00 which, in effect, eliminated such tolls. Finally, the amended version makes some minor revisions in response to suggestions made by concerned citizens, regional planning commissions, as well as non-committee legislators during the two public hearings and five work sessions held on the plan by the committee. These revisions simply change the scheduled dates for beginning construction on several listed highway and turnpike projects within the plan's Fiscal Year 2021-Fiscal Year 2030 time frame; changes to which DOT had no objection. **Vote 16-1.**

WAYS AND MEANS

HB 1599-FN-A, establishing a special marriage officiant license. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Southworth for the **Majority** of Ways and Means. This bill authorizes a special marriage officiant license with a fee of \$85. \$5 would go to the Secretary of State for administrative costs and \$80 would go to domestic violence programs. The bill would allow couples to choose someone special to solemnize their ceremony and provide funds for a worthy cause. The Secretary of State's office agreed that \$5 was sufficient for their needs. **Vote 12-8.**

Rep. Jess Edwards for the **Minority** of Ways and Means. This disagreement over this legislation rests largely over whether marriage fees should subsidize domestic violence programs. An amendment was offered to disconnect the correlation made in the bill that the act of marriage should be more expensive so that money would flow to domestic violence programs. While there is a strong belief that domestic violence needs funding, the fact is that 3/4 of domestic violence occurs among unmarried couples. This is effectively a fee on behavior (marriage) that should be honored and encouraged while furthering an ugly stereotype around the source of domestic violence.

HB 1632-FN-A-LOCAL, relative to financial investments and incentives for affordable housing development. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. The need for housing affordable to the state's workforce is not disappearing under COVID and will still be there after COVID, particularly in the job centers of the state. Our economy, our revenues, our state's ability to deliver essential services from education to public safety to public health and communications, all depend on increasing housing availability and affordability. So do the social fabric and quality of life of our towns. This bill is intended to increase incentives to municipalities that encourage new construction of workforce housing. Originally, it included both town- and state-level incentives, the municipal ones being at the option of the towns. The committee worked long hours with the governor's legal counsel to cut out the state costs that our existing budget could not support even before our economy faltered. Because of the major economic destruction caused by COVID, there is no near-term opportunity for the state budget to absorb any new spending outside the essential funding targeted at the epidemic. The committee amendment removes all costs at the state level, but leaves a structure for municipal and state involvement in this vital goal that should be considered when our fiscal world is righted again. **Vote 20-0.**

COMMITTEE MEETINGS

FRIDAY, JUNE 5

ADMINISTRATIVE RULES (RSA 541-A:2)

- 9:00 a.m. Continued meeting.
Committee and staff members will receive secure Zoom invitations by e-mail.
Members of the public and state agency personnel may attend using one of the following alternatives:
1. Join the webinar: <https://zoom.us/j/95475186769>
 2. iPhone one-tap: US: +19292056099,,95475186769# or +13017158592,,95475186769#
 3. Telephone: Dial (for higher quality, dial a number based on your current location):
US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833.
Webinar ID: 954 7518 6769 Participant ID: 244372
International numbers available: <https://zoom.us/j/95475186769>
- The following e-mail address will be monitored throughout the meeting by JLCAR staff who can assist with and alert the JLCAR to any technical issues: diane.oneil@leg.state.nh.us, or call 603-271-6647.

COMMISSION TO STUDY CAREER PATHWAYS FROM FULL-TIME SERVICE YEAR PROGRAMS TO POSTSECONDARY EDUCATION AND EMPLOYMENT OPPORTUNITIES IN SUPPORT OF NEW HAMPSHIRE'S FUTURE WORKFORCE NEEDS (RSA 187-A:44)

- 9:00 a.m. Regular meeting.
Commissioners and staff members will receive secure Zoom invitations by e-mail.
Members of the public and state agency personnel may attend using one of the following alternatives:
- Join via computer, tablet or smartphone: <https://us02web.zoom.us/j/88682555825?pwd=WxzDdlJkMjhsWVJ2REJvYXVjBkU09>
Password: 7200
- Join via phone: US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782
Webinar ID: 886 8255 5825
Password: 7200
- The following e-mail will be monitored throughout the meeting by Volunteer NH staff who can assist with and alert the Commission to any technical issues: emily@volunteernh.org or call 603-271-7204.

COMMISSION TO STUDY SCHOOL FUNDING, (RSA 193-E:2-e)

- 10:00 a.m. Fiscal Policy Work Group meeting. This meeting will take place by remote conference. To listen in please follow the instructions below:
1. Dial the call in number: 1-312-626-6799
 2. Enter the conference code, followed by the pound sign: 910 8399 2326#
- Video access is available at: <https://unh.zoom.us/j/91083992326>
- The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: schoolfunding.commission@unh.edu. The following phone number will also be monitored: 603-862-3864
- 1:00 p.m. Engagement Work Group meeting. This meeting will take place by remote conference. To listen in please follow the instructions below:
1. Dial the call in number: 1-312-626-6799
 2. Enter the conference code, followed by the pound sign: 910 8399 2326#
- Video access is available at: <https://unh.zoom.us/j/91083992326>
- The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: schoolfunding.commission@unh.edu. The following phone number will also be monitored: 603-862-3864
- 3:00 p.m. Adequacy Work Group meeting. This meeting will take place by remote conference. To listen in please follow the instructions below:
1. Dial the call in number: 1-312-626-6799
 2. Enter the conference code, followed by the pound sign: 910 8399 2326#
- Video access is available at: <https://unh.zoom.us/j/91083992326>
- The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: schoolfunding.commission@unh.edu. The following phone number will also be monitored: 603-862-3864

MONDAY, JUNE 8

COMMISSION TO STUDY SCHOOL FUNDING (RSA 193-E:2-e)

- 2:00 p.m. Regular meeting.
 This meeting will take place by remote conference. To listen in please follow the instructions below:
1. Dial the call in number: 1-312-626-6799
 2. Enter the conference code, followed by the pound sign: 995 2557 4907#
- Video access is available at: <https://unh.zoom.us/j/99525574907>
- The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: schoolfunding.commission@unh.edu. The following phone number will also be monitored: 603-862-3864

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q)

