



State of
New Hampshire

HOUSE RECORD

Second Year of the 168th General Court

Calendar and Journal of the 2024 Session

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

Vol. 46

Concord, N.H.

Friday, March 8, 2024

No. 10

Contains: Amendments; Committee Reports; Bills Laid on Table; Ethics Advisory Opinions;
House Bills Amended By Senate; House Deadlines; Meetings and Notices;
Revised Fiscal Notes.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

Thank you for your dedicated service to our state this week.

The House will meet on Thursday, March 14th, 2024, starting at 10:00 a.m. Please also hold Thursday, March 21st and 28th, and Thursday, April 11th, for House session days.

Your safety and security are a high priority in and around the State House Complex. To report a security concern, please visit the nearest Protective Services post, or call 603-271-2200. If there is an emergency situation, dial 9-1-1 first.

Please note, there will be no House business scheduled for Tuesday, March 12th, Town Meeting Day; however, the State House complex will remain open.

Sherman A. Packard, Speaker of the House

NOTICE

There is no chair/ vice chair meeting scheduled at this time. The next meeting of the chairs and vice chairs will be announced in an upcoming Calendar.

Sherman A. Packard, Speaker of the House

NOTICE

There will be a Republican Caucus on **Thursday, March 14th at 9:00 a.m.** in Representatives Hall.

Rep. Jason Osborne, Majority Leader

NOTICE

There will be a Democratic Caucus on **Thursday, March 14th at 9:00 a.m.** in the State House Cafeteria.

Rep. Matt Wilhelm, Democratic Leader

NOTICE

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

CLOSES AT 3:00 p.m. ON:

Wednesday, March 13, 2024

Wednesday, March 20, 2024

Wednesday, March 27, 2024

AVAILABLE ON:

Friday, March 15, 2024

Friday, March 22, 2024

Friday, March 29, 2024

Paul C. Smith, Clerk of the House

2024 HOUSE DEADLINES

Second Year Session Deadlines

Thursday, March 21, 2024

Thursday, March 28, 2024

Thursday, April 4, 2024

Thursday, April 11, 2024

Last day to report House Bills not in a second committee

Last day to act on House Bills not in a second committee

Last day to report all House Bills

CROSSOVER – Last day to act on all House Bills

Thursday, April 25, 2024	Last day to report Senate Bills going to a second committee
Thursday, May 2, 2024	Last day to act on Senate Bills going to a second committee
Thursday, May 16, 2024	Last day to report all Senate Bills
Thursday, May 23, 2024	Last day to act on all Senate Bills
Thursday, May 30, 2024	Last day to form committees of conference
Thursday, June 6, 2024	Last day to sign committee of conference reports (4:00 p.m.)
Thursday, June 13, 2024	Last day to act on committee of conference reports
Tuesday, September 3, 2024	First day for incumbents running for re-election to file LSRs with complete information
Friday, September 13, 2024	Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information
Friday, October 25, 2024	Last day to file 2024 Interim Study reports
Wednesday, November 6, 2024	First day for all Representatives to file LSRs with complete information
Friday, November 22, 2024	Last day to file LSRs with complete information (4:00 p.m.)
	Ten-day signoff begins
Thursday, January 2, 2025	Last day to sign-off on all LSRs (12:00 p.m.)
Friday, January 24, 2025	Last day to introduce House Bills
	Last day to amend House Rules by majority vote

NOTICE

Please note that all streaming videos of standing committee meetings and joint committees can be found at the NH House of Representatives

YouTube channel. The link to the YouTube channel:

www.youtube.com/c/NHHouseofRepresentativesCommitteeStreaming

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has voted to issue the following advisory opinion, which is printed below in its entirety.

Advisory Opinion 2024-1

Response to a Request for an Advisory Opinion from Representative Judy Aron (January 29, 2024)

Representative Judy Aron has submitted a request for an Advisory Opinion about whether, consistent with applicable statutes and the Ethics Guidelines, it would be “reasonable” for her, as chair of the House Committee on Environment and Agriculture, to ask her committee members if they were solicited by or accepted campaign donations from the Humane Society Legislative Fund (HSLF) and, if so, suggest that they should recuse themselves from voting on bills that are supported by the Humane Society.

Background

In completing its consideration of Representative Aron’s request, the Committee reviewed the facts set forth in the written request. In addition, at the Committee’s invitation, Representative Aron appeared before the Committee and provided direct testimony.

In her email, dated January 11, 2024, Representative Aron stated that in late November 2023, she received a \$500 donation in the form of a check from the Humane Society Legislative Fund. According to her email submission, the check was included with a letter from Kurt Ehrenberg, the NH State Director of HSLF. The letter stated:

“Dear Candidate, Please find the enclosed contribution from the Humane Society Legislative Fund of New Hampshire PAC. HSLF works to pass animal protection laws at the state and federal levels, to educate the public about animal protection issues, and to support humane candidates for office. Thank you for all you do to protect animals in your community.”

Representative Aron expressed concern that accepting a donation from HSLF and voting in favor of legislation promoted by HSLF could appear as a “quid pro quo situation” and said she “would not want any of

my committee members to be accused of quid pro quo actions or to seem that such a contribution ‘bought their vote.’” She asked, “Since quid pro quo is outlined as a prohibited activity in item number 3 of the ethics guidelines should my committee members be alerted to the possibility of an ethics violation and therefore protect themselves by recusal when exec’ing these bills? With regard to the possibility of ethics violations, what is your recommendation here?”

Relevant Statutory Provisions

Ethics Guidelines Section 3 -- Prohibited Activities.

II. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:

(a) Knowing or believing the other’s purpose to be the influencing of an action, decision, opinion, recommendation, or other official activity.

(b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the legislator or the General Court.

(d) In return for introducing legislation, testifying before any legislative committee or state agency, voting in committee or in House or Senate session, or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation, or any state agency.

Ethics Guidelines Section 4 -- Permitted Activities; Permitted Gifts.

I. Nothing in section 3, Prohibited Activities, shall be construed to prohibit the following:

(a) Giving or receiving campaign contributions made for the purpose of defraying the costs of a political campaign in compliance with RSA 664 or the Federal Election Campaign Act of 1971, as amended.

II. The following shall not be considered gifts for the purposes of these Guidelines:

(a) A political contribution as defined in RSA 664.

RSA14-C:2 Definitions.

IV.(b) Notwithstanding subparagraph (a), “gift” shall not include:

(1) A political contribution as defined in RSA 664.

Committee Analysis

The Committee acknowledges that campaign contributions are sometimes made by individuals or organizations with the hope that the legislator receiving the contribution will look favorably upon legislation the donor supports or opposes. The Committee is sympathetic with Representative Aron’s concern that such situations can create at least the appearance of impropriety. However, the Legislature, in adopting the Ethics Guidelines and RSA 14-C, specifically exempted political contributions from the definition of a gift and permitted the giving or receiving of such contributions. There is an expectation that legislators will carry out their responsibilities as legislators regardless of who has provided political support. Individual legislators may decide not to accept political donations if they disagree with the donor’s positions or are concerned about the donor’s intent.

Conclusion

As the Ethics Guidelines are currently established, it is not an ethical violation to accept a campaign contribution. We advise Representative Aron that it is the responsibility of her committee members to decide for themselves whether they should accept legal campaign contributions from individuals or organizations who may support or oppose legislation that could come before them. The members of her committee would not be required to recuse from voting or otherwise participating in official activities relating to legislation HSLF has supported or opposed solely on the basis of having received a campaign contribution from HSLF.

We appreciate the opportunity to be of assistance.

Honorable Edward M. Gordon, Chairman

Honorable Donna Sytek, Vice Chairman

Senator Cindy Rosenwald

Senator Ruth Ward

Representative Janet G. Wall

Representative Bob Lynn

Honorable David W. Hess

For the Committee,
Edward M. Gordon
Chairman

[Vote: 7-0]

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has voted to issue the following advisory opinion, which is printed below in its entirety.

Advisory Opinion 2024-2

Response to a Request for an Advisory Opinion

from Senate Legal Counsel Richard J. Lehmann

on Behalf of Senator Sharon M. Carson and Senator Daniel Innis

(January 29, 2024)

Senate Legal Counsel Richard J. Lehmann has submitted a request for an Advisory Opinion on behalf of Senator Sharon M. Carson and Senator Daniel Innis about whether, consistent with applicable statutes and the Ethics Guidelines, the Senators are required to recuse themselves from participating on certain bills that are of interest to their employers. In completing its consideration, the Committee reviewed the facts set forth in the written request and received testimony from Attorney Lehmann.

Background

According to the information submitted by Attorney Lehmann in his letter to the Committee dated January 17, 2024, Senator Carson is an adjunct professor who teaches at the Nashua Community College and Senator Innis is a tenured professor at the University of New Hampshire. The Senators receive their wages from the Community College System of New Hampshire and the University System of New Hampshire, respectively, both of which are public entities.

Attorney Lehmann referenced several decisions and advisory opinions issued by the Committee over the past decade and stated that “a rule has emerged that Section 3, II(b) of the Ethics Guidelines requires legislators to recuse themselves from matters on which their employers lobby, testify, or otherwise attempt to influence the outcome (of) legislation.” He asserted that the Ethics Guidelines and relevant statutes treat employment by state entities differently than employment by private entities, citing Section 4, I(h) of the Ethics Guidelines as providing a “safe-harbor that removes any transactions that are permitted under RSA 14-C from the prohibitions contained in Section 3” of the Ethics Guidelines. He cited RSA 14-C:2, IV(b)(8) as expressly excluding from the gift prohibition, “[w]ages...paid to the person by the state, a county, or the United States of America related to performance of official duties.” He argues that “[m]oney received by Sen. Carson and Sen. Innis is paid to them by the state and is related to the performance of their official duties for their employers. Accordingly, because Sen. Carson and Sen. Innis are not prohibited from accepting their salaries under RSA 14-C, their participation in matters in which their employers lobby, testify, or seek to influence the outcome is not prohibited by Section 3 of the Guidelines.”

Committee Analysis

The Committee engaged in a long discussion of the facts and circumstances presented and the applicable statutory guidelines and standards set by prior precedent. While Senators Carson and Innis are employed by the University System and the Community College System, in their positions as instructors, they clearly are unable to exercise substantial influence over the affairs of those organizations. While that language is not spelled out in statute, the Committee viewed RSA 14-C:2, IV(b)(8), as argued by Attorney Lehmann, and RSA 14-C:2, IV(b)(7) as provisions directed at exempting certain employees from the financial limitations which may otherwise require recusal. The Committee spent a considerable amount of time attempting to understand the intent behind the two provisions and to eliminate the ambiguity in their terms. While the Committee members may have differences over which of the two provisions may apply, all members were in agreement that, by virtue of their employment, one of the provisions exempted Senators Carson and Innis from recusal from matters on which their employer takes legislative positions.

Conclusion

Given the nature of their employment, the Committee found that Senator Carson and Senator Innis may participate in matters in which their employers, the Community College System of NH or the University System of NH, lobby, testify, or seek to influence the outcome of the matter under consideration.

We appreciate the opportunity to be of assistance.

Honorable Edward M. Gordon, Chairman

Honorable Donna Sytek, Vice Chairman

Senator Cindy Rosenwald

Senator Ruth Ward

Representative Janet G. Wall

Representative Bob Lynn

Honorable David H. Hess

For the Committee,
Edward M. Gordon
Chairman

BILLS LAID ON THE TABLE

HB 147, relative to membership of the advisory committee on the education of students with disabilities. Pending question: No pending question.

HB 232-FN, adopting section 1910 OSHA standards for public sector employees in New Hampshire. Pending question: Amendment (2429h).

HB 267, relative to criminal records checks in school employment. Pending question: Refer for Interim Study.

HB 301, relative to recusal by members of the general court for conflicts of interest. Pending question: Amendment (2326h).

HB 369, establishing a task force to provide energy relief on farms. Pending question: No pending question.

HB 375-FN, relative to the licensure of nonresident aliens temporarily residing in New Hampshire. Pending question: Inexpedient to Legislate.

HB 437-FN, relative to a reading assessment and intervention program. Pending question: Refer for Interim Study.

HB 439-FN, relative to the duty to provide an education and contracts with private schools. Pending question: No pending question.

HB 499-FN, requiring the rules of evidence to apply in family court cases and relative to the admission of certain evidence in family court proceedings. Pending question: Inexpedient to Legislate.

HB 505-FN, relative to comprehensive mental health education in schools. Pending question: No pending question.

HB 546-FN-L, relative to the school building aid program. Pending question: No pending question.

HB 553, relative to school district information on personnel salaries. Pending question: No pending question.

HB 570, relative to Real ID compliant New Hampshire driver's licenses. Pending question: Inexpedient to Legislate.

HB 577-FN-L, relative to state aid for special education pupils. Pending question: No pending question.

HB 651, authorizing the department of education and local school districts to contract with transportation network companies to provide school transportation services. Pending question: Inexpedient to Legislate.

HB 1100, relative to coyote hunting. Pending question: Inexpedient to Legislate.

HB 1208-FN, relative to permitting requirements before timber harvesting operations in a wetland. Pending question: Inexpedient to Legislate.

HB 1240, relative to eating disorders as a qualifying condition for the therapeutic cannabis program. Pending question: Inexpedient to Legislate.

HB 1297-FN, relative to the authority of municipalities to enforce ordinances related to health and safety. Pending question: Inexpedient to Legislate.

HB 1482, relative to the sale of human blood and organs. Pending question: Inexpedient to Legislate.

HB 1522-FN, relative to weekly benefit amounts for unemployment compensation. Pending question. No pending question.

HB 1560-FN-A, relative to unassigned moneys in the education trust fund. Pending question: Ought to Pass.

HB 1629-FN, relative to attorney general's duties concerning legislators residing in different districts than they represent. Pending question: No pending question.

HB 1644-FN, requiring the department of energy to initiate an investigation of the benefits and key considerations regarding support for clean or non-carbon emitting power generation. Pending question: Committee amendment.

HB 1686-FN, relative to requiring excess revenues raised through the statewide education property tax to be remitted to the education trust fund and prohibiting the department of revenue administration from setting negative local and county tax rates on real property. Pending question: No pending question.

HCR 8, applying to congress for a limited national convention for the exclusive purpose of proposing an amendment to the United States Constitution relative to elections. Pending question: Ought to Pass.

SB 218-FN-A, establishing an early educator professional development grant. Pending question: No pending question.