- 1:30 p.m. Regular meeting. To Join Zoom Meeting:
<https://zoom.us/j/94019147497?pwd=bWYxdXlEUnl2SHBycU9RZjZEYk0vZz09>
 Meeting ID: 940 1914 7497
 Password: 752906
 One tap mobile: +16465588656,,94019147497# US (New York) 13017158592,,94019147497# US +(Germantown)
 Dial by your location:
 +1 646 558 8656 US (New York)
 +1 301 715 8592 US (Germantown)
 +1 312 626 6799 US (Chicago)
 +1 669 900 6833 US (San Jose)
 +1 253 215 8782 US (Tacoma)
 +1 346 248 7799 US (Houston)
 Meeting ID: 940 1914 7497
- The following email address will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: Ella.McAllister@doe.nh.gov. The following phone number will also be monitored: 603-271-3803

TUESDAY, JUNE 9

EDUCATION

- 1:00 p.m. **SJR 1**, prohibiting the implementation of certain rules of the board of education.
 Members of the public wishing to testify on the bill must complete the following steps:
1. Email hcs@leg.state.nh.us
 2. In the subject line type the following "WISHING TO TESTIFY ON SJR 1"
 3. In the body of the email type the following: Your name, the organization you may be representing, your address, your phone number, if you are in favor or are opposed to the bill and if you have written testimony. (If you have written testimony, please submit it in the email as a word or pdf attachment.)
- Members of the public wishing only to submit written testimony on the bill must complete the following steps:
1. Email hcs@leg.state.nh.us
 2. In the subject line type the following "SUBMITTING TESTIMONY ON SJR 1"
 3. In the body of the email type the following: Your name, the organization you may be representing, your phone number AND submit the testimony in either word or pdf attachment.
- 2:00 p.m. **SB 514**, relative to alternative learning credit rules of the state board of education.
 Members of the public wishing to testify on the bill must complete the following steps:
1. Email hcs@leg.state.nh.us
 2. In the subject line type the following "WISHING TO TESTIFY ON SB 514"
 3. In the body of the email type the following: Your name, the organization you may be representing, your address, your phone number, if you are in favor or are opposed to the bill and if you have written testimony. (If you have written testimony, please submit it in the email as a word or pdf attachment.)
- Members of the public wishing only to submit written testimony on the bill must complete the following steps:
1. Email hcs@leg.state.nh.us
 2. In the subject line type the following "SUBMITTING TESTIMONY ON SB 514"
 3. In the body of the email type the following: Your name, the organization you may be representing, your phone number AND submit the testimony in either word or pdf attachment.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/99271793737>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-312-626-6799, or 1-929-205-6099, or 1-253-215-8782, or 1-301-715-8592, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +13126266799, 95408968840# or +19292056099, 95408968840#
4. Webinar ID: 992 7179 3737
5. To view on YouTube, click here: https://www.youtube.com/channel/UCxqjz56akoWRL_5vyaQDtvQ

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: hcs@leg.state.nh.us or call (603-271-3600).

Pursuant to House Rule 43(b), executive session may be held at the conclusion of committee hearings

FRIDAY, JUNE 12

FISCAL COMMITTEE (RSA 14:30-a)

10:00 a.m. Regular meeting.

This meeting will take place by audio conference. To listen in please follow the instructions below:

1. Dial the call in number: 1-800-356-8278
2. Enter the 6-digit conference code: 125563
3. When prompted, clearly state your first and last name as well as your department/agency, or if you are a member of the press/public.

The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: nheoc@dos.nh.gov.

MONDAY, JUNE 15

NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a)

9:00 a.m. Regular meeting. This meeting will take place via phone conference. Please call Missy Robichaud at (603) 527-4408 for the conference call information.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive committee will hold a public hearing on **Monday, June 8th at 6:00 p.m.** This meeting will be held by audio conference regarding the Fiscal Year 2021 Proposed Budget; Executive Committee to vote to consider any budget changes (RSA 24-13-c). To join the meeting, follow the instructions below:

1. Dial the Call in Number: 1-929-205-6099
2. Enter the Meeting ID: 571-325-5541#
3. Note: Participant IDs will not be provided for this meeting, simply press # to continue
4. Enter the Meeting Password: 312900#

For instructions on how to access the meeting electronically, contact Cheryl Hurley at delegation@co.rockingham.nh.us or 603-679-9369. The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: rbernier@co.rockingham.nh.us. The meeting will be adjourned if the public cannot access the meeting.

Rep. David A. Welch, Clerk

COUNTY DELEGATION NOTICE

The **Rockingham** County Executive committee will meet on Wednesday, **June 24th at 5:00 p.m.** This meeting will be held by audio conference to finalize budget recommendations prior to Delegation Meeting at 6:00 p.m. (RSA 24:13-c). To join the meeting, follow the instructions below:

1. Dial the Call in Number: 1-929-205-6099
2. Enter the Meeting ID: 571-325-5541#
3. Note: Participant IDs will not be provided for this meeting, simply press # to continue
4. Enter the Meeting Password: 312900#

For instructions on how to access the meeting electronically, contact Cheryl Hurley at delegation@co.rockingham.nh.us or 603-679-9369. The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: rbernier@co.rockingham.nh.us. The meeting will be adjourned if the public cannot access the meeting.

Rep. David A. Welch, Clerk

COUNTY DELEGATION NOTICE

The **Rockingham** County Convention will meet on **Wednesday, June 24th at 6:00 p.m.** This meeting will be held by audio conference to adopt the Fiscal Year 2021 County Budget (RSA 24:13-c). To join the meeting, follow the instructions below:

1. Dial the Call in Number: 1-929-205-6099
2. Enter the Meeting ID: 571-325-5541#
3. Note: Participant IDs will not be provided for this meeting, simply press # to continue
4. Enter the Meeting Password: 312900#

For instructions on how to access the meeting electronically, contact Cheryl Hurley at delegation@co.rockingham.nh.us or 603-679-9369. The following email address will be monitored throughout the meeting by someone who can alert the committee to any issues: rbernier@co.rockingham.nh.us. The meeting will be adjourned if the public cannot access the meeting.

Rep. David A. Welch, Clerk

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB253, HB385, HB496, HB546, HB702, HB705, HB1112, HB1117, HB1122, HB1171, HB1175, HB1192, HB1233, HB1235, HB1236, HB1254, HB1273, HB1280, HB1286, HB1287, HB1376, HB1408, HB1425, HB1434, HB1444, HB1455, HB1462, HB1477, HB1484, HB1494, HB1495, HB1496, HB1500, HB 1518, HB1521, HB 1549, HB1551, HB1552, HB1560, HB1564, HB1575, HB1577, HB1580, HB1592, HB1596, HB1600, HB1603, HB1606, HB1608, HB1611, HB1617, HB1620, HB1622, HB1627, HB1630, HB1632, HB1633, HB1638, HB1642, HB1643, HB1644, HB1647, HB1651, HB1652, HB1653, HB1658, HB1663, HB1665, HB1667, HB1668, HB1669, HB1670, HB1671, HB1672, HB1673, HB1674, HB1677, HB1680, HB1681, HB1682, HB1684, HB1685, HB1686, HB1687, HB1688, HB1691, HB1692, HB1695, HB1696, HB1697, HB1698, HB1699, HB1700, HB1701, HB1705, HB1707, HB1716, SB7, SB283, SB287, SB319, SB421, SB435, SB524, SB600, SB621, SB636, SB642, SB647, SB656, SB659, SB680, SB716, SB736, SB737, SB743.

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 New Hampshire Legislative Youth Advisory Council is seeking recommendations of young people, ages 15-22, who would be interested in serving on the Council. Created in 2006, LYAC is a statutory committee that serves as a link between young people and the New Hampshire government, and advises the legislature on issues of concern to the youth of the Granite State. Applications will be accepted until July 15, 2020. Please forward any recommendations with contact information to: NHLegislativeYouth@gmail.com.

Rep. Marjorie Porter

Amendment to HB 1218-FN

(2020-1113h)

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

Amend RSA 362-A:1-a, II-c as inserted by section 3 of the bill by replacing it with the following:

II-c. ***“Municipal host” means a customer generator with a total peak generating capacity of greater than one megawatt used to offset the electricity requirements of a group consisting of one or more customers who are political subdivisions, provided that all customers are located within the same utility franchise service territory. A municipal host may be owned by either a public or private entity. For this definition, “political subdivision” means any city, town, county, school district, chartered public school, village district, school administrative unit, or any district or entity created for a special purpose administered or funded by any of the above-named governmental units.***

Amendment to HB 1549-FN-A

(2020-1023h)

Proposed by the Committee on Finance - r

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

AN ACT establishing the office of school counseling and psychology and establishing the position of school counselor coordinator.

Amend the bill by replacing section 2 with the following:

2 Department of Education. The commissioner of the department of education shall, in the department's request for appropriations under RSA 9:4 for the biennium ending June 30, 2023, include funding for the position of school counselor coordinator established in RSA 21-N:6-a. The commissioner may utilize any available federal funds for the purpose of funding this position.

2020-1023h

AMENDED ANALYSIS

This bill:

I. Establishes the office of school counseling and psychology in the division of learner support, department of education.

II. Establishes the position of school counselor coordinator in the office of school counseling and psychology.

III. Authorizes the commissioner of the department of education to include the position of school counselor coordinator in the department's request for appropriations for the biennium ending June 30, 2023.

Amendment to HB 1627-FN

(2020-1254h)

Proposed by the Committee on Ways and Means - c

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

1 New Sections; Animal Records Database. Amend RSA 437 by inserting after section 8 the following new sections:

437:8-a Animal Records Database Established.

I. The department of agriculture, markets, and food shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the handling of animal records. The department shall maintain a statewide database of all health certificates for any dog, cat, or ferret for which it is required; records of all rabies vaccinations; records of quarantine for any animal brought into New Hampshire for transfer under RSA 437:8, IV; any records required of pet vendors for the transfer of any animal that is not a dog, cat, or ferret; license information for pet vendors required to be licensed under RSA 437:3, and the number of individual and group licenses issued each year by each municipality in New Hampshire under RSA 466.

II. Such database may also be used to record other data relevant to the oversight of pet animal health in the state as the commissioner deems necessary.

III. The department shall maintain a reporting system capable of receiving electronically transmitted reports from veterinarians, pet vendors, animal shelters, and any other person the department requires by rule to submit animal records. Authorized users shall be capable of working in offline mode when an Internet connection is not available. The commissioner shall adopt rules under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information it deems necessary to manage such database including procedures for providing authorized access by licensed veterinarians, municipal clerks, and other persons the commissioner requires to access to the database. The commissioner shall also adopt rules pursuant to RSA 541-A relative to the collection of fees necessary to maintain the database. The commissioner shall also ensure that the database is secure from unauthorized access or use.

IV. There is established a nonlapsing fund to be known as the animal records database fund in the department of agriculture, markets, and food which shall be kept distinct and separate from all other funds. All moneys in the animal records database fund shall be nonlapsing and continually appropriated to the commissioner, and except as otherwise provided in law, shall be used for the purpose of administering and maintaining the animal records database established in this section. The database fund shall draw moneys only from grants, appropriations, and the fees in RSA 437:8-a.

V. Notwithstanding paragraph IV, the fund shall be initiated by transfers from the agricultural product and scale testing fund established under RSA 435:20, IV, as provided in RSA 435:20, V-a, and the integrated pest management fund established under RSA 430:50, as provided in RSA 430:50, IV-a. After the animal records database is operational, the commissioner may reimburse first the integrated pest management fund, and then the agricultural product and scale testing fund, over a period of 5 years as provided in RSA 435:20, V-b and RSA 430:50, IV-b.

437:8-b Confidentiality.

I. Information contained in the database, information obtained from it, and information contained in the records of requests for information from the database, shall be confidential, and shall not be a public record or otherwise subject to disclosure under RSA 91-A, and shall not be subject to discovery, subpoena, or other means of legal compulsion for release. Such information shall not be shared with an agency or institution, except as provided in this subdivision.

II. The department shall establish and maintain procedures to ensure the privacy and confidentiality of animal and animal owner information.

III. The department may use and release information and reports from the program for program analysis and evaluation, statistical analysis, public research, public policy, and educational purposes, provided that the data are aggregated or otherwise de-identified.

IV. No database records, information, or lists shall be sold, rented, transferred, or otherwise made available in whole or in part, in any form or format, directly or indirectly, to another person.