HOUSE BILLS AMENDED BY THE SENATE

HB 135-FN, (Second New Title) relative to requisites for a criminal search warrant. (SJ 2/8/2024)

HB 154, (New Title) relative to electronic ballot counting devices. (House Concurs 2/15/2024)

HB 261, (New Title) relative to rights of tenants in cases of domestic violence. (SJ 2/8/2024)

THURSDAY, MARCH 14

CONSENT CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1012-FN, exempting from criminal penalty certain parenting decisions intended to encourage a child's independence and freedom. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alissandra Murray for Criminal Justice and Public Safety. This bill, as amended by committee, ensures that parents are protected from unnecessary prosecution when raising their children in a manner that encourages their independence and development. **Vote 19-1.**

HB 1021, relative to body-worn cameras and exculpatory evidence. **INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Mannion for Criminal Justice and Public Safety. This bill is looking to solve problems that don't exist. The bill would require that the defendant received a physical copy of any body-worn camera footage related to the defendant's case. This is already being done as it is required by statute as well as recent case law. This bill also requires evidence that is exculpatory not be destroyed. Body-worn camera footage is already treated as exculpatory evidence and is not destroyed for a minimum of 3 years and longer if the case is still pending. The worst part of this bill is that it would allow defendants to copy, share, and display the data which could allow sensitive information, audio, and images to be shown on social media potentially harming the victim. **Vote 20-0.**

HB 1038-FN, relative to prohibiting registered sex offenders from employment at businesses providing direct services to minors or direct supervision or oversight of minors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dennis Mannion for Criminal Justice and Public Safety. This bill would close a loophole in current law. The bill expands on employment restrictions and would prohibit registered sex offenders from employing, managing, supervising, or working in a one on one capacity with a minor. **Vote 20-0.**

HB 1061-FN, relative to motor vehicle stops of uninspected vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey Tenczar for Criminal Justice and Public Safety. This bill seeks to move the penalty for failing to obey inspection requirements into a secondary offense category within the motor vehicle code. All violations of the New Hampshire motor vehicle code are primary offenses. The bill would create a two tiered system of offenses which would prevent law enforcement from stopping a driver violating this statute, unless there was another violation of the motor vehicle code. The goal of law enforcement is to prevent a violation of law and to stop a violation in progress. Without any other infraction, law enforcement would not be able to stop the violator and discuss or correct their actions. Often times, inspections of motor vehicles reveal safety issues with the vehicle that can endanger the occupants of that vehicle, pedestrians, and others on the roadway if not addressed. This often includes the vehicle's braking system, steering system, and tire connection and control systems. The minority believes that if it is the will of the people that New Hampshire to no longer require safety inspections, the proper thing to do is to repeal the requirement. Keeping a requirement in law, but making it more difficult to enforce, sends a confusing message to the public and law enforcement. If a thing is worthy of being in law, it is worthy of enforcement, otherwise, it should not be in law. **Vote 17-3.**

HB 1097-FN, replacing two-party recording of conversations with one-party recording of conversations. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee, after hearing testimony came to the conclusion that this bill would be in conflict with the recently, and clearly expressed wishes of the citizens of New Hampshire regarding their privacy. There were also concerns with regard to surreptitious recording being used in domestic matters by parties, to further their litigation aims. The committee discussed one party provoking another to make statements in anger and cherry picking recordings to use in their favor. There were also discussions and concerns about the unreliability of recordings with the advent of artificial intelligence. **Vote 19-1.**

HB 1270-FN, relative to protective custody statutes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jodi Newell for Criminal Justice and Public Safety. This bill is intended to address an existing issue regarding protective custody procedures. As it currently stands, the law lays out multiple options for handling a situation where an individual is incapacitated to the point that it is in their best interest to be looked after until they are once again able to care for themselves. Upon encountering such a situation, a peace officer may contact a trusted caretaker to pick them up, bring them to a treatment or detox center or, if deemed necessary, have them assessed at a medical facility. In the event that none of the other options are possible or necessary, the officer may transport them to a local jail or county correctional facility to be sheltered for no longer than 24 hours. Further, the law states that upon entrance to the jail or county correctional facility, the individual must be medically assessed in order to confirm that they are, in fact, intoxicated. Here a conflict arises, because many of these facilities do not maintain 24/7 staffing of medical professionals qualified to fulfill this requirement. Having heard testimony from representatives of both the Chiefs of Police and

Sheriffs regarding their training and procedures for assessment in regards to protective custody, as well as protocol in the event that an individual's condition changes once in custody, the committee agrees that this requirement is duplicative and unnecessary. **Vote 20-0.**

HB 1319-FN, relative to prohibiting the nonconsensual dissemination of synthetic sexual images. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Meuse for Criminal Justice and Public Safety. This bill amends New Hampshire's revenge porn statute to criminalize the act of making and sharing non-consensual deepfake porn videos. In recent years, advances in artificial intelligence technology have made it possible for a person using a computer program or an app on a smart phone to realistically swap the face of a victim with that of an actor or actress in a porn video. The results are extremely realistic and are increasingly indistinguishable from the real thing. There are also deepfake creators who take commissions, charging as little as \$30 dollars to seamlessly swap the facial features of a person someone feels like targeting with those of a person engaged in sexual activity. The bill amends RSA 644:9-a to make it illegal to disseminate an image that has been synthetically altered or created to depict an individual engaged in a realistic but false representation of the individual's sexual activity. This abhorrent behavior overwhelmingly harms women and children and is booming online at an unprecedented rate. The New Hampshire State Police testified that these incidents are happening now in New Hampshire and testified in support of the bill. **Vote 20-0.**

HB 1344-FN, relative to criminalizing the enticement and manipulation of minors to engage in sexual activity. **INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. The committee unanimously voted to find this bill inexpedient to legislate due to the sponsor and cosponsors not being present to introduce the legislation. While the title would certainly indicate that it would be something the committee would support, there are laws currently in place for this subject matter. It is important to remember, the committee does not vote on titles, rather the content and merit of the legislation. **Vote 20-0.**

HB 1500-FN, relative to prohibiting the unlawful distribution of misleading synthetic media. **REFER FOR INTERIM STUDY.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. The committee is in agreement that artificial intelligence is a complex subject matter that needs to be taken seriously. There are several bills that are currently in other committees that address different aspects of this fast approaching technology. After talking with the chairman of the House Judiciary committee, the committee decided to interim study this legislation in the hopes of being able to look at the proposed bills together in order to address the subject at large rather than individual bills piece by piece. **Vote 20-0.**

EDUCATION

HB 1176, establishing a commission to study current funding for special education and potential other funding sources. **REFER FOR INTERIM STUDY.**

Rep. Rick Ladd for Education. The interim study shall study and make recommendations regarding local and state special education costs, funding mechanisms, and funding services necessary to support special education or special education and related services. The interim study committee shall also review and develop findings regarding the current special education funding models supporting both differentiated aid and special education aid. The Education Committee recommends interim study as it is recognized that districts throughout New Hampshire are experiencing increased special education student numbers and related costs; therefore, the issue requires immediate committee address. **Vote 19-0.**

HB 1509-LOCAL, prohibiting spending of special education moneys for any other purpose and requiring reporting of fund balances to the school board. **REFER FOR INTERIM STUDY.**

Rep. Rick Ladd for Education. This bill as introduced would require school districts to report special education costs to the school board and prohibits the spending of special education funds for other purposes. Through testimony, the committee heard that the U.S. Department of Education enables school districts to utilize special education funds to support a number of non-special education purposes such as: 1) services provided to students with a particular emphasis on students in kindergarten through grade three who are identified as needing special education or related services, but who need additional academic and behavior supports to succeed in general education; 2) to help fund reading and mathematics specialists to work with non-disabled students who have not reached grade-level proficiency in those subjects; or 3) to fund after-school tutoring for non-disabled students who score below proficiency on statewide assessments. There are also other administrative, operational, and district needs that must be considered in the use of locally appropriated funds. It should also be noted that state adequacy funds are not targeted. This bill will be studied in conjunction with HB 1176, the study of current funding of special education. **Vote 19-0.**

ELECTION LAW

HB 1126, relative to candidate requests for absentee ballot information. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ross Berry for Election Law. This is a housekeeping bill that expands the information available to candidates when requesting an electronic copy of the voters who have requested an absentee ballot in an election. These reports are available now and will not create any new burden on town clerks, as the reports are generated by the Secretary of State in the state voter database. **Vote 20-0.**

HB 1133, relative to enabling UOCAVA voters to email back completed ballots. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. This is a well-meaning bill that attempted to fill the gap for military and overseas voters (UOCAVA) who are often disenfranchised by the short turnaround time created by the state's late primary. Some military and overseas voters are unable to mail their ballots back in time to be counted and this bill would have allowed them to send their ballots back electronically. Currently UOCAVA voters receive their ballot electronically via email but must print out and mail the ballot back, which creates problems for those in remote areas and those with unreliable mail service. While there was great interest in passing this, it proved to be a much larger task than expected and security concerns proved to be a large concern which led to the Inexpedient to Legislate disposition. It was the sense of the committee that this problem should be addressed, hopefully, with future legislation. **Vote 20-0.**

HB 1134, relative to inventory controls for paper ballots. **INEXPEDIENT TO LEGISLATE.**

Rep. Joan Hamblet for Election Law. This bill outlines a process for inventory controls for accountability of all paper ballots. It describes a process that the Secretary of State must use when ordering ballots from a ballot printing supplier, itemizing the quantities of election-day ballots, and absentee ballots ordered for each city and town and the numbers of ballots actually distributed to the cities and towns. The Secretary of State testified that he is confident in the inventory process used now, and he invited the Election Law Committee to watch, in person, the ballot production process. This bill did not significantly improve the current system, thus there is no need for this bill. **Vote 20-0.**

HB 1136, relative to requiring a reconciliation of votes cast and undervotes with the total of ballots cast. **INEXPEDIENT TO LEGISLATE.**

Rep. Joan Hamblet for Election Law. This bill would require a reconciliation of votes and undervotes with the total ballots cast. The testimony focused on recounts in the five towns in Merrimack District 5 for two House Representatives, reporting 14 "errors" in the vote counts and recounts. In those races, the errors were caused because the moderator did not include the overvotes and undervotes in the reconciliation process, as required by RSA 659:73, IV. The error was with the moderator, not with the statute. Thus, this bill is redundant and not necessary. **Vote 20-0.**

HB 1150, relative to identification of political advertising. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Katelyn Kuttub for Election Law. This bill removes the requirement from RSA 664:16 for political advertising in newspapers, periodicals or billboards to state "Political Advertising" at the top or bottom. The committee felt all advertising should be treated the same and it is already required under RSA 664:14 to sign at the beginning or the end of the advertisement with a paid for by statement including a name and address. The bill as amended, also removes the requirement for rate schedules to be filed with the secretary of state, as rates are already easily accessible online. **Vote 19-1.**

HB 1157, relative to overvoted and undervoted ballots. **INEXPEDIENT TO LEGISLATE.**

Rep. Angela Brennan for Election Law. This bill would make an unnecessary change to election law related to overvotes and undervotes on ballots. The bill sponsor recognized the bill as written would not do what he intended. There were no amendments taken up by the committee. **Vote 19-1.**

HB 1200-FN, relative to controlled and secured storage of printed paper ballots. **INEXPEDIENT TO LEGISLATE.**

Rep. Hal Rafter for Election Law. The committee found that the current procedures established by the Secretary of State were sufficient to provide secure handling and storage of paper ballots at the printing location. This bill restricts access to the secured location for ballots to "employees," when it should also allow access by staff of the Secretary of State. In addition, this bill would have required immediate shredding of misprinted or damaged ballots, which conflicts with the Secretary of State's preference that any shredding occur after an election. Finally, the requirement of "video surveillance of the secured location" from the start of printing through until the election, would require expenditures on the order of \$15,000 by the printing company. **Vote 18-2.**

HB 1313-FN-LOCAL, relative to access to the voter checklist by candidates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Claudine Burnham for Election Law. This bill allows a person to receive up to two free electronic copies of their town or city voter checklist per election. These copies may be sent via email in a sortable format,

such as a spreadsheet. Any fee of up to \$25 may be charged for an additional electronic copy. Any paper copy requests will continue to have the current charge of \$25, plus \$0.50 per thousand names or portion thereof more than 2,500, plus any shipping costs. **Vote 20-0.**

HB 1381-FN, relative to required training on election procedures. **INEXPEDIENT TO LEGISLATE.**

Rep. Luz Bay for Election Law. While there is agreement that training for election officials is important, there is recognition that the bill lacks necessary details, especially those in reference to the use of currently available and commonly used technology, such as video conferencing systems. The bill requires that the training to be provided by the Secretary of State is to be an in-person training, the recording of which may be accessed to fulfill training requirements. More importantly, the bill alludes to punitive implications for not attending training, which is likely to exacerbate the shortage of election workers. **Vote 20-0.**

HB 1384, relative to noncompliance by a town or ward moderator and clerk. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. The committee deemed that the provisions in this bill were already covered by existing statute in a different section of the RSAs. **Vote 20-0.**

HB 1442-FN, relative to penalties for failure of election officers to adhere to election law. **INEXPEDIENT TO LEGISLATE.**

Rep. Connie Lane for Election Law. This bill imposes criminal liability on any election officer for violating any election law, including violation of the 461-page instruction manual for election workers. The committee felt that this bill was overly broad in its scope – most election officers are volunteers and perform their duties in good faith. There is no requirement that the violation be made “knowingly,” qualify as “fraud,” or have any effect on the outcome to the election. Minor transgressions are as culpable as major ones that might qualify as fraud. **Vote 20-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1174, relative to plumbing apprentices. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill changes the number of apprentices a plumber can work with from 1 to 3. It is thought that this would increase the availability of plumbers in the state. The committee learned that NH does not have a state apprenticeship program but uses the federal program through the Department of Labor. This program requires a 1 on 1 apprenticeship. There is funding for this program that needs to be evaluated. There is an upcoming rule change that will allow 3 and 4 year apprentices to work on their own. The committee also considered upcoming bills from the senate that eliminate the federal program. **Vote 15-0.**

HB 1328, relative to public safety providers defined as essential services. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. In previous bills, the House defined essential workers in the statute under Homeland Security and Emergency Management, RSA 21-P:35 IX. This bill adds first responders to the list in that they also provide immediate support in this defined situation. **Vote 16-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1609-FN, relative to the commission on the primary care workforce and the state office of rural health. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Murphy for Health, Human Services and Elderly Affairs. The State Office of Rural Health (SORH) was established in 2008 under the section of Rural Health and Primary Care (RHPC), which is within the Department of Health and Human Services (DHHS), to seek long-term solutions to the challenges of rural health, and to increase access to health care in rural and underserved areas in NH. In 2010, HB 1692 authorized the SORH to create the Health Professionals Data Center (HPDC) and to also establish a commission on primary care workforce issues in order to collect and organize data regarding the current and anticipated supply of health care professionals who make up the state’s primary care workforce. The Office of Professional Licensure and Certification (OPLC) provides administrative support to over 50 professional licensing boards and collects data from applicant’s surveys necessary for licensure. This bill extends the Commission on the Primary Care Workforce to November 1, 2029. It also gives statutory authority to the OPLC to share licensure and survey information with the DHHS and SORH. This information is important for compliance follow-up in order to increase response rates which assures increased statistical reliability when determining and understanding the current and anticipated primary care workforce in NH. The amendment adds a member of the New England Direct Primary Care Alliance to the commission membership. **Vote 19-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1440-FN, relative to establishing a life jacket loaner station program along the Merrimack river. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill provides for the establishment of a life jacket loaner program at public access sites along the Merrimack River. The bill would require the Division of State Police, within the New Hampshire Department of Safety, to implement the program. The committee felt the bill was well intentioned. However, the committee felt the sponsor would be more successful exploring non-legislative solutions and focus more at the local level. For example, local charitable, business or civic groups might partner with a municipal police or fire department to tailor a program for a specific locality. **Vote 20-0.**

SPECIAL COMMITTEE ON CHILDCARE

HB 1405-FN, relative to limiting publication of child care center violations. **INEXPEDIENT TO LEGISLATE.** Rep. Jacqueline Chretien for Special Committee on Childcare. The committee appreciated the intent of this bill, which was to protect child care centers from increases in insurance premiums based on the publication of minor, non-safety-related violations. However, the testimony indicated that the proposed changes to the process would put the state out of compliance with federal requirements for reporting child care center violations and therefore at risk of losing federal childcare development funds. In addition, these changes would require substantial modifications to computer systems that are currently in place, which would likely cost hundreds of thousands of dollars. The committee was encouraged to hear that the Bureau of Child Care is in conversations with the Commissioner of the Insurance Department and is confident that the underlying issue can be resolved without a legislative remedy. **Vote 10-0.**

HB 1407, relative to child care staffing ratios. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ross Berry for Special Committee on Childcare. This bill as amended creates a pilot program to allow for the addition of one extra child to a room if two or more teachers are present. This keeps the underlying ratio in place, but creates expansion opportunities when the expanded duties can be diffused over multiple teachers. Child-to-teacher ratios are the top driver affecting cost and accessibility to childcare. An example of this can be seen in Massachusetts, which has a lower child-to-teacher ratio and experiences childcare costs that are \$5,000 more a year than New Hampshire. This is an extreme financial strain that is placed directly onto working parents. The committee was careful to consider the effects on safety and quality with this small expansion and left the flexibility to the Department of Health and Human Services (DHHS) to deny entry to a center that DHHS feels would not be able to safely handle the expansion. Nothing in this bill overrides fire codes or any other safety measures, and the bill automatically repeals after two years. This bill will provide the most relief to access to infant child care which will experience a 12.5% increase in access for centers that are capable of handling the expansion. Currently infant care is the hardest to find and the most expensive service in New Hampshire, costing families upwards of \$15,000 a year. The committee also noted that parents who cannot find or afford child care cannot return to the workforce which has an estimated economic impact on the State's economy of over \$250,000,000.00. Furthermore, the loss of the socialization skills a child needs during development by not being around children their own age and older is an often overlooked consequence of the lack of access to childcare in New Hampshire. **Vote 9-0.**