V. Database records, information, or lists may be made available pursuant to a court order on a case-by-case basis. In a case of potential rabies exposure, rabies vaccination information may be made available in response to a request from the state, a political subdivision of the state, the federal government, or a law enforcement agency solely for use in official business. Any information, record, or list received pursuant to this paragraph shall not be transferred or otherwise made available to any other person or listed entity not authorized under this paragraph.

VI. Any person who knowingly accesses, alters, destroys, or discloses program information except as authorized in this subdivision or attempts to obtain such information by fraud, deceit, misrepresentation, or subterfuge shall be guilty of a class B felony.

2 Health Certificates; Fee. Amend RSA 437:8 to read as follows:

437:8 Health Certificates for Dogs, Cats, and Ferrets.

I. For purposes of this chapter, an official health certificate means ~~[a certificate signed]~~ ***an electronic record electronically submitted to the animal records database*** by a licensed veterinarian, containing the name and address of the entity transferring ownership of the dog, cat, or ferret, the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret, and the certification of the veterinarian that the dog, cat, or ferret is free from evidence of communicable diseases or internal or external parasites. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included ~~[on or attached to]~~ ***in*** the certificate. ***The signing veterinarian shall pay a fee not to exceed \$2 for each official health certificate submitted to the department of agriculture, markets, and food in accordance with rules established by the department for the submission of the health certificates for the administration of the animal records database.***

II. ***The electronically submitted health certificate shall be considered the official health certificate. A copy of the health certificate of*** ~~[The original of the official health certificate accompanying]~~ the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed, and made available for inspection by the department, local officials, or a member of the public upon request up to one year after the animal has left the facility. The public shall be informed of their right to inspect the health certificate for each dog, cat, or ferret by a sign prominently displayed in the area where dogs, cats, or ferrets are displayed. Upon transfer of a dog, cat, or ferret, ***a copy of*** that animal's health certificate shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee. ~~[The transferee may accept a dog, cat, or ferret that has a noncontagious illness, or feline leukemia virus or feline immunodeficiency virus, which has caused it to fail its examination by a licensed veterinarian for an official health certificate. The transferee shall sign a waiver that indicates the transferee has knowledge of such dog, cat, or ferret's noncontagious medical condition and then submit such waiver to the licensee who shall send a copy to the state veterinarian.]~~

II-a. For purposes of this chapter, an official health certificate waiver means an electronic record electronically submitted to the animal records database provided in lieu of an official health certificate for a dog, cat, or ferret that has failed the examination for an official health certificate because of a non-contagious illness, feline leukemia, or feline immunodeficiency virus. The waiver shall contain the name and address of the entity transferring ownership of the dog, cat, or ferret; the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret; the reason for failure of the examination for the official health certificate; and the signature of the transferee indicating that the transferee has knowledge of the dog's, cat's, or ferret's non-contagious medical condition. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included in the health certificate waiver. The waiver shall be submitted electronically to the animal records database by a New Hampshire licensed veterinarian, a New Hampshire licensed pet vendor, or other person authorized to submit to the animal records database. The person submitting the health certificate waiver shall pay a fee not to exceed \$2 for each official health certificate waiver submitted to the department of agriculture, markets, and food in accordance with rules established by the commissioner for the administration of the animal records database. Payments shall be made electronically.

III. No person, firm, corporation, or other entity shall ship or bring into the state of New Hampshire, to offer for transfer in the state of New Hampshire, any cat, dog, or ferret less than 8 weeks of age. No person, firm, corporation, or other entity shall offer for transfer any cat, dog, or ferret less than 8 weeks of age.

IV. Once a dog, cat, or ferret intended for transfer has entered the state, it shall be held at least 48 hours at a facility licensed under RSA 437 or at a facility operated by a licensed veterinarian separated from other animals on the premises before being offered for transfer.

V. Animal shelter facilities, as defined in RSA 437:1, I, are exempt from the requirements of this section relative to transferring dogs, cats, and ferrets except that:

(a) All animal shelter facilities shall have on premises a microchip scanner and shall maintain a file of recognized pet retrieval agencies, including but not limited to national tattoo or microchip registries.

(b) Where an owner is not known, all animal shelter facilities shall inspect for tattoos, ear tags, or other permanent forms of positive identification and shall scan for a microchip upon admission of an unclaimed or abandoned animal as defined in RSA 437:18, IV and prior to transferring ownership of an unclaimed or abandoned animal.

VI. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual without first being protected against infectious diseases using a vaccine approved by the state veterinarian. ~~[No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual unless accompanied by an official health certificate issued by a licensed veterinarian. No transfer shall occur unless the transferred animal is accompanied by a health certificate issued within the prior 14 days. The certificate shall be in triplicate, one copy of which shall be retained by the signing veterinarian, one copy of which shall be for the licensee's records, and one copy of which shall be given to the transferee upon transfer as provided in paragraph III.]~~ **No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual unless accompanied by a copy of the official health certificate or official health certificate waiver issued by a licensed veterinarian within the prior 14 days. No transfer shall occur unless the transferred animal is accompanied by a copy of the official health certificate or official health certificate waiver. The official health certificate shall reside in the animal records database in a record which the issuing veterinarian and the licensee shall be authorized to access. A copy, generated by the veterinarian or the licensee, shall be provided to the transferee. The transferor shall retain a copy for his or her records.** If an official health certificate is produced, it shall be prima facie evidence of transfer. ~~[The signing veterinarian shall provide a copy of the health certificate to the department of agriculture, markets, and food upon request.]~~