TRANSPORTATION

HB 1158, relative to establishing an exception to vessel registration. **OUGHT TO PASS WITH AMENDMENT.** Rep. Ted Gorski for Transportation. This bill creates a commercial vessel exception. This exception allows a person 14 years of age or older, but under 18 years of age, to operate a commercial vessel on any public waters of New Hampshire without a valid certificate to act as operator of a commercial vessel, as long as the following conditions are met: the vessel is 16 feet in length or less; the vessel may be operated only for selling pre-packaged food and/or non-alcoholic beverages; the vessel shall not be operated for safety support of other boaters and incidental transportation of passengers; and the vessel shall not tow any water skiers, aquaplanes or similar devices. **Vote 16-0.**

HB 1457-FN, establishing penalties for driving over covered wooden bridges in vehicles that exceed posted limits and for vehicular damage to covered wooden bridges. **OUGHT TO PASS.**

Rep. Charles Foote for Transportation. This bill was introduced as an effective general deterrent and preventive measure to help alleviate further and continual damages to wooden covered bridges which are a historic and iconic appeal to our state. The intent is to have geometrically oversized vehicles and/or overweight vehicles circumvent the bridge, rather than pass through the bridge and cause undesirable damages from wear and tear, and physical structure damage. These bridges, many which were built in the 19th century, are structurally vulnerable and susceptible to damage, having not been constructed with the traditional current standards of concrete or steel, and were made in a simpler time in history that are not designed to accommodate today's modern traffic loads and vehicle weights and dimensions. If passed, this would be the first legislative update since 1963. Within the bill, there is an increased penalty for damage stemming from violating height, weight, and dimensional limits, increasing from \$62 to \$1000 for a 1st violation for visible damage, and consequently up to \$2000 if there is a disruption or impediment in traffic flow from any incurred damages. All fines under this section shall inure to the municipality or other agency that is responsible for the bridge. **Vote 17-0.**

THURSDAY, MARCH 14 REGULAR CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1204, relative to government agent entries into secured premises. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority believes that as amended, this bill furthers the goals expressed by the citizens of New Hampshire in the recent constitutional amendment demanding privacy from government intrusion. In 1924, the United States Supreme Court, in the case of *Hester v. United States*, developed what is now known as the open fields doctrine. Simply put, this case and its progeny holds that a citizen has no expectation of privacy on their property outside of the curtilage. That is to say, the area immediately surrounding their home. The doctrine applies regardless if the land is posted No Trespassing or not. The doctrine allows law enforcement to walk upon and examine private land whenever they so choose so long as is not in the area immediately surrounding the home. The committee heard testimony that many other states have passed similar legislation to this bill. States may not limit rights guaranteed by the US Constitution, but they may expand them. So, if the Supreme Court rules, as they did in *Hester*, that the 4th amendment requirement to obtain a search warrant, does not apply to areas away from the home, open fields, New Hampshire is free to say, "not in our state." It is important to note, that though it is called the open fields doctrine, it does not apply only to fields. It means any property away from the curtilage. This may be forests, fields, or swamps. It is not the character of the land that matters, but its location relative to the home. Though the minority relies heavily on the law enforcement community's promise that their procedure is to require search warrants when they wish to search property that is posted "No Trespassing," they are not similarly trusting when told racial profiling and other discriminatory conduct is not regularly occurring. The majority trusts law enforcement in both regards, but felt that one cannot always rely on such competent and efficient leadership as we currently have. Furthermore, if law enforcement is already practicing this, it should not effect their operations whatsoever. In the end, we are a state and nation of laws, and it is our Constitution that we trust and swear allegiance to, not any particular leader in government. The constitutions of New Hampshire and the United States, are in the opinion of the majority, not there because we do not trust law enforcement, but are instead there to instruct law enforcement on what they may and may not do. This law would be no different. **Vote 15-5.**

Rep. Ray Newman for the **Minority** of Criminal Justice and Public Safety. The minority feels this bill is not needed. During the public hearing, the committee did not hear from a single property owner who supported the bill. However, we did hear from the Chief of Police of the town of Rye, who told us that the bill is not needed because New Hampshire police officers are trained to get a warrant before entering a property posted "No Trespassing," unless there are exigent circumstances, such as a fire or cries for help. Moreover, the bill is in direct conflict with a US Supreme Court ruling *Hester v. United States* that 4th amendment protection does not extend to unoccupied or undeveloped areas outside the curtilage, the land outside the property owner's home. A representative of the Department of Labor also testified about concern for the bill, saying that its broad definition of government agent could be interpreted to prevent the department's inspectors from being able to make unannounced inspections. Another concern not addressed in the bill is the ability of local police to patrol on private land to enforce laws concerning Off Highway Recreational Vehicles (OHRVs). The minority feels that the bill needs much more scrutiny than it has had and that the appropriate resolution for this bill is inexpedient to legislate.

HB 1276-FN, relative to repealing the prohibition on the possession or sale of blackjacks, slung shots, and metallic knuckles except by or to minors. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Mannion for the **Majority** of Criminal Justice and Public Safety. After hearing witness testimony, it is the opinion of the majority that the recent expansion of the understanding of the 2nd Amendment in the U.S. Supreme Court makes the current ban on these weapons unconstitutional. Furthermore, these weapons have become more of a novelty than something once regularly carried. The advent of chemical, other kinetic, and electrical weapons, which are all legal, make these almost antique. That being said, they are still useful for self-defense and should not be banned while other more lethal weapons are not. Wrongful use of these currently banned articles would still be a felony. Under New Hampshire law, any item that could cause serious bodily injury or death can be considered a deadly weapon. A rock, a knife, a shovel, a baseball bat, or a golf club and they are all legal to possess. It is worth noting that the current law allows police, firefighters, EMS personnel, security guards, and hunters to possess these items. Shall our citizens read our laws and see that a hunter may possess and use brass knuckles on a deer, but a young college woman may not on a rapist? Shall they see that a police officer may use a blackjack on member of the public, but a member of the public may not on a mugger? New Hampshire does not stand for a two tiered system of criminal laws; we are all equally

right, or equally wrong. The minority wishes to curtail the spread of firearms ownership for self-defense, because they claim it often leads to the death of the assailant. The majority is focused on victims. **Vote 13-7.** Rep. David Meuse for the **Minority** of Criminal Justice and Public Safety. Contrary to testimony that these weapons are “antiquated, non-lethal defensive tools,” there are countless instances where they have been used by aggressors to intimidate, terrorize, and brutally attack their victims. Use of these weapons can lead to catastrophic injuries, including broken bones, severe wounds, and brain damage. Additionally, they are often associated with criminal activities, such as gang fights or robberies, and their very presence typically leads to more violent confrontations than would have occurred without them. The minority believes that the current law is in place for a good reason and that lifting the prohibition on possession and sale of weapons intended to maim and inspire fear is not in the best interest of public safety. At a time when violent crime continues to be on the minds of many New Hampshire residents, now is not the time to put these weapons back into the hands of would be aggressors on our streets and in our public gathering places. The New Hampshire Chiefs of Police Association signed in opposing the bill.

HB 1336, relative to employees’ firearms in locked vehicles. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill would allow an employee to secure a loaded firearm in their personal vehicle while parked on the premises of their employer. It would also remove any civil liability on the part of the employer should there be an illegal use of that firearm by a third party. The State of New Hampshire is a stand your ground state. A person has a right to defend themselves and has no duty to retreat when they are in their home or their motor vehicle. Having to disarm when leaving home to travel to and from work leaves a person with little means of self-defense. This bill would permit an employee to be armed and able to defend themselves right up until they step out of their car on the employers’ property. It is consistent with Article 2-a of the New Hampshire Constitution and respects an employers wish to be a weapon free zone if that is their policy. The minority claims employers have an absolute right to dictate what occurs on their property free from government interference. They further claim that the Constitution, including the 2nd Amendment, mainly applies to the government and not business. Both of these claims fail. First, constitutional protections do in fact extend to employers, when the employer is the government. With approximately 44,000 local, state, and federal employees working in New Hampshire, the government is the largest employer in the state. Second, the state is free to extend whatever protections to employees that we choose within the constraints of the Constitution, and we regularly do so. From a forced minimum wage to anti-discrimination and work safety laws. Finally, by not allowing employees to exercise their 2nd Amendment rights at all, they are effectively restricting the employee’s rights everywhere else that the employee may wish, or have to travel too, either before or after work. As New Hampshire has no law against storing a firearm in a locked vehicle, and stealing a firearm is a felony, citizens are able to do this for other places where firearms are restricted already. This includes post offices and court houses. It is also worthy to note, that many employers do not actually own the property that they use for their business operations or employee parking, as leasing business property is common. Still other businesses share space with public and private parking spots for their employees.

Rep. Jason Janvrin

Statement in support of Inexpedient to Legislate: This bill would effectively remove the ability of New Hampshire businesses concerned with providing a safe workplace from prohibiting employees from storing firearms in a locked vehicle parked on the employer’s own property. As written, this bill amounts to an unconstitutional taking of property rights. One of the main advantages of being a property owner is the right to use your land as you see fit, even if others disagree with your reasons. One of the main advantages of running your own business is being able to set policies that preserve confidentiality, govern acceptable behavior, and protect workplace safety. Such autonomy deserves respect, even if we disagree or find it to be inconvenient. Moreover, businesses operating on private property are under no obligation to balance the 2nd Amendment rights of their employees with their own right to operate their business within the law in the ways they see fit. Like most constitutional rights, the 2nd Amendment constrains only the government. It does not require private individuals or organizations to accept their presence on their land.

Rep. David Meuse

EDUCATION

HB 1108, relative to establishing a committee to study the role of colleges and universities in contributing to the student loan crisis. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Mel Myler for the **Majority** of Education. There is no question that the issue of student loan debt is important. New Hampshire has some of the highest student debt in the country. However, this bill is not necessary. The University System of New Hampshire (USNH) as well as the Community College System of New Hampshire (CCSNH) system are fully aware of the debt crisis for students. Both systems have attempted to coordinate purchasing practices, consolidate course options at specific institutions to reduce course multiplicity, etc. The institutions meet on a regular basis to capitalize on ways they can moderate institutional expenses.

Further, there is an agreement within the two systems that provide automatic student matriculation from CCSNH to USNH allowing students to complete their first two years at a reduced cost. This bipartisan motion supports that this bill is not needed. **Vote 13-6.** Rep. Mike Belcher for the **Minority** of Education. This bill would establish a committee to review the role of colleges and universities in contributing to the student loan crisis. The issue of the student loan crisis is much discussed, and a very necessary item to tackle, with student loan debt approaching \$2 trillion. However, to date, most recommendations for addressing the problem have suggested reaching deep into the pocket of the taxpayer – the only party perhaps entirely innocent in this matter. What is far less clear is the innocence of colleges, which appear to have lobbied the federal government for taxpayer backed student loans that, once achieved, were immediately proceeded by a dramatic expansion of administrative positions, increased salaries well in excess of the consumer price index, divisive critical theory-based departments multiplied, tuition skyrocketed, and a generation of graduates have been so thoroughly indoctrinated into anti-American themes that the value of a degree is rapidly diminishing among employers. This appears to have been a primary driving factor of this crisis, and it deserves investigation with an eye towards recommendations to resolve the debt that has rendered many graduates akin to indentured servants, and has delayed much of a generation from assuming their roles as American citizens: purchasing homes, starting families, and productively contributing to society. The scope of this burgeoning disaster is not just their problem – it is America’s, and New Hampshire’s as well.

HB 1162, relative to teaching discrimination in public schools and discrimination in public workplaces. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill prohibits this state from enacting educational laws under RSA Title XV that would bar any school employee or person employed by a public school district, school administrative unit, or public academy from teaching the historical or current experiences of any group that is protected from discrimination. It repeals the “Prohibition on Teaching Discrimination” (RSA 193:40), also known as the “divisive concepts law” which restricts teachers from having classroom discussions that go beyond the “who, what, where” to explore the “why and how” of the historical or current experiences of people and groups who have been protected by both federal and state discrimination laws. This law has intimidated teachers and created a sense of fear and uncertainty by inappropriately using the Educator’s Code of Conduct with loss of a teaching credential as punishment. The final reports of the Committee to Study New Hampshire Teacher Shortages cites the “overall political climate in our state” as a contributing factor in teacher stress and their leaving or not joining the profession. Repealing this bill will support New Hampshire’s professional educators to be able to teach critical thinking so that students will be able to think for themselves and develop independent, educated perspectives.

Rep. Linda Tanner

Statement in support of Inexpedient to Legislate: Current NH statute prevents any public employee to teach, advocate, or advance that people of one age, sex, gender identity, sexual orientation, race, creed, color, and more are inherently racist. This bill would repeal provisions of that law relating to the right of freedom from discrimination in public workplaces and education. Through the hearing process, it was communicated that some educators are now hesitant and fearful to teach students about equity, diversity, and other related or controversial topics. Nothing in NH law prohibits teachers from taking steps to examine these issues or to introduce factual events that are part of our country’s history. NH statute does not prohibit a teacher from discussing current political, historical or social issues. In short, while teaching these topics, the best practice is to not advocate that a person or a group is inherently oppressive, superior, inferior, racist, or sexist. Our past can and should be taught as it occurred and continues to develop, and to do so while treating all in the classroom equally and without discrimination or intimidation. Classroom instruction should provide students with the fundamental truths found in our Declaration of Independence, that we are all created equal and that everyone has a right to freedom without discrimination. In other words, teach students how to think, not what to think.

Rep. Rick Ladd

HB 1265, relative to the penalty for failure to file school expenditure reports, and relative to certain adequacy grants. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. This bill removes the requirement that public academies file financial reports with the Department of Education. The bill also inserts a provision for adequacy grants for school districts that tuition their students. This portion of the bill replaces language inadvertently deleted in HB 2 on page 48, lines 18-27. Public academy is defined in RSA 194:23, II as an “independent” high school that contracts with one or more school districts to provide educational services. All such contracts are subject to approval by the Department of Education. These academies are governed by a board of trustees or other officials that are not publicly elected. **Vote 13-7.**

HB 1305-FN, relative to freedom of speech and association at public institutions of higher education. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: This bill establishes that free speech and free association protections, as generally are afforded by the Constitution, are likewise afforded on college campuses

within reasonable limitations necessary to the function of the institutions. This committee heard considerable testimony of uneven application of rules for “permitting” of free speech events and the establishment of student organizations. The University of New Hampshire (UNH) confirmed that it is their policy to not allow unpermitted events to go forward and confirmed that small conservative group events had been terminated due to lack of receiving a permit. Yet, UNH’s own record of events demonstrates that they do sometimes allow unpermitted events to go forward, and it appears that the distinction between what is and is not allowed is decided based on viewpoint discrimination. This is further evidenced within UNH records as serially denying requests by Christian organizations where others were authorized, and bolstered by student testimony that conservative-oriented groups were subjected to heightened scrutiny for approval. Further, the committee has seen substantial evidence that colleges and universities have allowed a “hecklers veto” to shut down numerous events on their campuses – particularly during the last presidential election cycle – which is discriminatory towards the organizations hosting speakers and leans dramatically toward an anti-conservative viewpoint bias.

Rep. Mike Belcher

Statement in support of Inexpedient to Legislate: This bill establishes new policy standards for speech and expression at our state colleges and universities. While the bill has some good aspects, they are already being done throughout the state’s university and community college systems and are included in free speech policies at the institutions of the University of New Hampshire (UNH), Plymouth, Keene and the community colleges. In fact, UNH is ranked third among all colleges and universities for its policies on free speech and expression, and all of the state’s four-year institutions receive green lights from the Foundation for Individual Rights and Expression. Beyond speech and expression, the bill requires our state colleges and universities to recognize student organizations that discriminate on the basis of race, gender, religion, and political ideology. It would allow student organizations to exclude others from membership based on race, gender identity, sexual orientation, or any other discriminatory beliefs and receive the same benefits as other student organizations, including financial support paid for through tuition, fees, and state taxes. This provision fuels a divisive environment on campus and could lead to violence. It violates our state’s own non-discrimination laws and federal law such as title IX. The bill as amended does not incorporate any of the feedback from the University System or the Community College System and contains technical problems and contradictions that make it deficient as potential new state law. Bills like this promote discrimination and hate speech and should be resoundingly rejected.