3 Duties of Veterinarian; Notification of Administration of Rabies Vaccine. Amend RSA 436:102 to read as follows:

436:102 Duties of Veterinarian. It shall be the duty of each veterinarian, at the time of vaccinating any dog, cat, or ferret, to complete a certificate of rabies vaccination ~~[in triplicate]~~ which includes the following information: owner's name and address, description of dog, cat, or ferret (breed, sex, markings, age, name), date of vaccination, rabies vaccination tag number, type of rabies vaccine administered, manufacturer's serial number of vaccine, and the expiration date of the vaccination. ~~[Distribution of copies of the certificate shall be: the original to the owner, one copy retained by the issuing veterinarian and, within 40 days of the vaccination, one copy to the town or city clerk where the dog, cat, or ferret is kept. The veterinarian and the owner shall retain their copies for the interval between vaccinations specified in RSA 436:100.]~~ **The veterinarian shall enter the rabies vaccine certificate information electronically into the animal records database, and generate a copy for the owner, who shall retain that copy for the interval between vaccinations specified in RSA 436:100. The department shall provide city and town clerks access to database records of vaccination for all dogs, cats, and ferrets within their jurisdiction.** A metal or durable plastic tag, serially numbered, shall be securely attached to the collar or harness of the dog. Whenever the dog is out-of-doors, off the owner's premises, and not under the control of the owner or handler while working the dog, the collar or harness with the vaccination tag shall be worn. For the purposes of this section, "working the dog" means a dog doing a defined functional canine activity with its owner or handler such as hunting, field work, drafting, and guarding, working, or herding livestock, as defined in RSA 21:34-a, II(a)(4), or participating in any lawful competitive event, including, but not limited to, conformation shows or obedience trials, field trials, agility events, hunts, sled races, or training activities pertinent to functional canine activities. Cats and ferrets shall not be required to wear the collar or harness with the tag.

4 Cost; Rabies Vaccination Fee. Amend RSA 436:103 to read as follows:

436:103 Cost. The cost of rabies vaccination shall be paid by the owner of the dog, cat, or ferret. **A fee not to exceed \$2 shall be included in the cost of such vaccinations and shall be submitted to the department of agriculture, markets, and food in accordance with rules established by the department for submission of the vaccination certificate required in RSA 436:102 for the administration of the animal records database.**

5 New Subparagraph; Animal Records Database Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (358) the following new subparagraph:

(359) Moneys deposited in the animal records database fund established in RSA 437:8-a, IV.

6 New Paragraphs; Agricultural Product and Scale Testing Fund; Transfer Authority. Amend RSA 435:20 by inserting after paragraph IV the following new paragraphs:

V-a. The commissioner shall transfer funds from the agricultural product and scale testing fund established under RSA 435:20, IV to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and

the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the agricultural product and scale testing fund to the animal records database fund for this purpose.

V-b. After the animal records database is operational, for the purpose of reimbursement, the commissioner may transfer funds back to the agricultural product and scale testing fund for a period of 5 years from the date of certification, employing any surplus over the ongoing cost of database operation and maintenance. All transfers shall end 5 years after certification, whether or not reimbursement is completed.

7 New Paragraphs; Integrated Pest Management Fund; Transfer Authority. Amend RSA 430:50 by inserting after paragraph III the following new paragraphs:

IV-a. The commissioner shall transfer funds from the integrated pest management fund established in this section to the animal records database fund established in RSA 437:8-a to develop and make operational the animal records database. The commissioner shall certify to the secretary of state and the director of the office of legislative services the date on which the animal records database is operational. For 2 years after such certification, if needed for database operation and maintenance, the commissioner may continue to transfer additional funds from the integrated pest management fund to the animal records database fund for this purpose.

IV-b. After the animal records database is operational, for the purpose of reimbursement, the commissioner is authorized to transfer funds back to the integrated pest management fund for a period of 5 years from the date of certification, employing any surplus over the ongoing cost of data base operation and maintenance. All transfers shall end 5 years after certification, whether or not reimbursement is completed.

8 Repeal. The following are repealed:

I. RSA 430:50, IV-a, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds from the integrated pest management fund.

II. RSA 430:50, IV-b, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds to the integrated pest management fund.

III. RSA 435:20, V-a, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds from the agricultural product and scale testing fund.

IV. RSA 435:20, V-b, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds to the agricultural product and scale testing fund.

V. RSA 437:8-a, V, relative to the authority of the commissioner of the department of agriculture, markets, and food to transfer funds to and from the animal records database fund.

9 Applicability.

I. Sections 2-4 of this act shall take effect 90 days after the commissioner of the department of agriculture, markets, and food certifies to the secretary of state and the director of the office of legislative services that the animal records database established in RSA 437:8-a is operational.

II. Paragraphs I and III of section 8 of this act shall take effect 2 years from the date on which the commissioner of the department of agriculture, markets, and food certifies to the secretary of state and the director of the office of legislative services, that the animal records database established in RSA 437:8-a is operational.

III. RSA 437:8-a, V, as inserted by section 1 of this act, and paragraphs II and IV of section 8 of this act, shall take effect 5 years from the date on which the commissioner of the department of agriculture, markets, and food certifies to the secretary of state and the director of the office of legislative services, that the animal records database established in RSA 437:8-a is operational.

10 Effective Date.

I. Sections 2-4 of this act shall take effect as provided in paragraph I of section 9 of this act.

II. Paragraphs I and III of section 8 of this act shall take effect as provided in paragraph II of section 9 of this act.

III. RSA 437:8-a, V, as inserted by section 1 of this act, and paragraphs II and IV of section 8 of this act, shall take effect as provided in paragraph III of section 9 of this act.

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

2020-1254h

AMENDED ANALYSIS

This bill:

I. Creates a database for animal health records.

II. Authorizes the commissioner of the department of agriculture, markets, and food to transfer money to and from certain funds in order to establish the animal record database and to repay monies transferred from other funds. This bill does not require the commissioner to fully reimburse the other funds.

III. Establishes a fee on the submission of animal health certificates.

IV. Establishes a fee on rabies vaccinations.

V. Requires veterinarians to send a copy of the rabies vaccination certificate to the department of agriculture, markets, and food.

**Amendment to HB 1632-FN-A-LOCAL
(2020-1242h)**

Proposed by the Committee on Ways and Means - r

Amend the bill by replacing all after section 3 with the following:

4 New Subdivision; Office of Strategic Initiatives; New Hampshire Housing Champion Certification. Amend RSA 4-C by inserting after section 37 the following new subdivision:

New Hampshire Housing Champion Certification

4-C:38 New Hampshire Housing Champion Certification.

I. The office of strategic initiatives shall develop a New Hampshire housing champion certification program for all qualifying municipalities. The office of strategic initiatives shall adopt rules to establish qualifications and procedures for a municipality to earn the New Hampshire housing champion certification. The procedure for a municipality to earn the New Hampshire housing champion certification shall be based on a scoring system.

II. The New Hampshire housing champion certification program shall be voluntary. Each municipality shall have the option, in its sole discretion, to apply to the office of strategic initiatives to receive the New Hampshire housing champion certification. In exchange for housing champion certification, a municipality shall receive preferential access to state resources including, but not limited to, discretionary state infrastructure funds, as available.

III. Qualifications to receive the New Hampshire housing champion certification shall include, but are not limited to:

(a) Adoption of such land use regulations and ordinances which the office of strategic initiatives determines to be necessary to promote the development of workforce housing, as that term is defined in RSA 674:58, and other types of housing necessary for the economic development of the state. In this paragraph, "land use regulations and ordinances" shall include, but are not limited to, innovative land use controls described in RSA 674:21.

(b) Adoption of financial tools that incentivize the development of workforce housing, including adoption of the community revitalization tax relief incentive program under RSA 79-E and establishment of municipal economic development and revitalization districts under RSA 162-K.

(c) Training of planning board and zoning board of adjustment members using training materials and programs, including online materials and programs, provided by the office of strategic initiatives pursuant to RSA 673:3-a; or training materials and programs, including online materials and programs, provided by the New Hampshire Municipal Association, that cover the processes, procedures, regulations, and statutes related to the board on which the member serves; or any other training materials and programs, including online materials and programs, approved by the office of strategic initiatives, that cover the processes, procedures, regulations, and statutes related to the board on which the member serves.

(d) Adoption of energy efficiency residential building standards, pursuant to RSA 674:51, or adoption of an energy efficiency and clean energy district, pursuant to RSA 53-F.

IV. A New Hampshire housing champion certification shall be valid for 3 years from the date such certification is awarded. A municipality may renew its housing champion certification for subsequent 3-year periods. The office of strategic initiatives shall include in the criteria for renewal performance metrics including, but not limited to, the qualifications listed in paragraph III, total housing production, and production of workforce housing in a municipality during the period since a municipality last received New Hampshire housing champion certification.

V. There is hereby established the New Hampshire housing champion certification program advisory board. The advisory board shall review and approve proposed rules, and any amendments thereto, used by the office of strategic initiatives to administer the housing champion certification program and shall advise the office regarding ongoing program administration. The advisory board shall consist of:

- (a) One member of the senate, appointed by the senate president.
- (b) Two members of the house of representatives, at least one of whom shall be a member of the municipal and county government committee, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of business and economic affairs, or designee.
- (d) The executive director of the business finance authority, or designee.
- (e) The executive director of the New Hampshire housing finance authority, or designee.
- (f) The executive director of the community development finance authority, or designee.
- (g) The executive director of the state commission for human rights, or designee.
- (h) One member appointed by each of the following entities:
 - (1) The New Hampshire Municipal Association.
 - (2) The New Hampshire Association of Regional Planning Commissions.
 - (3) Housing Action New Hampshire.
 - (4) Clean Energy New Hampshire.

- (5) The Home Builders and Remodelers Association of New Hampshire.
- (6) The New Hampshire Association of Realtors.
- (7) The New Hampshire Planners Association.
- (8) Plan New Hampshire.

VI. Members of the advisory board shall serve without compensation, except that legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board.

VII. The office of strategic initiatives shall adopt rules pursuant to RSA 541-A to implement the provisions of this section no later than July 1, 2021. During the rulemaking process, the office of strategic initiatives shall consult with relevant state agencies and entities that administer the programs and funds identified under paragraph II to ensure the rules for the New Hampshire housing champion certification program are not in conflict with the rules of these state agencies and entities.

VIII. Each year the office of strategic initiatives shall develop a report which describes all actions taken related to the operation of the housing champion certification program and assesses the overall impact of the housing champion certification program, including an assessment of the additional housing units produced in the state as a result of the program's operation and incentives. The report required by this paragraph shall be submitted to the governor, the speaker of the house of representatives, and the president of the senate on or before November 1 of each year, beginning in 2021, and upon such submission, the report shall be posted online on the website of the office of strategic initiatives.

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

2020-1242h

AMENDED ANALYSIS

This bill:

I. Permits municipal economic development and revitalization districts to be used to increase workforce housing and other residential development within the municipality.

II. Increases the community revitalization tax relief incentive period for eligible housing projects.

III. Establishes the New Hampshire housing champion certification program in the office of strategic initiatives.

Amendment to HB 1642-FN

(2020-1255h)

Proposed by the Minority of the Committee on Judiciary - r

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

AN ACT prohibiting the state from using a face recognition system.

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

1 New Subdivision; Breaches of the Peace; Face Recognition Technology Prohibited. Amend RSA 644 by inserting after section 22 the following new subdivision:

Face Recognition Technology Prohibited

644:23 Definitions. In this subdivision:

I. "Face recognition technology" means an automated or semi-automated process that assists in identifying an individual or capturing information about an individual, based on the physical characteristics of an individual's face. It shall not include the process by which an individual visually identifies another individual by viewing a representation of the individual on a computer, video recording, photograph, or other media.

II. "State" means any department, agency, bureau, or administrative unit of the state of New Hampshire, including any city, town, county, school district, or municipal entity therein.

644:24 Face Recognition Technology Prohibited. The state shall only use a face recognition technology if it has obtained a warrant supported by probable cause and signed by a judge.

644:25 Evidence Inadmissible.

I. Any data or information collected or derived from the state's own use of face recognition technology in violation of this subdivision shall be inadmissible in any trial, hearing, or other proceeding in or before any court or regulatory agency in the state of New Hampshire.

II. Any evidence derived from data or information collected from any use of face recognition technology in violation of this subdivision shall be inadmissible in any trial, hearing, or other proceeding in or before any court or regulatory agency in the state of New Hampshire, unless sufficiently attenuated from the original violation, including but not limited, to an affirmative showing that no state official had requested, facilitated, or otherwise caused the use of face recognition technology by any entity other than the state.

2 Drivers' Licenses; Use of Face Recognition Technology Prohibited. RSA 263:40-b is repealed and reenacted to read as follows:

263:40-b Use of Face Recognition Technology Prohibited. The department shall not allow access to any of its digital representations of faces by any face recognition technology nor shall the department use face recognition technology.