Rep. David Luneau

HB 1311, relative to school district collection development and reconsideration policies. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill, the Students’ Freedom to Read bill, requires school boards to adopt policies governing library media collections and the reconsideration of library materials. The bill requires schools to have a collection development policy and a reconsideration policy to address parent and guardian requests to remove library materials developed by the locally elected school board. Many school districts already have policies and procedures in place. This bill was developed in collaboration with diverse education stakeholder groups including the NH School Library Media Association. Transparent processes for addressing and resolving requests to remove materials meet the needs of concerned parents and guardians. Nationally, more than half of the materials that were targeted for removal in 2023 were by and about people of color, Indigenous people, and LBGBTQ+ individuals. Students, regardless of their gender identity, race, sexual orientation, or ability have the right to see themselves represented in their school libraries. The bill offers a balanced approach that respects the rights of educators, students, and parents. The bill requires that policies must be in substantial compliance with New Hampshire’s public education nondiscrimination laws which ensure that schools do not simply remove materials based on an author or subject’s identity within these protected classes. Based on the Supreme Court’s ruling in the Pico case school boards may not remove books that “prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion.” This Students’ Freedom to Read bill is commonsense, bipartisan legislation which helps us prevent discrimination, preserves local control, and guarantees concerned parents and guardians due process.

Rep. Linda Tanner

Statement in support of Inexpedient to Legislate: This bill requires school districts to adopt collection development policies concerning the selection of materials for library media centers as well as their removal. The problem with this bill is that it does not allow for policies that would actually establish clear criteria for the selection or removal process. Such collection development policies, as put forth in this bill, would primarily require librarians to judge books and other library material by the identity of their authors and characters. In essence, this bill would make it impossible to have any library material removed after a parent or guardian placed a reconsideration request because it mandates that the selection or removal of materials cannot be based on the authors’ or characters’ “age, sex, gender identity, race, creed, color, marital status, familial status, physical or mental disability, national origin or sexual orientation.” What this bill really requires is an “anything goes” collection development policy that is further reinforced by the prohibition of removing or

not selecting material “on the basis of viewpoint.” If an author’s writings convey the viewpoint that pedophilia is an acceptable practice, for example, it could be argued that this book could not be removed. This bill was mentioned during the debate over HB 1419 as a real solution to the problem of obscene material. In actuality, it is not a solution at all because it allows obscene material to be selected and retained based on the identity of the author and/or characters as well as the viewpoint of the author. This bill, which encourages something much worse than “judging a book by its cover,” would not only make it impossible for local jurisdictions to remove inappropriate material; it would promote vague guidelines encouraging the acquisition of the very sort of objectionable materials that would eventually result in reconsideration requests.

Rep. Arlene Quaratiello

HB 1312, requiring parental notification of student health or well-being and certain curricula by school districts. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: This bill does two things. First, it expands current law that requires school notification of parents in advance of curriculum to be taught regarding sex education and the ability to opt their child out. This bill adds instruction of programs regarding sexual orientation, gender, gender identity, or gender expression. As amended, it also prohibits a district from adopting a policy that prohibits school personnel from answering parents’ questions about their child, physical, mental, or emotional health, sexuality, or changes in related services. There is a provision that answers are not required if there was the belief that it might result in neglect or abuse. The basic intent of this section is that parents have the right to have their questions answered honestly.

Rep. Glenn Cordelli

Statement in support of Inexpedient to Legislate: This bill is a totally unnecessary, divisive, and dangerous bill. NH education statutes already require schools to provide parents with a two-week advanced notice of curriculum course materials dealing with human sexuality or human sexuality instruction and give parents the ability to remove their child from instruction and course material they feel is objectionable. Schools recognize and respect that parents can and should be involved in the education of their child. However, this bill goes further to include a new section of education law dealing with the emotional well-being and mental health of students. It dangerously moves towards forcing teachers to out students to their parents without regard to the best interests of the child. It will affect the ability of local schools to provide professional mental health best practices and follow legal procedures in working with students and their parents in issues of mental health and suicide crisis. This section also directly affects the ability of teachers and staff to be that trusted adult that is part of the program adopted by the Department of Education from the Governor’s School Safety Taskforce. This highly successful One Trusted Adult program encourages students to have a trusted adult at school. Having that one trusted adult to talk with is vital for preventing bullying, mental health issues, and substance abuse and promotes positive self-worth, a sense of belonging to the school community and creates a safe place for learning.

Rep. Linda Tanner

HB 1512-FN, limiting education freedom account funding to budgeted amounts. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This is a simple bill answering the question: Should the education freedom account allocations stay within the agreed to state budget allocation? In each of the past three years of the program, they have exceeded their budget allocation. Should the program need more funding than budgeted, the program merely has to address the need to the Fiscal Committee, just like any other program needing additional funding. Frankly, there needs to be more prudent budgeting projection that accurately reflects the need of the program. Be that as it may, currently, the education freedom account program should be held to the same standard as other programs and be expected to stay within the agreed to program budgeted amount.

Rep. Mel Myler

Statement in support of Inexpedient to Legislate: This bill would limit education freedom accounts to a budgeted amount. This is a bill that has been rejected by the House previously. This is another attempt to restrict the education freedom of students needing a different education environment. What would happen when the initial budgeted amount was reached? Needy students would be shut out of the program. There was testimony that the department could simply go to the Fiscal Committee for more funding. But that is not what the bill says. The current law states that the Governor can draw a warrant for additional funds if needed, but the bill removes current language and states that any warrant will be limited to \$19,800,000 for 2024 and budgeted amounts in future years. The bill places a hard cap on education freedom account funding and assistance to needy children.

Rep. Glenn Cordelli

HB 1594-FN, establishing an annual review and qualification to determine eligibility to participate in the education freedom accounts program. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: The education freedom account program was introduced and is a poverty program enabling participation if a family's annual income is at or below 350% poverty level (\$105,000). Currently, once a family qualifies for the program's initial eligibility, they continue for the "school life" of their child. As their family income increases over the years and they move out of the 350% range, they remain a participant in the program. Unlike other poverty programs, the education freedom account program has no annual recertification and is exempt from other poverty program requirements. Poverty programs that require annual recertification are: Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance Needy Families (TANF), State Supplemental Cash, Medicaid, NH Child Care Scholarship Program, NH RX Advantage Program, Women Infants and Children Program, and Social Services Block Grant Program. Currently, 45% of the education freedom account students that participate in the free and reduced lunch program do have to be annually recertified to ensure that the family income is within the poverty level threshold. This bill merely places the education freedom account program in alignment with similar poverty programs requiring the annual recertification of a family's income. It is the belief of the Ought to Pass advocates that as a family's annual income increases beyond the 350% poverty level, they should no longer be eligible to receive an education freedom account grant.

Rep. Mel Myler

Statement in support of Inexpedient to Legislate: This bill would require means testing for education freedom account (EFA) recipients in years subsequent to the initial qualifying period. If a family no longer qualifies, a student might be forced to return to an educational system that was not meeting their needs. The purpose of the EFA program is to encourage parents to seek educational opportunities that maximize their child's potential. Parents would be disincentivized from advancing in their occupations or income level because even a modest wage increase of \$1/hour could eliminate their child from the program. Knowing that such a slight increase would prohibit future funding could be a discouragement to accessing this successful program. EFA's are currently being utilized by 3% of qualifying students, demonstrating slow growth. It would be unfair to eliminate funding for students thriving in an academic setting that meets their educational needs.

Rep. Katy Peternel

HB 1671-FN, relative to the complaint process for teaching discrimination and allowing educators and school officials a right of action for damages and costs for false accusations. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Rick Ladd for the **Majority** of Education. This bill deletes the section of law that states that an educator shall be considered in violation of the Teacher Code of Conduct that justifies disciplinary sanction by the state board of education upon a determination regarding the educator's non-compliance with the "prohibition on teaching discrimination." The local school board would then replace and assume the responsibility of the State Board of Education for investigating and the hearing process relative to this section of law. The bill further provides that an educator claiming to be aggrieved by a violation of the "Prohibition on Teaching Discrimination," to seek a mere administrative finding or decision at a local school board hearing. Based upon a local board investigation and finding, an educator or other staff member who is falsely claimed to be in violation of this section to initiate a civil action against any persons or the department in superior court for legal or equitable relief. The bill dramatically shifts the burden of proof to such that a mere administrative finding in a local school board hearing would constitute sufficient proof for damages. New Hampshire already defines defamation in both civil and criminal law and attaches appropriate civil and criminal standards of evidence for proof against the accused. This bill dangerously shifts the foundations of our judicial system and due process in a manner severely detrimental to the public good and a discrimination free education. **Vote 16-4.**

Rep. Linda Tanner for the **Minority** of Education. This bill addresses the need to provide protections and recourse for false accusations against a teacher or educator under RSA 193:40, IV also known as the divisive concept laws. Because of the vagueness of the underlying bill and, in paragraph IV, the addition of punishment as a violation of the Code of Conduct which can result in the loss of teacher credentials, false accusations have occurred which have resulted in monetary costs and mental stress to individuals and districts. In addition, this bill addresses the use or the misuse of the Code of Conduct and Ethics to be used to punish teachers for locally school board approved curriculum and pedagogy.

ELECTION LAW

CACR 19, relating to redistricting. Providing that an independent redistricting commission shall be established to draw boundaries for state and federal offices. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: This CACR would establish a decennial, bipartisan districting commission composed of three Democrats, three Republicans, and three Independents, all appointed by a panel of retired New Hampshire Superior Court justices. The commission would be charged with creating the redistricting plans for the U.S. House of Representatives, Executive Council, State Senate, and State House of Representatives. The commission is required to submit redistricting plans to be certified

by the Secretary of State by December 15 of the odd year following the decennial census. Any recommendation would require a majority of at least seven members of the commission, which means that any recommended plan would need support from at least one of each representative party. Strictly speaking, any recommended plan would not be “independent,” so much as it would be bipartisan – the idea being that any plan that Republicans, Democrats, and Independents support will be considered fair by a broad, cross-section of the state. Only political elites like partisan gerrymandering: according to an April 2021 AP-NORC poll, 74% of Democrats, 60% of Republicans and 63% of Independents view partisan gerrymandering as a “major problem.” A separate poll reported in 2021 that 88% of Trump voters and 92% of Biden voters oppose partisan gerrymandering. Partisan gerrymandering was invented by political elites to cement themselves in power. A vote for CACR 19 would give New Hampshire citizens the chance to establish a process of drawing district boundaries that everyone can support.

Rep. Connie Lane

Statement in support of Inexpedient to Legislate: This CACR would create an unworkable solution to the redistricting process. It creates more than eight additional criteria that would inevitably be unattainable and invite even further legal challenges to the redistricting process. In the 1,500+ words that this would add to our State Constitution, it creates unattainable deadlines. Had this been in place after the 2020 Census, the committee would have had to produce a map in an extraordinarily tight window with little public input due to the late Census data release. While there are many on the committee who have concerns about our redistricting process, further complicating the process will not make it better. In this proposal, judges, selected by the Secretary of State, select a pool of applicants who then select more members. The question must then be asked, who selects the Secretary of State (politicians) and who appoints the judges (again, politicians)? While attempts to remove politics from this process are noble, they are misguided and further shift the decision making away from people who are responsive to voters to those who are accountable to no one. This process has been left in the hands of the legislature for over 200 years and has delivered peaceful transitions of power in New Hampshire and members of the committee did not see reason to change that.

Rep. Ross Berry

HB 1146, relative to the removal of a voter from the checklist. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: There is currently no mechanism for a voter to remove themselves from the voter checklist. While rare, there are times when a voter would like to unenroll such as being frustrated with the system or having moved to another state. Qualified voters have a right to vote and not to vote. The beauty of our system is it provides choice and currently New Hampshire law prohibits the choice to no longer participate. Allowing voters to remove themselves eliminates First Amendment concerns and will provide for a clearer and more precise checklist.

Rep. Ross Berry

Statement in support of Inexpedient to Legislate: Those opposing this bill find that it is unnecessary for several reasons and will create additional work for supervisors of the checklist and the Secretary of State. It is very rare for voters to request removal from the checklist and removal is already done periodically in the case of a voter dying or moving out of district. This bill would allow voters to remove themselves from the checklist on the day after an election, which would cause a loss of voting history and make it impossible to track and verify voters, if needed. In addition, the bill requires a photo ID that contains domicile address and date of birth, which not all photo IDs contain.

Rep. Hal Rafter

HB 1310-FN, relative to meetings of supervisors of the checklist. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill proposes changing the RSA 654:27-a to have the supervisors of the checklist meet at least every 90 days for the purpose of periodic voter checklist maintenance. It is well known from the recent 2021 voter roll verification – where almost a quarter-million voters were removed from the checklists – that the checklists were not being well-maintained on a regular basis. This requirement for regular quarterly meetings provides a consistent opportunity for towns and city wards to properly maintain the voter checklists.

Rep. Robert Wherry

Statement in support of Inexpedient to Legislate: This bill is prescriptive and without apparent gains. Supervisors of checklists already meet at a cadence that works very well for their respective cities or towns. Meeting every 90 days is much more often than needed for most municipalities, especially small towns. Some Supervisors of the Checklist are opposed to this bill.

Rep. Luz Bay

HB 1348, relative to polling places at which total ballot counts exceed the total number of registered voters. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: As amended under 2024-0894h, this bill adds a provision for a candidate to apply for a recount in a circumstance where the total count of cast bal-

lots exceeds the number of registered voters on the day of the election. This provision would be available to any candidate on the ballot where such an election anomaly might occur. While such a circumstance has not been directly reported in New Hampshire, this situation has occurred elsewhere, and occurred without any legislative remedy. In such a circumstance, should the candidate wish to pursue a remedy, this bill provides a pathway for a recount.

Rep. Robert Wherry

Statement in support of Inexpedient to Legislate: This unnecessary bill mandates a response to a literally impossible circumstance concerning a state election. As amended, the bill adds a gratuitous provision requiring a recount when “the total count of cast ballots exceeds the number of registered voters on the day of the election for any race, regardless of whether the candidate’s race was affected.” Our entire system of election administration, reporting, and accountability ensures that the hypothetical occasion that this bill is meant to address—when a polling place has more than a 100 percent turnout, including same-day registrants—will never, and can never, occur. No valid testimony was offered indicating that this situation has ever arisen, or is likely to present itself in New Hampshire. The work of our Secretary of State, moderators, clerks, and other election officials simply precludes such an imaginary result.

Rep. Gerald Ward

HB 1364, relative to intimidation of election officers, improper influence over the electoral process, and tampering with electronic ballot counting devices. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: This bill would make threatening or harming election workers a felony; it would make publicizing an election worker’s personal information a class A misdemeanor; and it would make tampering with electronic voting systems a class B misdemeanor. Threats against election workers across the country spiked after the 2020 election. Election administration depends on citizen volunteers and public-spirited officials in every town and city in the state. Yet finding volunteers and paid moderators is increasingly difficult. According to Amanda Gokee’s reporting in the Boston Globe, 17 cities and towns in the state – including Concord, Manchester, and Nashua – were scrambling to find enough election workers with less than 2 weeks to go before the January 2024 presidential primary. Free and fair elections require polling places that are free of harassment, intimidation, and abuse. This bill gives law enforcement the tools it needs to protect election workers and the sanctity of polling places on Election Day.

Rep. Russell Muirhead

Statement in support of Inexpedient to Legislate: Those supporting the ITL motion are sensitive to the service of our poll workers and recognize that there is heightened anxiety with some voters as they participate in the democratic process. There are already protections for poll workers and prohibitions against the tampering of election systems. While we could likely agree on some of the provisions of this bill, certain parts go too far, such as the prohibition on the publication of public information of election officials. The author of this dissent has had his house threatened to be protested and understands and is sympathetic to the situation. However, the First Amendment protects political speech and the right to protest to a nearly absolute standard and, while it may be uncomfortable and distressful, chilling the First Amendment is not the solution. To be clear, no one on the committee holds the position that election officials should be threatened or intimidated, but this bill is not the remedy to this problem.

Rep. Ross Berry

HB 1369, relative to the verification of voter rolls every 4 years. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill proposes changing the interval for the verification of voter rolls from every ten (10) years to every four (4) years. The ten-year interval had proven to be inadequate as indicated by almost a quarter-million voters being removed during the verification performed in 2021. The four-year interval is optimally timed so that the greatest number of voters are accounted for, such that a four-year “look back” will minimize the inadvertent removal of voters who did not participate in local, state, or federal elections since the previous Presidential race. The bill proposes a starting year of implementation of 2027, and this year will begin a four-year cycle which will ensure that voter rolls have been properly verified in the years just prior to a Presidential election. This bill is supported by both the Secretary of State’s office and the New Hampshire City and Town Clerks’ Association.

Rep. Robert Wherry

Statement in support of Inexpedient to Legislate: Those opposed to this bill believe that removing voters from the voter rolls every four years is not a long enough time window, as suggested by the Secretary of State. This can disenfranchise voters by eliminating those who are eligible which can create several additional barriers that they were not expecting. Voters understand currently that the checklist is purged, along with the census, just like redistricting.

Rep. Heath Howard

HB 1370-FN, relative to durable and tamper-proof containers for preserving ballots. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for the **Majority** of Election Law. This bill proposes replacing the cardboard boxes that are currently used to hold ballots with dedicated, durable plastic containers that can be readily secured and easily transported. The secure handling and storage of the ballots post-election day is essential for providing assurance that ballots have been properly retained until: (a) the completion of any necessary or requested recounts; (b) the completion of any necessary audits or investigations; and (c) the completion of any state and/or federal requirements for the retention of ballots and related election records. The cardboard boxes currently used for storage are not ergonomically friendly for handling by town and city clerks, and recycled and reused cardboard boxes are not sufficiently durable and stackable as indicated by the collapse of stacked, stored boxes as observed during routine storage, recounts, and audits. Plastic containers will provide ruggedness, better uniformity, and a longer lifespan than the current cardboard boxes. **Vote 15-4.** Rep. Heidi Hamer for the **Minority** of Election Law. This bill would mandate the use of plastic bins to store all ballots for all elections. This bill is a solution in search of a problem. The Secretary of State's office currently supplies custom-sized recyclable cardboard boxes, red security tape, and state seals, which indicate which ballots are in the cardboard boxes. Election officials are required to sign these seals. After a few cycles of placing these sticky seals on plastic bins, they would become an unsightly mess. The Secretary of State told us approximately four thousand of these plastic bins would be required for an election. The use of plastic bins makes this an environmentally unsound bill. The cost for the new plastic containers, locks, and seals cannot be determined at this time. This unfunded mandate would increase the State's general funds starting FY 2025. A locked plastic box does not improve the current cardboard box security, it just makes it look prettier. A simpler way to have "pretty" recyclable cardboard boxes secured correctly with red tape and state seals, would be to have focused State trainings on sealing a box.

HB 1557-FN, requiring the secretary of state to enter into a membership agreement with the Electronic Registration Information Center. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill requires the Secretary of State (SOS) to enter into a membership agreement with the only secure, bipartisan, long established, reliable, fiscally-responsible, nonprofit association of states working together to improve the accuracy of voter checklists. This association detects duplicative voter registrations to prevent illegal fraudulent voting, strengthen election integrity and build voter confidence. If passed the SOS would join the rest of New England states and enter New Hampshire into the Electronic Registration Information Center (ERIC). Committee members in favor of this bill understand that basic data submitted from New Hampshire to the technologically advanced data center is transmitted using one-way cryptographic software to ensure sensitive data is not readable by humans, other states, or hackers, but can only be analyzed through multilayer encryption data matching software to compare records in order to produce reports that flag registrations in need of follow up by our own New Hampshire election officials. The committee heard testimony that ERIC is the best tool available to assist election workers in managing voter rolls and conducting safe, secure, efficient elections, while reducing same-day voter registration, and building voter confidence. Testimony in person and online was overwhelmingly in favor of passing this bill and was consistent with New Hampshire-specific polling conducted in November 2023 that showed strong bipartisan support for joining ERIC. Those in favor of Ought to Pass appreciate the membership requirement that would have the SOS's office conduct outreach to likely eligible but unregistered voters, in a way the SOS office sought fit, to inform them how to register to vote. In a state that so strongly values civic engagement and voter participation, those in favor of HB1557 believe this outreach at least once every two years would be beneficial to Granite State voters and election officials.

Rep. Angela Brennan

Statement in support of Inexpedient to Legislate: This bill would require the Secretary of State to enter into a membership agreement with the Electronic Registration Information Center (ERIC). The dissenting members of the committee have serious concerns about sharing private voter information including last four digits of the social security number, date of birth, driver's license number, and other sensitive information with an outside organization which would violate Part 1 Art. 2-b of the State Constitution, an individual's right to privacy. If this information was being managed by a third party on a Federal contract, then employees of the company would be required to have federal security clearances and such information would be classified as "Personal Identifiable Information." ERIC has a history of distributing this information to other parties, and releases the information three years after a voter has been deceased. Furthermore, six states including Florida, Missouri, and West Virginia recently revoked their membership citing privacy concerns. The Commonwealth of Kentucky, after signing a letter encouraging New Hampshire to join ERIC, is now leaving as well, showing just how much "support" there is for this system.

Rep. Katelyn Kuttub

HB 1569-FN, relative to eliminating voter identification exceptions. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: Most New Hampshire voters would be stunned to know that we do not require an ID to vote in a New Hampshire election. Despite the overwhelming popularity of the requirement to show an ID when voting, New Hampshire has left its laws wide open, presenting a system

that allows for a free-for-all on election day. While we have made strides in returning to a system that balances access to the ballot with ensuring we have a process voters can believe in, one glaring absence has remained: not requiring an ID when voting and registering to vote. In recent polling, even 50% of registered Democrats support showing an ID when registering to vote and casting a ballot. An affidavit system is ridiculous on face value. It is little more than a signature on a piece of paper where someone pinky-promises they are telling the truth. This “system” has been abused, such as when an appointed Ballot Inspector in West Lebanon voted, then went to their car, put on a blonde wig, and came in a registered to vote and cast a ballot as a fictitious woman. Did New Hampshire’s “gold standard” of elections stop this? No. We only caught them because they attempted to, weeks later, get a drivers license. The vast majority of states require an ID when voting and registering to vote and it is past time that New Hampshire accept that if you need an ID to board a plane, buy cold medicine, drive a car, purchase a firearm, drink a beer at a bar, open a bank account, rent a hotel room, pick up packages from the USPS, and enter certain government buildings, then you should need an ID to vote.

Rep. Ross Berry

Statement in support of Inexpedient to Legislate: This bill fundamentally changes the voter registration process in New Hampshire at the cost of preventing thousands of people from voting by eliminating the opportunity to execute an affidavit in lieu of photo identification. Under this bill, everybody who registers to vote will need to present a birth certificate, passport (which costs over a hundred dollars and takes 10-12 weeks to get), or naturalization papers. Based on data provided to the committee, if this law had been in effect in 2022, up to 3,000 New Hampshire voters may not have been able to register and vote. Now in 2024, that number will be much higher because of the Presidential election, meaning even more people could be disenfranchised. As of April 2022, the Attorney General’s office has not brought a single enforcement action for wrongful voting in the 2020 September and November Elections where more than one million votes were cast. This bill also expands the ability for voter challenges to disqualify people from voting without adequate safeguards or adequate due process. Any registered voter can challenge the eligibility of someone who is attempting to register on election day. The challenge is decided under the lowest burden of proof in the law—preponderance of the evidence—virtually guaranteeing that there will be people prevented from voting who are in fact eligible. Opponents of the bill feel that the legislation will encourage challenges and the remedy is inadequate in light of the denial of the right to vote by the person challenged. A similar Kansas law that required registrants to provide this proof of citizenship was struck down by the Tenth Circuit Court of Appeals in 2020, and we can expect this law will meet the same fate. Opponents of the bill do not want to encourage more litigation - the last time a law was passed like this—SB 3—the State ended up paying over \$4,000,000 in legal fees.

Rep. Heath Howard

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1252, relative to establishing a committee to study the needs of Native Americans in New Hampshire. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill establishes a study committee to investigate state recognition of Native Americans. Testimony from indigenous peoples, the Mt Kearsarge Indian Museum and the commissioner of the Commission on Native American Affairs were in support of the bill. **Vote 14-2.**

FINANCE

SB 395, relative to establishing the position of assistant commissioner of the department of agriculture, markets, and food. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Leishman for the **Majority** of Finance. The majority of the Finance Committee supports the passage of SB 395. This bill simply corrects an oversight in the FY24-FY25 budget that did not include language for a new assistant commissioner at the Department of Agriculture, Markets and Food. Since the funds for this new position were included in the budget, there will be no financial impact to the FY24-FY25 budget with the passage of SB 395. **Vote 20-2.** Rep. J.R. Hoell for the **Minority** of Finance. This bill adds a new commissioner level position with a salary range of GG: \$87,373 - \$121,751 and this does not include the additional overhead costs. The Commissioner of the Department of Agriculture, Markets and Food stated during his testimony that he has filled the six open positions over the last few years and the department is either at full employment of missing just one person. When other departments are having trouble hiring staff, it is unusual that this department is almost fully staffed. The minority felt that adding a third commissioner level position in a department of about 45 people was excessive and we could better spend our limited state resources in other places. If the department needs additional field staff, the department should put this in the budget request for next year.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1231, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Joe Schapiro for the **Majority** of Health, Human Services and Elderly Affairs. This bill as amended will permit qualifying patients and/or designated caregivers, aged 21 and older with no previous felony convictions, to cultivate cannabis for therapeutic use under the Therapeutic Cannabis Program. Each patient will be permitted to possess eight ounces of usable cannabis, three mature plants, three immature plants, and twelve seedlings. The bill outlines safety and security requirements for home-grow sites including reporting of sites to the Therapeutic Cannabis Program, and allows the Alternative Treatment Centers to sell a limited number of seedlings to program participants. Caregivers will be allowed to cultivate plants for one patient only. The amendment as adopted fixes the date for reporting cultivation locations and removes a section giving those who are in the process of applying, but who have yet to receive their final registry ID card, an affirmative defense related to potential criminal charges. **Vote 15-4.** Rep. David Nagel for the **Minority** of Health, Human Services and Elderly Affairs. The minority recommends this bill be found Inexpedient to Legislate. We recognize that the State of New Hampshire has recognized the value of medical cannabis to treat a variety of medical illnesses. Unfortunately, the system, as created, provides limited access due to cost of product and limited access to distribution centers. As a result, too many patients either obtain their drugs illegally, which creates a potential public health hazard, or they go across state lines to obtain cannabis at a substantially lower price. Either practice threatens the viability of the therapeutic cannabis program in New Hampshire and the viability of the Alternative Treatment Centers (ATCs). This bill is an attempt to address both cost and access. While the minority recognizes the need to address these concerns, we do not believe homegrown product is the right approach. The purpose of a pharmaceutical product is that it provides a reliable dosage of the active ingredient while minimizing the presence of harmful contaminants to maximize efficacy and minimize harm. Having toured cultivation centers and met with the horticulturalists on-site, one comes to understand the innumerable factors involved in creating a medically reliable product, including light, moisture, time of harvest, technique of harvest, technique of ingestion, etc. In coming to understand the challenges PhD level horticulturalists have in creating a reliable product, it is unlikely that an amateur could succeed. It is our belief that one of the roles of government in regulating the pharmaceutical industry is to ensure public safety, and it is unlikely this could occur in this setting. We also believe that by working with current system of ATCs, we can improve the cost/access balance without relying on homegrown product.

LEGISLATIVE ADMINISTRATION

HR 25, resolving to return to the historical intent of the express trust indenture, the New Hampshire Constitution, specifically Part 1, Article 11 and Part 2, Article 32. **REFER FOR INTERIM STUDY.** Rep. Gregory Hill for Legislative Administration. The committee heard extensive testimony of the goals of the sponsor(s). Unfortunately, the goals did not match the form of the presentation. The sponsors clearly intended to file a House and Senate Concurrent Resolution rather than just a House Resolution. It was clear from the language of the resolution this was their aim. Regardless, the testimony mirrored the complaints of the plaintiff in a current NH Supreme Court appeal. At issue is the belief that absentee ballot counting machines were inappropriately allowed to be used by cities and towns in NH and are therefore unconstitutional. In addition, the sponsors also take issue with the manner by which absentee ballot qualifications were liberalized and suggest that, too, was unconstitutional. The Rockingham County Superior Court judge in *Richard v. Goonan* was crystal clear in his decision that the legislature acted appropriately and ruled for the defendants. It is the belief of the majority of this committee the NH Supreme Court will uphold the lower court ruling. The unanimous recommendation of Interim Study will provide the committee ample time to allow the court to reach their decision and at that time perhaps additional legislation will be recommended. **Vote 15-0.**

RESOURCES, RECREATION AND DEVELOPMENT

HB 1326-FN, relative to notification processes for large groundwater withdrawal applications. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Will Darby for the **Majority** of Resources, Recreation and Development. This bill would require written notification of hearings for large groundwater withdrawal applications to property owners within a larger than twelve square mile area. It would further require the New Hampshire Department of Environmental Services (NHDES) to conduct and pay for well testing and monitoring on these properties. The bill's fiscal note reported costs associated with testing and monitoring could exceed \$10 million per year. But other serious concerns were raised during testimony regarding additional costs and delays to the permitting process resulting from the notifications. This would increase the expense of the large groundwater withdrawal permitting process, which currently is often \$200,000 to \$300,000 to municipalities, however, municipalities make the majority of these requests. The rationale for the area of notification, a 10,500 foot radius, is also unclear because it has

no statistical or hydrographical basis. In addition, notifications are currently required in two newspapers and two locations in the municipality. While physical newspaper distribution is dwindling, their online presence and reach continues to inform communities with the added benefit of individuals linking to these notices on social media to increase awareness. This notification approach continues to work as demonstrated by a recent public hearing on this matter with over 100 attendees. **Vote 17-3.** Rep. Andrew Renzullo for the **Minority** of Resources, Recreation and Development. This bill requires notice of a public meeting requested during the consideration of an application for large ground water withdrawal. The bill, as submitted, required notification of all owners or residents within a 10,500 sq ft radius of the project and well testing for those notified. Prior to the executive session, the sponsors of the bill submitted two amendments which changed the radius to 5000 sq ft, deleted the well testing requirement, and made the mailed notification be by post card to save money. Unfortunately, the ITL passed before the amendments could be brought forward. The minority of the committee feels the amendments transformed the bill into solely a notification bill which is needed.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1156, relative to public health, safety, and state sovereignty. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: Committee members supporting this measure believe the bill provides critical preemptive protection against extra-national organizations attempting to impose binding health policies onto Granite Staters via overreaching international protocols. The bill, as amended, restricts state and local entities from justifying health measures by solely citing the World Health Organization as a reference. We believe testimony raised concerns about potential Chinese Communist Party influence over, or even complete capture of, the World Health Organization (WHO). Examples were provided of dubious COVID-19 recommendations that created lasting damage— everything from delayed preventative health care to massive setbacks in education for our children.

Rep. Tom Mannion

Statement in support of Inexpedient to Legislate: Although the amendment to this bill, which eliminated mention of the CDC (Center for Disease Control) from the original bill, was an improvement, this measure still seeks to discourage New Hampshire entities from citing WHO (World Health Organization) guidance, recommendations or requirements in dealing with future health issues. Information currently indicates that while the WHO might urge members to take certain actions, it has no authority over a sovereign nation's healthcare policies or programs. Therefore, this bill is unnecessary.

Rep. Linda Massimilla

HR 23, calling upon the New Hampshire congressional delegation to support a national, universal health insurance program. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This resolution calls on our federal delegation to support a universal, national health insurance program. The status of health insurance in our country puts all the burden of the high-risk population (everyone with a disability, the indigent, and the elderly) on public insurance, while granting the low-risk pool (the healthy working adult and their children) a lucrative arrangement in the private sector that is not sustainable. If we combined risk pools, like every other country in the world, we would have enough money to guarantee more comprehensive care for our seniors that includes long-term care. Currently, millions of people still lack insurance coverage, particularly gig workers and those who earn too much for Medicaid, and not enough to reasonably afford premiums. Private insurance also “manages care” to maximize profits, not to achieve the best outcomes. We heard testimony from medical doctors and patients who, even with health insurance, face barriers to treatment and financial hardship. Our current system with high deductibles and insurance networks has created a primary care crisis: a lack of primary care doctors and too many people going to emergency rooms as a last resort. With a universal system, it is the doctor and patient who determine care. It is not socialized medicine, merely insurance. It was pointed out that the current system does not represent a free market. If you have employer-provided insurance, it's your company who picks the plan, not you. The government-administered “marketplace” has limited options for NH residents. A universal system would eliminate the need for poverty-only government health insurance, which is expensive to administer. We heard no testimony in opposition to the resolution, and online support was 84 to 4 in support. We cannot fix this problem in NH alone, and we need a national solution.