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

2020-1255h

AMENDED ANALYSIS

This bill prohibits the state from using face recognition technology.

Amendment to HB 1647-FN

(2020-1251h)

Proposed by the Committee on Finance - r

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2021.

Amendment to HB 1667-FN

(2020-1249h)

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

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

AN ACT relative to the suspension of drivers' licenses.

Amend the bill by replacing sections 4-6 with the following:

4 Repeal. RSA 263:56-a, II(d), relative to reporting persons whose driver's licenses and driving privileges are suspended due to nonpayment, is repealed.

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

2020-1249h

AMENDED ANALYSIS

This bill modifies the circumstances under which a driver's license may be suspended or revoked.

Amendment to HB 1692-FN

(2020-1246h)

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

Amend RSA 143-A:25-143-A:27 as inserted by section 1 of the bill by replacing it with the following:

143-A:25 Revocation of License. A food service establishment or retail food store within this state licensed under this chapter may have its license revoked under RSA 143-A:7 if the department finds any of the following:

I. Records have not been kept in accordance with RSA 143-A:23 and RSA 143-A:24.

II. Purchasing or receiving wild mushrooms for use in food products from a person who is not licensed under RSA 143-A:22 unless purchased from an out-of-state source approved by that state or country of origin.

III. Purchasing or receiving wild mushrooms for use in food products that are not approved as tier 1 or tier 2 mushrooms by the department, unless purchased from an out-of-state source approved by that state or country of origin.

143-A:26 Penalty.

I. Any person who identifies, harvests, or distributes wild mushrooms without having a license to do so as required by this subdivision may be subject to an administrative fine levied by the commissioner of the department not to exceed \$1,000 for each violation.

II. The department may issue a cease and desist order to any person selling mushrooms in violation of this subdivision at a farm stand, farmers market, food service establishment, or retail food store.

III. A food service establishment or retail food store within this state licensed under this chapter that violates this subdivision may be subject to an administrative fine levied by the department of health and human services not to exceed \$1,000 per violation.

IV. A food service establishment or retail food store within this state licensed under this chapter that distributes wild mushrooms in violation of this subdivision may be subject to an administrative fine levied by the department of health and human services not to exceed \$1,000 per violation.

143-A:27 Duties; Department of Health and Human Services. The department shall:

I. Maintain a database of all wild mushroom identifier, harvester, and distributor licensees. Such database shall be available to the public on the department's Internet site.

II. Approve training courses and licensing exams for tier 1 and tier 2 mushroom identifier, harvester, and distributor licenses.

III. Develop an education and notification program for food service licensees on the wild mushrooms approved for harvest and sale on the tier 1 and tier 2 lists, including but not limited to photos of such mushrooms.

143-A:28 Rulemaking. The department shall adopt rules under RSA 541-A relative to:

I. The content of the required educational courses for persons applying for a tier 1 or tier 2 mushroom identifier, harvester, and distributor license, including identification of mushrooms, appropriate locations from which to harvest mushrooms, the safe handling and storage of mushrooms, record keeping requirements, and ethics of harvesting; and which shall contain no less than 12 hours of in-person instruction with a mandatory online preparation module.

II. The content of the required educational course for persons applying to renew a tier 1 or tier 2 mushroom harvester and distributor license.

III. The content of an abbreviated course which shall contain no less than 4 hours of in-person training which shall be offered for experienced identifiers, harvesters, and distributors who demonstrate competency to the department. Experienced identifiers, harvesters, and distributors may apply to the department for such course.

IV. A list of tier 1 mushrooms which are easy to identify, with no toxic look-alikes, and which are unlikely to cause illness in humans.

V. A list of tier 2 mushrooms which are more difficult to identify, which may have toxic look-alikes, or may make a small percentage of humans ill.

VI. The content and format of application forms, testing materials and procedures.

VII. The content of testing material and test taking procedures.

VIII. Evidence of licensure.

IX. The content of the database for mushroom identifier, harvester, and distributor licensees.

X. Qualifications for trainers and instructors for educational courses for tier 1 and tier 2 mushroom identifier, harvester, and distributor license.

XI. A fine schedule for violations of this subdivision.

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2021.

Amendment to HB 1708-FN-A

(2020-1018h)

Proposed by the Committee on Finance - r

Amend the bill by replacing section 12 with the following:

12 Liquor Commission; Positions Established; Investigators. Pursuant to RSA 176:9, there are hereby established within the liquor commission, division of enforcement and licensing, 2 full-time, classified, liquor investigator positions. The salary and benefits costs for the positions shall be a charge against the liquor fund, as described in section 13 of this act.

Amendment to HB 2020

(2020-1145h)

Proposed by the Committee on Public Works and Highways - r

Amend the bill by replacing all after section 1 with the following:

2 Bedford. The project named Bedford-Merrimack, project number 16100, shall be amended to provide that the mainline toll plaza in Bedford be moved to the vicinity of the current Exit 10 on the F.E. Everett Turnpike and that the plaza be converted to all electronic tolling.

3 Garvee Bonds; Issuance of Revenue Bonds. Amend RSA 228-A:2 to read as follows:

228-A:2 Issuance of Revenue Bonds. The state may issue bonds under this chapter to be known as "federal highway grant anticipation bonds." The bonds may be issued from time to time for the purpose of financing project costs related to the widening of Interstate 93 from Manchester to the Massachusetts border[, the replacement of the Sarah Mildred Long Bridge in Portsmouth, New Hampshire,] and any other federally aided highway project hereafter authorized by the general court to be financed under this chapter. Bonds issued hereunder shall be special obligations of the state and the principal of, premium, if any, and interest on all bonds shall be payable solely from the particular funds provided therefor under this chapter. The issuing of bonds shall be contingent upon the availability of sufficient anticipated federal aid over the term of the bonds. The bonds shall be issued by the treasurer in such amounts as the fiscal committee of the general court and the governor and council shall determine, and shall not exceed \$490,000,000. Debt service for federal highway grant anticipation bonds (GARVEE bonds) for the projects shall be paid from a portion of future federal funds. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate, or other method as may be determined by the treasurer, and shall mature at such time or times as may be determined by the treasurer, except that no bond shall mature more than 15 years from the date of its issue. Bonds may be made redeemable before maturity either at the option of the state or at the option of the holder, or on the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the treasurer prior to the issue of bonds. The treasurer shall determine the form and details of bonds. Subject to RSA 93-A, the bonds shall be signed by the treasurer and countersigned by the governor. The bonds may be sold in such manner, either at

public or private sale, for such price, including above or below par value, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine. ~~[The state may further issue GARVEE bonds for the purpose of financing the project costs related to the replacement and/or rehabilitation of 2 Connecticut River bridges, located in Lebanon, New Hampshire and Hinsdale, New Hampshire, pursuant to the issuance process in this section.]~~

4 State Bridge Aid; Authority to Borrow; Certain Transportation Projects. Amend RSA 6:13-d to read as follows:

6:13-d Authority to Borrow; Certain Transportation Projects.