Rep. Christine Seibert

Statement in support of Inexpedient to Legislate: A fair distinction was made during testimony regarding the difference between socialized medicine and a national health insurance program. While the many shortcomings in our current systems were noted, serious concerns also exist with regard to going to a national insurance “single payer” mode. Other countries which have instituted such policies have experienced numerous problems and unintended consequences regarding the delivery of health care services, so much so that many foreigners come to America from such countries in search of care that is easier to access under our current system than it is under their single-payer or nationalized health programs. A doctor, who is also a committee

member, described first-hand the problems he saw with this resolution. Fair questions were also raised as to the eligibility of non-citizens or those here illegally under the proposed national health plan. Also, many citizens are very happy with their current arrangements. The shortcomings in our present system certainly need attention but there are ways to improve things short of a dramatic conversion to a national, universal health care system.

Rep. Michael Moffett

HR 26, urging Congress to adopt a constitutional amendment to distinguish between corporate and individual rights. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This resolution does not seek an Article V Convention to address the distinction between corporate and individual rights. It simply instructs our federal representatives to propose a constitutional amendment confirming that human beings, not corporations, are endowed with constitutional rights. It also states that regulating political contributions and spending does not constitute limiting political speech, since money is not speech.

Rep. Linda Massimilla

Statement in support of Inexpedient to Legislate: Committee members supporting this resolution incorrectly state in Section II that “money is not speech.” This is contrary to the Supreme Court ruling in *Citizens United v. FEC*. In the marketplace of ideas, messaging attempts should not be restricted by government. Citizens should not be prohibited from spending money or resources to advance any perspective. Any such infringement would have a chilling effect, in essence introducing federal censorship controls into political discourse. With recent mass censorship campaigns occurring nationwide in recent years, we’ve already seen the dangers of government speech interference. Thus, half of the committee opposes this resolution which would be contrary to the letter and spirit of our 1st Amendment.

Rep. Tom Mannion

HR 27, calling for policymakers locally and nationally to fully consider all relevant information and factors pertaining to climate change before pursuing courses of action that could adversely affect any economy or environment. **OUGHT TO PASS.**

Rep. Michael Moffett for State-Federal Relations and Veterans Affairs. Supporters of this measure testified as to their concerns that climate policies are being overly influenced by extremist activists. Numerous examples were given of doomsday predictions that proved to be utterly false and were thus poor rationales for subsequent laws or regulations. Currently, for example, numerous proposals have been made nationally to mandate electric buses, outlaw gas stoves or automobiles, impose carbon taxes, or require our military to use extremely expensive organic fuel. Two terms ago, a measure came to the floor of this House calling for wood stoves to be banned in New Hampshire. Scientists and academics describe being pressured and coerced into supporting extreme climate policies at odds with their science. Extreme activism can have a corrupting influence on academic processes. Dr. Frederick Sietz, former head of the United States National Academy of Sciences, wrote: “In more than 60 years as a member of the scientific community, I have never witnessed a more disturbing corruption of the peer review process than the events that now shape climate change reports.” Sponsors of this measure believe that reasoned discourse is essential to developing effective bipartisan approaches to address environmental issues. This resolution simply supports the notion that relevant voices and perspectives should not be suppressed in developing so-called “climate policy.” **Vote 10-8.**

HCR 9, rescinding the application to the Congress of the United States of America to call a convention pursuant to the terms of Article V of the United States Constitution. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tom Mannion for the **Majority** of State-Federal Relations and Veterans Affairs. The majority voted ITL on HCR9, which would have rescinded 2012’s HCR40, an application to a Convention of States for the exclusive purpose of drafting a balanced budget amendment. Of all the Article V applications, this application to draft an amendment has never been more important. The United States has reached \$34 trillion in debt, and each passing year sees budgets requiring more and more borrowing. Interest on the debt is the fastest growing portion of federal spending and will soon reach a tipping point where repayment on debts will be impossible without crippling tax hikes and massive spending cuts. As such, the majority supported ITL on HCR 9, to maintain our application for a balanced budget amendment. **Vote 14-6.** Rep. Christine Seibert for the **Minority** of State-Federal Relations and Veterans Affairs. This resolution proposes the rescission of HCR 40, adopted in 2012, requesting that Congress call an Article V Constitutional Convention for the specific and exclusive purpose of proposing an amendment to the US Constitution requiring, with certain exceptions, that for each fiscal year, the President submit, and Congress adopt, a balanced federal budget. The minority disagrees with the premise in the original 2012 HCR for the convention, and also has grave concerns about the procedures governing an Article V convention. First, the minority disagrees that a convention should be held to adopt an amendment to the US Constitution requiring a balanced amendment. The minority believes that such an amendment will hurt the economy, undercut Social Security, Medicare, and other programs with

reserves, and raise profound enforcement questions. Next, the minority does not favor utilizing an Article V Constitutional Convention until there is clarity on how a convention's rules and procedures are to be set. The minority prefers that Congress first establish procedures for amending the Constitution by the national constitutional convention method. Failing to deal with the uncertainties of the convention method is courting a constitutional crisis. Other critical issues to be resolved before we adopt any resolution calling for an Article V convention are: Must Congress call an Article V convention if 34 states properly ask for one? If called, are the limitations on scope binding on the convention? What constitutes a valid application to Congress and who is the judge of that? How long are applications valid? Can they be rescinded? What powers does Congress have relative to the scope of the convention, procedures for selection of delegates, and must it submit the amendments to the states for ratification? What are the roles of the President and the governors, if any? Are issues arising at the convention justiciable? Does each state have one vote, the number of its electoral votes, or another number based on population? For these reasons, the minority opposes the Inexpedient to Legislate motion.

TRANSPORTATION

HB 1244, prohibiting smoking and e-cigarettes in motor vehicles when a passenger is under 16 years of age. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ted Gorski for the **Majority** of Transportation. This bill would prohibit smoking and e-cigarettes in motor vehicles when a passenger under the age of 16 is in the car. The majority felt that this bill infringes on a person's civil liberties. To have the state tell you what you can or cannot do in your own vehicle is a slippery slope. In addition, the fine for this offense is a secondary offense. The driver would not be fined unless they are stopped by law enforcement by another offense. Therefore, a driver can smoke or use e-cigarettes with someone under the age of 16 as long as they are not pulled over. Thus, this bill still allows smoking and does not protect children. It does the opposite of what the prime sponsor intended. **Vote 11-8.** Rep. Daniel Veilleux for the **Minority** of Transportation. This bill prohibits smoking and e-cigarettes in motor vehicles when a passenger under the age of 16 is in the vehicle. This bill is consistent with laws that require passengers under the age of 18 to wear seatbelts and children to use safety restraints consistent with their size and age. It is well established that secondhand smoke, either from tobacco or e-cigarettes, is dangerous for anyone who is exposed to it, but children are especially vulnerable. Children are helpless in a vehicle with an adult smoker and cannot necessarily advocate for themselves. This bill does not necessarily pertain only to the smoker's child. Most people would not want anyone to smoke in a vehicle with their children.

HB 1329-FN, relative to creating special number plates for fire departments. **OUGHT TO PASS.**

Rep. Daniel Veilleux for Transportation. This bill creates special license plates for fire departments. This bill would allow municipal fire departments to issue special plates to municipal fire vehicles, similar to those issued to municipal police vehicles. This law change would offer municipal fire departments an alternative to the standard municipal plate. This change would be most relevant for fire vehicles that are otherwise unmarked, such as vehicles used by fire chiefs and other fire officials who use unmarked municipal vehicles. **Vote 11-8.**

HB 1332-FN, relative to prohibiting electric vehicles from parking in parking garages. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for the **Majority** of Transportation. The bill prohibits electric vehicles (EVs) from parking in parking garages. This is not a new concept. We are learning more about EVs as their numbers increase and some states have already started to take action. Pennsylvania and Georgia, for example, allow this practice for two reasons. One is the weight. The battery packs make EVs considerably heavier than their internal combustion counterparts while newer garages were designed to carry less weight per foot. More importantly are EV fires. When the battery packs go into what's called thermal runaway, the fire can burn for hours at temperatures reaching 3000 degrees fahrenheit. It is not uncommon for tens of thousands of gallons of water to be needed to put these fires out. In a parking garage, there are a few places for the toxic gases and water to go. Structural damage by the heat is another concern. It has been reported that a parking garage in New York City collapsed due to an EV fire. The majority of the committee believes we should act before it happens here. **Vote 10-9.**

Rep. Catherine Rombeau for the **Minority** of Transportation. This bill would prohibit parking electric vehicles (EVs) in any parking garage in the state. While the majority cited to fears regarding EV batteries and weights contributing to fires, there was no evidence to dispute the Department of Environmental Services testimony that out of approximately 12,000 EVs currently in New Hampshire, there have been two car fires; all vehicles are heavier now than they were in years past, not just EVs; thus, banning EVs from parking garages will not significantly impact increased vehicle loads on garages. To the extent there are concerns about vehicle fires in garages, they relate to vehicle weights, flammability of tires, garage access for firefighters and open-air and sprinkler systems in garages. This bill singles out EVs without any data to support prohibition.

HB 1403, relative to temporary vehicle emission control equipment. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Sellers for the **Majority** of Transportation. This bill as amended will allow 120 days to corrected OBD II check engine light instead of the current 60 days. When a vehicle is fixed and before it can get re-inspected, it usually needs to be driven 50 or 100 miles to reset the OBD II check engine light and then the vehicle owner must schedule another visit with the repair shop to finalize the inspection which all takes time. This waiver is only for those who can show an economic hardship which the department will define in the rule-making process. **Vote 12-7.**

Rep. Daniel Veilleux for the **Minority** of Transportation. This bill extends the repair period for vehicles that fail the OBD II to 120 days. The Department of Environmental Services testified that this change would require at least 16 months to gain approval from the Department of Environmental Protection to change the rules. Applying to the DEP for a permit change may also trigger enforcement of new federal regulations, which New Hampshire has been grandfathered from, that require roadside testing or laser testing. Owners may already apply for an exemption from compliance for up to one year while repairs are made to the OBD system.

WAYS AND MEANS

CACR 15, relating to taxation. Providing that a 2/3 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principle of all state bonds. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: The proponents are in favor of achieving a consensus amongst the stakeholders regarding the need for and imposition of taxes and fees upon our constituents. As was pointed out in a recent unanimous consent speech, it is the duty of residents to pay taxes, but that same constitutional article contains the provision that the taxes must be acceptable and beneficial to all. Complying with that mandate is the purpose of this bill. Demanding that our tax and fee schedule is agreed to by a super-majority, rather than a bare majority of one or five, is the best practice to protect our neighbors who pay the taxes and fees.

Rep. Jordan Ulery

Statement in support of Inexpedient to Legislate: This CACR would take only a third of the legislature to kill any new taxes, increased taxes, and new or increased professional fees, and any new bonding. This is likely to require that the entire budget pass by a two-thirds majority. A one-third minority could stop new bonding for the reauthorizations of transportation and other capital items already approved. The treasurer's reissue of bonds to achieve lower costs would be severely impeded, and her department actions slowed by the need to submit all bond payments to a simple 51% majority vote. The bill allows a small minority to stop the issuance of funds for any new profession's license fees, and for the increase due to inflation needed for existing license fees. While no more federal stimulus money is coming in, inflation still simmering, and revenues beginning to decline, it stops any future revenue adjustments that may be required to maintain existing services. The minority could deny payment for lawsuits against the state, both already won and pending, possibly triggering a constitutional crisis.

Rep. Susan Almy

HB 1054-A, relative to the Northern Border Alliance Program fund. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This program was established last year in HB 2 with an appropriation of \$1.4 million funded from the biennial budget that ended June 30, 2023. Since it was set-up as non-lapsing, the appropriation immediately rolled into the current biennial budget. The committee heard that the program was intended to be a one-time project. As of February 1st, 98% of the communications equipment budget had been encumbered and 25% of the state police budget had been spent. All the local law enforcement grant applications were approved, obligating 54% of that budget. Assuming the state police will spend all their budget, this still leaves about \$350,000 that could go unspent. Since this is a one-time project, we recommend letting the June 30, 2025 balance lapse, so it can be used for other important needs.

Rep. Sallie Fellows

Statement in support of Inexpedient to Legislate: This bill would make a change to the Northern Border Alliance Program fund that was established as a result of last year's HB 2, changing it from a non-lapsing fund to a lapsing fund. The rules of the program were only established in November 2023 and the program only started its patrols in December 2023. It is within the purview of the Ways and Means Committee to examine lapsing versus non-lapsing funds, but at this point, it's premature to make these types of changes. A change such as this would be more appropriate after a full year of implementation.

Rep. David Rochefort

HB 1254-LOCAL, relative to an optional local public safety assessment on certain room occupancies. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: Most of the committee understands the dilemma of municipalities that attract more visitors than they have permanent residents, at certain times of

year or during the day all year round. Whether it be tourism, a job center, or major shopping and services, these towns and cities spend much more per capita on public safety, especially police, fire, and emergency medical services, than the surrounding towns. This translates into higher property taxes for their residents. This bill, as amended, provides partial relief for those magnet towns that opt to use it, allowing them to levy and collect a fee, up to \$2 per room per night, on hotels and other transient lodgings, specified as to what public safety items will be funded by the fee. It is not a final solution to the problem, but provides substantial help to the magnet towns with some form of transient housing.

Rep. Susan Almy

Statement in support of Inexpedient to Legislate: This bill proposes to allow, for the first time, a municipality to collect a “public safety assessment” on hotel occupancy but does not define that term or set a cap. The amendment clarifies that the fee could “be collected as a daily charge of up to \$2 per occupancy per 24-hour period” for visits of up to 30 days. The bill requires that collected revenues must be deposited in some sort of undefined non-lapsing fund, which “shall be used to augment funding for the cost of municipal services associated with the increase in tourism and transient traffic.” Municipal leaders representing Conway and Portsmouth provided a chorus of support for this mechanism. Conway spokesmen, indicating their community has about 3,000 hotel rooms available with approximately 50% occupancy rates, described a variety of ways in which tourist destinations are under pressure to bolster police, fire, and other emergency services to accommodate the surge of visitors. Portsmouth’s mayor testified that: “The City of Portsmouth derives benefits from being a destination location and invests considerable resources annually to welcome and support visitors.” But he added: “The city’s portion of the meals and rooms distribution does not fully support the costs related to the impact of tourism on our community.” The testimony received makes a credible case that in communities with significant hotel space a crush of visitors can add a further burden to local property tax rates, despite the property taxes assessed against the hotels themselves, and that the meals and rooms tax generates more revenue to the state than is returned via the 30% municipal revenue sharing. Despite a sympathetic case having been laid out, half of the Ways and Means Committee has concluded that the bill, even as amended, should not be advanced until further study has been done regarding similar burdens on other communities caused by visitor surges that do not derive from overnight stays and the ways in which these might be dealt with more comprehensively within the framework of our existing fabric of state taxes. Advocates failed to distinguish the manner in which overnight guests burden their communities relative to the various ways in which other communities may be impacted by a daily or seasonal surge derived from being diners’ destinations, or city centers, or employment centers, or retail hubs, or border towns, or beach towns, or lake towns, or second-home communities, or a nexus for skiing or hiking, or hosts of hospitals, universities, county seats, courthouses, and other public services. Though this “assessment” was represented as merely a “fee” and not a “tax,” it clearly represents a new form of local tax, regardless of how it is labeled, thus raising concern as to how it fits into New Hampshire’s existing taxation scheme. Fees like this, applied in isolation by community, would allow development of a quilt work pattern of lodging tax. A checkerboard of local taxation solutions applied to an assortment of activities, cuts against the grain in low-tax New Hampshire, and sets the stage for a growth in kind. Perhaps municipalities should be engaging in further reflection on their master plan and the building permits they grant. Perhaps a local surcharge on the meals and rooms tax might be workable, or perhaps revenue sharing might be allocated differently. In a state in which it might be said that no two communities are just alike, New Hampshire is comprised of more variety than just tourist destinations and sleepy bedroom communities, so a statewide policy that reflects this diversity of circumstances would be preferable. This issue deserves further work and a better solution.

Rep. Walter Spilsbury

HB 1391-FN, allowing new vehicles purchased in the model year or before to be inspected in the second year after purchase. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Walter Spilsbury for the **Majority** of Ways and Means. This bill was referred to the Ways and Means Committee on February 1st, after the House voted Ought to Pass 241-123, for consideration of any questions relating to the fee structure and revenue impact to the state. By exempting vehicles from inspection for two years after they are sold new by a licensed dealer, it is estimated that NH drivers may save approximately \$3.3 million per year. This common-sense bill rests on the logic that little is gained by requiring inspection of an automobile that has been sold new presumably without defects, that traditionally has been delivered with a warranty, that is subject to regular dealer contact, that typically returns to the dealer network for routine service during the warranty period, and that has not generally had a lot of opportunity for wear, tear, and abuse in its first two years. The Department of Safety registered its opposition to the bill, as they had before the Transportation Committee, indicating there is inevitably a chance that a vehicle safety problem could cause an accident even within that first two years. But vehicle inspection records for 2018-23 indicate that, in contrast to a general failure rate of about 16% for all vehicles inspected, only 477 of 778,962 first year inspections conducted in 2023 found a deficiency and a mere 271 failed for safety, or 0.34%. More than three-quarters of all deficiencies found were based primarily on “vehicle info” followed by glass or tires, with occasional wiper

or taillight issues. As noted in the fiscal note: "Inspection stickers cost \$3.25, with revenue split between three accounts: \$2.75 to the highway fund, \$0.25 to the general fund, and \$0.25 to the motor vehicle air pollution abatement fund." Using an assumed 83,000 fewer inspection stickers per calendar year, the total revenue decrease to the state is estimated at \$269,750 annually. As 12% of highway fund road toll and motor vehicle revenue is distributed to municipalities, local revenue would decrease by about \$27,390 per year from those state collections. The majority recognizes that inspecting fewer vehicles will necessarily result in decreased fee-based income going into the highway fund, which often struggles for revenue, but believes that the state is not in the practice of inspecting vehicles for the purpose of generating state revenue but rather to protect public safety. The benefits to this small class of owners of avoiding redundant and unnecessary inspection greatly outweighs the resulting decreased state revenues. A question arose whether the \$3.25 sticker charge should be increased, in part to reflect the reduced pool of funds to pay an outside contractor and in part to reflect inflationary factors since the last adjustment, but the majority believes that question should be addressed separately when the department is prepared to make a presentation as to why an adjustment is warranted and by how much, and that this is not the appropriate occasion to consider raising fees for all other vehicle inspections. **Vote 11-8.** Rep. Richard Ames for the **Minority** of Ways and Means. The effect of this bill is to eliminate mandatory vehicle inspection for periods of up to 30 months, depending on the purchaser's birth date, after the date of purchase of a new vehicle regardless of the distance traveled by, or the wear and tear experienced by, the vehicle during that pre-inspection time. Recorded testimony given to the Transportation Committee in the original public hearing on this bill reveals that many such uninspected vehicles may have been driven as much as 70,000 miles before the date of the first required inspection. Although tires, brakes, steering mechanisms, and exhaust control devices may all fail during this time, there is no mechanism or fee provided for by this bill that would ensure early detection of these safety issues nor that would allow placement on these vehicles of authorized stickers that would enable and indirectly pay for identification by public safety officials of the pre-inspection status and potential public safety issues presented by these vehicles. Data provided during the original public hearing of this bill revealed that vehicle inspections of vehicles in their first or second year of use often identify life safety or emission failures, but that many of these failures do not show on most data reports because these life safety problems have been immediately corrected during the inspection process. The minority believes this bill needs more work.

HB 1536-FN, relative to increasing the amount of the expense deduction allowed against the business profits tax. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Cyril Aures for the **Majority** of Ways and Means. This bill allows for assets put into service as of January 1, 2025 to be expensed up to \$1 million. Current law established a \$500,000 amount in 2015 and \$100,000 in 2010. The bipartisan majority of the committee agreed that \$1 million was more in line with current Internal Revenue Service (IRS) limits and therefore made sense. **Vote 16-4.**

Rep. Susan Almy for the **Minority** of Ways and Means. This state has never kept up with the ever-changing vicissitudes of the federal expense deduction. We raised it in 2018, only six years ago. Now we're raising it again a great deal more than the ensuing inflation. Forgoing more revenue that we will need to 2025 and beyond is unnecessary and harmful to our younger generations in need of greater educational, mental health, and job supports than we can afford.

NOTICE

Pursuant to House Rule 44 (b), executive session on bills may be taken up during the day in which they are heard.

COMMITTEE MEETINGS FRIDAY, MARCH 8

COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a),

2:00 p.m. Regular meeting.

Please register for the Commission on the Environmental and Public Health Impacts of Perfluorinated Chemicals meeting on March 8, 2024, 2:00 PM EST at:

<https://attendee.gotowebinar.com/register/8371896376306120540>

After registering, you will receive a confirmation email containing information about joining the webinar. You also may join the meeting by phone:

Call in Number: 1 (562) 247-8422 Access Code: 228-532-634 Webinar ID: 201-354-699

The following email address will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: Amy.E.Rousseau@des.nh.gov. You may also call Amy Rousseau at 603-271-8801.

COMMISSION TO STUDY THE DELIVERY OF PUBLIC HEALTH SERVICES THROUGH REGIONAL PUBLIC HEALTH NETWORKS (RSA 127:12), NH Fire Academy, 98 Smokey Bear Blvd., Concord

1:00 p.m. Regular meeting.

Join Zoom:

<https://us02web.zoom.us/j/82731252212?pwd=Q3pyYncvcW55Zkg0ZVVNQW5USGlsZz09>

Meeting ID: 827 3125 2212 Passcode: 392939

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306-308, LOB

10:00 a.m. Subcommittee work session on **HB 1352**, relative to firefighting personal protective equipment; **HB 1079**, relative to critical incident stress management team members; **HB 1385-FN**, relative to establishing the veteran licensing acceleration program.

1:00 p.m. Subcommittee work session on **HB 1131**, relative to mental health practice; **HB 1413**, relative to mental health supervision agreements.

SPECIAL COMMITTEE ON HOUSING, Room 302-304, LOB

9:00 a.m. **HB 1291**, relative to accessory dwelling unit uses allowed by right.

11:00 a.m. Full committee work session on **HB 1065**, relative to fire sprinkler requirements in residential buildings; **HB 1168**, establishing a committee to study the impact of the housing crisis on people with disabilities; **HB 1215**, relative to subdivision regulations on the completion of improvements and the regulation of building permits; **HB 1291**, relative to accessory dwelling unit uses allowed by right; **HB 1361**, relative to municipal land use regulation for manufactured housing and subdivisions; **HB 1399**, allowing municipalities to permit 2 residential units in certain single-family residential zones; **HB 1400**, relative to the required maximum number of residential parking spaces.

1:00 p.m. Executive session on **HB 1065**, relative to fire sprinkler requirements in residential buildings; **HB 1168**, establishing a committee to study the impact of the housing crisis on people with disabilities; **HB 1215**, relative to subdivision regulations on the completion of improvements and the regulation of building permits; **HB 1291**, relative to accessory dwelling unit uses allowed by right; **HB 1361**, relative to municipal land use regulation for manufactured housing and subdivisions; **HB 1399**, allowing municipalities to permit 2 residential units in certain single-family residential zones; **HB 1400**, relative to the required maximum number of residential parking spaces.

STATE HEALTH ASSESSMENT AND STATE HEALTH IMPROVEMENT PLAN ADVISORY COUNCIL (RSA 126-A:88), UNH Law, Room 103, 2 White Street Concord

11:30 a.m. Regular meeting.

<https://unh.zoom.us/j/98011299433?pwd=Q0pzeXJwREcxMXE5YWE2WkM0SFRBZz09>

MONDAY, MARCH 11

ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b), Room 101, LOB

9:00 a.m. Regular meeting.

COMMISSION ON BEHAVIORAL HEALTH CRISIS SERVICES (RSA 135-C:68), Room 103, SH

1:00 p.m. Organizational meeting.

COMMISSION TO STUDY COMMUNITY IMPACTS OF THE SECURED YOUTH DEVELOPMENT CENTER (RSA 169-B:48), Room 100, SH

1:00 p.m. Regular meeting.

EDUCATION, Room 205-207, LOB

9:00 a.m. Public hearing on proposed non-germane Amendment #2024-0856h to HB 1015-FN, relative to requirements for literacy skill development in elementary grades. This amendment would create a reading assessment program in the department of education, require assessments of kindergarten through 3rd grade students for reading deficiencies, and establish a reading improvement grant program. Copies of the amendment are available on the General Court website.

10:00 a.m. Full committee work session on **HB 1195**, relative to allowing school districts to approve different apportionment methods for school administrative unit costs; **HB 1383**, relative to cooperative school board district elections; **HB 1481**, relative to appointments to fill vacancies to at large cooperative school board seats; **HB 1493**, relative to the powers and duties of cooperative school district budget committees; **HB 1579-FN**, relative to the merging of school administrative units; **HB 1642**, relative to the role of cooperative school district board member representatives on school district budget committees.

- 1:00 pm Executive session on **HB 1015-FN**, relative to requirements for literacy skill development in elementary grades; **HB 1087**, establishing a commission to study information literacy and media literacy instruction in public schools; **HB 1287-FN**, relative to the definition of the term “evidence-based” within public education; **HB 1418**, relative to the use of education freedom account funds to purchase school uniforms; **HB 1450**, relative to establishing a commission on higher education consolidation; **HB 1453**, relative to degree granting authority of certain institutions of higher education; **HB 1458-FN**, relative to authorizing parents to remove children from the English Language Learner Program; **HB 1646**, relative to chartered public schools.

ELECTION LAW, Room 306-308, LOB

- 10:00 a.m. Executive session on **HB 1264-FN**, relative to the definition of accessible voting systems; **HB 1239**, relative to reporting by political committees; **HB 1596-FN**, requiring a disclosure of deceptive artificial intelligence usage in political advertising; **HB 1085**, relative to public inspection of absentee ballot lists; **HB 1523**, revising the moderator’s worksheet for counting votes in elections.
- 10:30 a.m. Full committee work session on **HB 1091**, relative to the financing of political campaigns.
- 1:00 p.m. **CACR 22**, relating to the New Hampshire presidential primary. Providing that the New Hampshire presidential primary shall be the first presidential primary of a presidential election cycle.
- 1:25 p.m. **SB 344**, relative to declarations of candidacy for president of the United States.
- 1:50 p.m. **SB 380**, relative to moving the state primary date.
- 2:15 p.m. **SB 490-FN**, relative to the verification of the checklist.
- 2:40 p.m. **SB 530**, relative to reports of receipts and expenditures filed by political committees of candidates and candidates.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 302-304, LOB

- 10:00 a.m. Public hearing on proposed non-germane Amendment #2024-0902h to HB 1521, requiring agencies to respond to issues raised by the public during the rulemaking process. The amendment makes changes to the definition of recovery house and specifies how a recovery house ought to be treated when interpreting zoning ordinances. Copies of the amendment are available on the General Court website.

FINANCE - DIVISION III, Room 210-211, LOB

- 1:00 p.m. Division work session on **HB 1363-FN**, relative to allowing members of the general court to participate in the department of health and human services employee assistance program; **HB 1588-FN**, relative to court jurisdiction over persons receiving special education; **HB 1598-FN-A**, relative to the department of health and human services management of social security payments and veterans benefits for children in foster care; **HB 1573-FN**, relative to oversight of and criteria for residential placement of children; **HB 1593-FN**, making an appropriation to the department of health and human services to support recreational activities for individuals with developmental disabilities; **HB 1669-FN**, relative to restricting data sharing through the state immunization registry; **HB 1282-FN**, relative to the duration of child support; **HB 1564-FN**, relative to the child support guidelines; **HB 1595-FN**, relative to adjustment of the child support guidelines based on parenting time, medical support, and child care expenses.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301-303, LOB

- 9:30 a.m. Executive session on **CACR 16**, relating to local governance. Providing that local construction projects seeking amendments, waivers, or variances be subject to certain local approval, disclosure, and vote requirements; **HB 526-FN**, regulating the use of temporary traffic control personnel; **HB 1053**, relative to permissible residential units in a commercial zone; **HB 1101**, establishing a committee to study a potential state program to make loans to low-to-moderate income households for the purpose of buying a home or for the purpose of consolidating student loans; **HB 1106-L**, relative to net asset limits under the elderly property tax exemption; **HB 1175**, relative to the official ballot referendum form of town meetings; **HB 1181**, relative to solid waste districts; **HB 1187**, relative to local legislative bodies’ voting threshold for approval of lease agreements over \$100,000; **HB 1210**, relative to the election of Strafford county commissioners; **HB 1223**, relative to governing body members of the budget committee; **HB 1281**, relative to zoning restrictions on residential rental property; **HB 1284-FN**, relative to the quasi-judicial authority of planning boards; **HB 1345**, relative to the length of terms for Coos county officers; **HB 1371**, relative to allowing the land use master plan to include a section on waste reduction; **HB 1460-FN**, relative to the sale of county property; **HB 1506-L**, relative to required votes to approve issuance of bonds.

NEW HAMPSHIRE OPIOID ABATEMENT ADVISORY COMMISSION (RSA 126-A:85), Dept of Justice, 1 Granite Pl., South Concord

1:00 p.m. Regular meeting. Join Zoom: Meeting ID: 762 964 6757 Passcode: 782701
<https://nhdhhs.zoom.us/j/7629646757?pwd=dUJnaTVCOEk1bnZMTepDZEkrOGk4QT09&omn=83760052265>

NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2), REMOTE

2:00 p.m. Regular meeting. Join Zoom:
<https://us02web.zoom.us/j/84327646605?pwd=R0lwOWFVK0w2U2FKYTVybXM1MjNhZz09>
 Meeting ID: 843 2764 6605 Passcode: 731679

NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), University System of NH, 5 Chenell Drive, Suite 301, Concord

10:00 a.m. Regular meeting. This meeting will end at 12:00 p.m.

WAYS AND MEANS, Room 202-204, LOB

9:30 a.m. Full committee work session on **HB 1514-FN-A-L**, relative to excess funds paid to municipalities for the use of school districts; **HB 1563-FN**, relative to the education property tax and the authority of political subdivisions; **HB 1613-FN**, establishing a trust fund for money from soil and water environmental contamination court settlements; **HB 1655**, relative to establishing an educator certification fund for fees paid to the department of education; **HB 1611-FN**, relative to establishing a child care workforce fund.

10:30 a.m. Executive session on **HB 1514-FN-A-L**, relative to excess funds paid to municipalities for the use of school districts; **HB 1563-FN**, relative to the education property tax and the authority of political subdivisions; **HB 1613-FN**, establishing a trust fund for money from soil and water environmental contamination court settlements; **HB 1655**, relative to establishing an educator certification fund for fees paid to the department of education; **HB 1611-FN**, relative to establishing a child care workforce fund.

1:00 p.m. **SB 324**, relative to lottery license renewal notices.

1:15 p.m. **SB 363-FN**, relative to wagering on simulcast dog racing.

1:30 p.m. **SB 454-FN**, increasing the annual real estate transfer tax revenue contribution to the affordable housing fund.

1:45 p.m. **SB 473-FN**, governing unclaimed horse racing ticket and voucher money.

2:00 p.m. **SB 497-FN**, relative to establishing the disproportionate share hospital fund.

2:15 p.m. **SB 513**, relative to permitting charity auctions by non-profit corporations.

2:30 p.m. **SB 514-FN**, relative to the timber tax.