I. The state treasurer, as may be requested from time to time by the commissioner of the department of transportation, is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$200,000,000 and shall issue general obligation or revenue bonds, or both, in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A, to provide funds for the widening of Interstate 93 from Salem, New Hampshire to Manchester, New Hampshire. In addition, authorization is hereby granted to enter into the federal credit program known as the Transportation Infrastructure Finance and Innovation Act (TIFIA), 23 U.S.C. sections 601-609, including appropriate covenants and conditions necessary to secure favorable credit terms, including, without limitation, a pledge of revenue collected from adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I, on said revenues and to be used for the purposes set forth in RSA 260:32-b, II(a), III(a), and IV(a).

II. The state treasurer, as may be requested from time to time by the commissioner of the department of transportation, is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$35,000,000 and shall issue general obligation bonds in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A, to provide funds for the state bridge aid for municipal bridges under RSA 234.

III. Payment of principal and interest on the bonds issued under ~~[paragraph]~~ **paragraphs I and II** shall be paid when due from the highway funds collected and appropriated in accordance with RSA 260:32-a for rates that exceed \$.18 per gallon and expended in accordance with RSA 260:32-b.

5 Expenditure of Certain Road Toll Revenue. Amend the introductory paragraph of RSA 260:32-b, IV to read as follows:

IV. For the fiscal ~~[year]~~ **years** ending June 30, 2018 **through June 30, 2020** ~~[and each fiscal year thereafter,]~~ expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

6 New Paragraph; Expenditure of Certain Road Toll Revenue. Amend RSA 260:32-b by inserting after paragraph IV the following new paragraph:

V. For the fiscal year ending June 30, 2021 and each fiscal year thereafter, expenditure of revenues collected from adjustments under RSA 260:32-a for rates that exceed \$.18 per gallon, less required "Apportionment A" distributions under RSA 235:23, I on said revenues, shall be made for the following purposes in the following order of priority:

(a) Debt service payments for bonds issued pursuant to RSA 6:13-d, I.

(b) Debt service payments for bonds issued pursuant to RSA 6:13-d, II.

(c) In addition to sums otherwise appropriated, the difference of debt service payments in subparagraph (b) and up to \$6,800,000 for state bridge aid for municipal bridges under RSA 234.

(d) All remaining funds deposited into the highway and bridge betterment account under RSA 235:23-a.

7 Bow. Funding for construction for the project named Bow, project number 24224, shall be moved from 2023 and 2024 to 2024 and 2025.

8 Enfield. Funding for construction for the project named Enfield, project number 13592, shall be moved from 2023 and 2024 to 2024 and 2025.

9 Manchester. Funding for construction for the project named Manchester, project number 24212, shall be moved from 2023 and 2024 to 2025 and 2026 and funding for all phases of the project shall be federal funding.

10 New Boston. Funding for construction for the project named New Boston, project number 14771, shall be moved from 2023 and 2024 to 2024 and 2025.

11 Plymouth. Funding for preliminary engineering, right of way and construction for the project named Plymouth, project number 41583, shall be moved from 2027 to 2022, 2024 and 2025 respectively.

12 Bedford-Merrimack. Funding for construction for the project named Bedford-Merrimack, project number 16100, shall be moved from 2022 and 2023 to 2023 and 2024.

13 Merrimack; Removal of Ramp Toll Plazas. The following shall be added to the 10-year transportation improvement plan 2021-2030: Removal of the exit 11 ramp toll plazas in 2021 with funding for construction totaling \$600,000.

14 New Paragraph; Turnpike System; Authority Granted. Amend RSA 237:2 by inserting after paragraph X the following new paragraph:

XI. Remove the exit 11 ramp toll plazas in the town of Merrimack.

15 Turnpike System; Funds Provided. Amend RSA 237:7(h) to read as follows:

(h) Improvements to central New Hampshire turnpike. RSA 237:2, IV(h), VII, VII(b), VII(c), IX, **XI**.
~~[\$891,000,000]~~**\$954,000,000**

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

2020-1145h

AMENDED ANALYSIS

- I. Adopts the 10-year transportation improvement plan for 2021-2030.
- II. Amends the project named Bedford Mainline Toll Plaza.
- III. Limits the projects for which the state may issue GARVEE bonds.
- IV. Authorizes the state treasurer to issue bonds to provide aid for municipal bridges.
- V. Permits revenue from the road toll to be used for certain purposes.
- VI. Moves funding for the project named Bow from 2023 and 2024 to 2024 and 2025.
- VII. Moves funding for the project named Enfield from 2023 and 2024 to 2024 and 2025.
- VIII. Moves funding for the project named Manchester from 2023 and 2024 to 2024 and 2025 and requires all funding to be federal funding.
- IX. Moves funding for the project named New Boston from 2023 and 2024 to 2024 and 2025.
- X. Moves funding for the project named Plymouth from 2027 to 2022, 2024, and 2025.
- XI. Moves funding for the project named Bedford-Merrimack from 2022 and 2023 to 2023 and 2024.
- XII. Adds a project in Merrimack to remove exit 11 ramp toll plazas.

Amendment to SB 8

(2020-0224h)

Proposed by the Majority of the Committee on Finance - r

Amend RSA 662-B:3, II(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The 10 commissioners so selected shall together select 5 commissioners from the applicants who are not members of the majority party in the house or the largest minority party in the house. The 10 commissioners may not initiate communications or reply to communications about the selection process of the remaining 5 commissioners with outside persons attempting to influence commissioners or commission action.