WEDNESDAY, MARCH 13

COMMERCE AND CONSUMER AFFAIRS, Room 302-304, LOB

10:00 a.m. Executive session on **HB 1232**, prohibiting state or local governments from using central bank digital currency; **HB 1241**, relative to regulation of money transmitters; **HB 1444-FN**, relative to local regulation of digital mining; **HB 1507**, relative to innovative financial services; **HB 1537**, relative to credit card notifications; **HB 1538**, relative to credit card late fees and interest; **HB 1559-FN**, repealing the chapter relative to cash dispensing machines; **HB 1674-FN**, relative to establishing the New Hampshire legal tender act and establishing a state bullion depository; **HB 1694**, relative to establishing a committee to study a New Hampshire public bank; **HB 1129**, relative to the authority to vote by proxy in a condominium association; **HB 1172**, relative to meetings of condominium boards and committees; **HB 1224**, relative to amendment of condominium instruments; **HB 1306**, relative to special assessments for capital improvements in condominiums; **HB 1357**, relative to condominium board meetings; **HB 1645-FN**, establishing a condominium dispute resolution board; **HB 1207-FN**, relative to single-use disposable plastic foodware accessories; **HB 1636-FN**, relative to creating the New Hampshire container deposit, refund, recycle, and reuse system; **HB 1081**, relative to insurance payments to ambulance providers; **HB 1094**, relative to insurance coverage for pediatric autoimmune neuropsychiatric disorders; **HB 1236**, relative to repealing the commission on the status of health coverage markets for individuals and small employers; **HB 1296-FN**, relative to insurance coverage for diagnostic and supplemental breast examinations; **HB 1225**, relative to prescription drug affordability board conflicts of interest; **HB 1365**, relative to substitution of biological products by pharmacies; **HB 1571-FN**, relative to requiring insurance coverage for glucose monitoring devices for people with diabetes; **HB 1155**, relative to insurance coverage for living organ donors; **HB 1257**, relative to contracts between public adjusters and the insured; **HB 1259**, relative to property and casualty insurance laws administered by the insurance department;

- HB 1135**, relative to the definition of specialty beer; **HB 1321**, relative to repealing penalties for the sale of kegs of malt beverages without a receipt; **HB 1334**, relative to the sale of beer in refillable containers; **HB 1621-FN**, requiring the liquor commission to distribute certain information in liquor stores; **HB 1702-FN**, relative to oversight of liquor commission funding and repealing the liquor commission fund; **HB 1018**, relative to on-premise and off-premise liquor licenses; **HB 1076-FN**, relative to wine manufacturer licenses; **HB 1151**, relative to the carrying of alcoholic beverages on hotel premises; **HB 1227**, relative to extending the hours of alcoholic beverage sales for on-premises licensees; **HB 1358**, relative to contract manufacturers of beer, wine, and liquor; **HB 1374-FN**, relative to liquor licenses for restaurants; **HB 1380-FN**, relative to brew pub licenses; **HB 1540-FN**, relative to the definitions of full course meals and full service restaurant for purposes of alcohol licensing; **HB 1582-FN**, relative to allowing for the consumption of alcohol in artist performance areas; **HB 1624**, relative to allowing the distillation of hobby liquors; **HB 1591-FN**, relative to fines for prohibited sales of tobacco.
- 1:15 p.m. Subcommittee work session on **HB 1033**, relative to the advertising of nominal dimensions of lumber; **HB 1117**, relative to creating a committee to study the protection of business operators against requests to accommodate customers with fraudulent or untrained service animals; **HB 1395**, relative to home heating oil and propane contracts; **HB 1430**, relative to electric rates approved by the public utilities commission for residential condominium property; **HB 1491**, prohibiting the repricing of heating fuel subsequent to a concluded sale; **HB 1071**, relative to the right to repair certain educational technology; **HB 1243**, revising the laws relative to retail installment sales of motor vehicles; **HB 1275-FN**, relative to requiring notice to consumers of vehicles that require repair solely through a dealership and contain proprietary information; **HB 1144**, relative to requirements for sewage disposal system information to be disclosed during real estate transactions; **HB 1320**, relative to real property and flood risk disclosure; **HB 1498-FN**, establishing a state short term rental registry; **HB 1635**, relative to the definition of short-term rental; **HB 1090-FN**, repealing the requirement to register “farmers’ market” as a trade name; **HB 1159**, relative to toilet facilities provided by restaurants and other food establishments; **HB 1346**, relative to food service at a bed and breakfast.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB

- 9:30 a.m. **HB 1046-FN**, requiring a boat owner who is not the operator to notify law enforcement and file an accident report in certain circumstances.
- 10:00 a.m. Executive session on **HB 1366-FN**, relative to penalties for the negligent or reckless operation of boats; **HB 1539-FN**, relative to annulling, resentencing, or discontinuing prosecution of certain cannabis offenses; **HB 1711-FN**, authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.

EDUCATION, Room 205-207, LOB

- 10:00 a.m. Continued Executive Session on any remaining bills from March 11, 2024.
- 10:00 a.m. Executive session on **HB 1195**, relative to allowing school districts to approve different apportionment methods for school administrative unit costs; **HB 1383**, relative to cooperative school board district elections; **HB 1481**, relative to appointments to fill vacancies to at large cooperative school board seats; **HB 1493**, relative to the powers and duties of cooperative school district budget committees; **HB 1579-FN**, relative to the merging of school administrative units; **HB 1642**, relative to the role of cooperative school district board member representatives on school district budget committees.

ENVIRONMENT AND AGRICULTURE, Room 301-303, LOB

- 10:00 a.m. Executive session on **HB 1316**, relative to co-ownership of dogs; **HB 1173-FN**, relative to the disposition of vicious dogs; **HB 1501-FN-L**, repealing the requirement to register dogs annually; **HB 1556-FN**, relative to exemptions from the rabies vaccine; **HB 1102-FN**, relative to the definition of animal cruelty; **HB 1221**, relative to including solid waste landfills in the definition of development of regional impact.
- 11:30 a.m. Full committee work session on **HB 1574-FN**, removing regulations on the direct sale of raw milk to consumers; **HB 1504-FN**, relative to architectural paint recycling.
- 1:00 p.m. **HB 1575**, prohibiting the state of New Hampshire from enforcing any federal agricultural checkoff program.
- 1:30 p.m. **HB 1698-FN**, relative to the use of drones for the aerial application of pesticides.
- 2:00 p.m. **HB 1703-FN**, relative to the sale of kangaroo and caribou meat.

- 2:30 p.m. Full committee work session on **HB 1575**, prohibiting the state of New Hampshire from enforcing any federal agricultural checkoff program; **HB 1698-FN**, relative to the use of drones for the aerial application of pesticides; **HB 1703-FN**, relative to the sale of kangaroo and caribou meat.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306-308, LOB

- 9:30 a.m. Subcommittee work session on **HB 1622-FN**, relative to administrative rulemaking and license renewals by the office of professional licensure and certification.
- 10:00 a.m. Continued executive session on **HB 1075**, relative to abolishing daylight saving time; **HB 1474**, relative to the commission on Native American affairs; **HB 1079**, relative to critical incident stress management team members; **HB 1095**, relative to the official pronunciation of "New Hampshire" and "Concord."; **HB 1131**, relative to mental health practice; **HB 1188-FN**, relative to qualifications for licensed nursing assistants; **HB 1286**, relative to merging the board of land surveyors and the board of professional engineers; **HB 1352**, relative to firefighting personal protective equipment; **HB 1385-FN**, relative to establishing the veteran licensing acceleration program; **HB 1413**, relative to mental health supervision agreements; **HB 1420**, relative to communications between agencies and citizens; **HB 1456**, relative to the appointment of the members of the board of tax and land appeals and the housing appeals board; **HB 1521**, requiring agencies to respond to issues raised by the public during the rulemaking process; **HB 1526-FN**, relative to a conditional veterinary license for veterinarians educated in other countries; **HB 1545**, relative to the disposal of state surplus property for affordable housing; **HB 1622-FN**, relative to administrative rulemaking and license renewals by the office of professional licensure and certification.

FINANCE - DIVISION I, Room 212, LOB

- 10:00 a.m. Division work session on **HB 1394-FN-A**, relative to licensure and regulation of music therapists and making an appropriation therefor.
- 10:30 a.m. Division work session on **HB 1577-FN**, relative to digital images of ballots.
- 11:00 a.m. Division work session on **HB 1647-FN-A**, relative to the calculation of group II retirement benefits in the retirement system.
- 11:30 a.m. Division work session on **HB 1589-FN**, establishing a veterans treatment court
- 1:00 p.m. Division work session on **HB 1465-FN**, relative to studies of nuclear energy technologies and renaming the office of offshore wind industry development.
- 1:30 p.m. Division work session on **HB 1649-FN**, relative to prohibiting certain products with intentionally added PFAS.
- 2:00 p.m. Division work session on **HB 1666-FN**, relative to income reporting requirements for lobbyists.
- 2:30 p.m. Division work session on **HB 1678-FN**, establishing a New Hampshire farm to school local food incentive pilot program.
- 3:00 p.m. Division work session on **HB 1633-FN-A**, relative to the legalization and regulation of cannabis and making appropriations therefor.

JUDICIARY, Room 206-208, LOB

- 9:00 a.m. Presentation by the World Affairs Council.
- 10:00 a.m. Continued executive session on any bills remaining from March 6, 2024.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. **HB 1513**, relative to the board of directors of the Pease development authority.
- 10:15 a.m. Public hearing on proposed non-germane Amendment #2024-0969h to HB 1554, relative to certified culvert maintainer program reporting. The amendment specifies who in a municipality shall submit a quarterly report on culvert maintainers and requires the commissioner of the department of environmental services to regulate the cutting of native aquatic vegetation on submerged lands in lakes and establishes rulemaking authority to accomplish that. Copies of the amendment are available on the General Court website.
- 10:30 a.m. Executive session on **HB 1513**, relative to the board of directors of the Pease development authority; **HB 1554**, relative to certified culvert maintainer program reporting; **HB 1113**, relative to shoreland septic systems; **HB 1121**, relative to creating certain wetlands permit exemptions after a natural disaster or flooding event; **HB 1301**, relative to wake surfing on public bodies of water; **HB 1390**, relative to regulating wakeboating and wakesports; **HB 1494**, relative to OHRVs; **HB 1503-FN**, relative to the definition of wetlands; **HB 1542-FN**, relative to possession and presentation of safe boater education certificates; **HB 1562**, relative to personal watercraft.

THURSDAY, MARCH 14

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1), Room 122-123, SH

- 9:30 a.m. Regular meeting.

FRIDAY, MARCH 15

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

9:00 a.m. Regular meeting.

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a), Merrimack Town Hall, 6 Baboosic Lake Rd, Merrimack

3:00 p.m. Public hearing. Join Zoom: Meeting ID: 861 1781 8803 Passcode: 669915
<https://us06web.zoom.us/j/86117818803?pwd=cWRXdGwQnQvc2ZRbkNOBhGc3M0dz09>

FINANCE - DIVISION II, Room 209, LOB

1:00 p.m. Division work session **HB 1212-FN-L**, relative to eligibility for free school meals; **HB 1570-FN-A-L**, requiring the department of education to conduct a facility assessment of public schools and public chartered schools; **HB 1583-FN-A**, relative to the per pupil cost of an opportunity for an adequate education; **HB 1656-FN-L**, relative to adequate education grant amounts for pupils receiving special education services.

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

10:00 a.m. Regular meeting.

OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10), Room 100, SH

9:00 a.m. Regular meeting.

SCIENCE, TECHNOLOGY AND ENERGY, 1 Sullivan Rd, Holyoke, MA 01040

8:00 a.m. Tour of ISO-NE.

SPECIAL COMMITTEE ON COVID RESPONSE EFFICACY, Room 301-303, LOB

9:00 a.m. Education presentation on COVID protocols.

1:00 p.m. Discussion about education during COVID.

SPECIAL COMMITTEE ON HOUSING, Room 302-304, LOB

9:00 a.m. Continued executive session on any remaining bills from March 8, 2024.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS, Room 206-208, LOB

1:00 p.m. **HR 31**, urging support of the dignity through prosperity act.

1:15 p.m. Executive session on **HR 31**, urging support of the dignity through prosperity act.

MONDAY, MARCH 18

EDUCATION, Room 205-207, LOB

10:00 a.m. Executive session on **HB 1014**, relative to the registration of high school students to vote; **HB 1084**, relative to qualifications for the commissioner of education; **HB 1093**, prohibiting mandatory mask policies in schools; **HB 1205**, relative to women's school sports; **HB 1298-FN**, relative to the definition of part-time teachers; **HB 1382-FN**, relative to special education support for military-connected students; **HB 1452-FN**, relative to credentials for the position of superintendent of schools and school business officer; **HB 1476-FN**, relative to charter school memorandums of understanding; **HB 1552**, relative to the duties and responsibilities of superintendents of school administrative units; **HB 1592-FN-L**, relative to the use of education freedom account funds in religious schools; **HB 1605-FN**, relative to alternative education programs for granting credit leading to graduation; **HB 1608-FN**, relative to providing an induction program for new teachers; **HB 1610-FN**, relative to standardized assessment data for participants in education freedom accounts; **HB 1616**, relative to parental consent for student participation in Medicaid to schools program; **HB 1625-FN**, relative to school health services; **HB 1650-FN**, relative to the approval of alternative programs for granting credit leading to graduation; **HB 1654-FN**, relative to review of education freedom account service providers; **HB 1682-FN**, relative to the civics test graduation requirement; **HB 1691**, relative to the definition of an adequate public education; **HR 30**, urging a robust climate education in schools including current environmental and economic information.

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

10:00 a.m. Regular meeting.

NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22), Room 103, SH

2:00 p.m. Regular meeting.

NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a), New Hampshire Veterans Home, Town Hall, 139 Winter Street, Tilton NH

9:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting. In addition to the physical location, access is also available need be remotely via Zoom:

<https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVueDBYYW9SZThLUT09>

Public attendance is always welcome though there may not always be an opportunity for public input. Questions? Please contact Rebecca Sky before or during the meeting at Rebecca.L.Sky@nhcoa.nh.gov or 603-848-4204.

TUESDAY, MARCH 19**EDUCATION, Room 205-207, LOB**

10:00 a.m. Continued Executive Session on any remaining bills from March 18, 2024.

WEDNESDAY, MARCH 20**CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB**

9:30 a.m. **SB 482-FN**, relative to National Guard and Staff Judge Advocate access to criminal history records.

10:00 a.m. **SB 376**, relative to establishing a corrections education and vocational planning group.

10:30 a.m. **SB 322**, relative to licenses to carry and immunity for law enforcement officers issuing certain firearms licenses.

11:00 a.m. **SB 248-FN**, relative to bail for a defendant.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 203, LOB

9:00 a.m. Public hearing on proposed non-germane Amendment #2024-0908h to HB 1585, relative to medication administration by direct care staff in residential care facilities. The amendment defines the position of certified assisted living medication aide (CALMA) under the nurse practice act, provides for certification as a CALMA through the office of professional licensure and certification, and authorizes a CALMA to administer medication to individuals in specified residential settings. Copies of the amendment are available on the General Court website.

9:30 a.m. Executive session on **HB 1280**, relative to informed consent and patient rights; **HB 1300**, relative to terminal patients' right to try act; **HB 1568-FN**, relative to Medicaid reimbursement for non-transport emergency medical services calls; **HB 1585**, relative to medication administration by direct care staff in residential care facilities; **HB 1607**, relative to expanded safe haven protections; **HB 1067**, relative to a patient's right to sterilization treatment.

FRIDAY, MARCH 22**JOINT COMMITTEE ON EMPLOYEE CLASSIFICATION (RSA 14:14-C), Room 104, LOB**

1:00 p.m. Regular meeting.

MONDAY, MARCH 25**COMMISSION TO STUDY THE EFFECT OF RECENT CHANGES MADE TO CHARITABLE GAMING LAWS, INCLUDING THE NEWLY AUTHORIZED HISTORICAL HORSE RACES (RSA 284:6-c), Room 100, SH**

10:00 a.m. Regular meeting.

NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Dept. of Natural and Cultural Resources, 172 Pembroke Road, Concord

2:00 p.m. Regular meeting.

SPECIAL COMMITTEE ON THE DIVISION FOR CHILDREN, YOUTH AND FAMILIES (DCYF), Room 203, LOB

9:00 a.m. Work session.

11:00 a.m. Regular meeting.

FRIDAY, MARCH 29**NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4),**

10:00 a.m. Subcommittee work session.

TUESDAY, APRIL 2

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

5:00 p.m. Regular meeting.

FRIDAY, APRIL 5

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

9:00 a.m. Regular meeting.

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

10:00 a.m. Regular meeting.

MONDAY, APRIL 8

NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4), NH Fish and Game, 11 Hazen Drive, Concord

10:00 a.m. Regular meeting.

FRIDAY, APRIL 12

**COMMISSION TO STUDY THE DELIVERY OF PUBLIC HEALTH SERVICES THROUGH REGIONAL
PUBLIC HEALTH NETWORKS (RSA 127:12), 98 Smokey Bear Blvd, Concord**

1:00 p.m. Regular meeting. Join Zoom: Meeting ID: 827 3125 2212 Passcode: 392939

<https://us02web.zoom.us/j/82731252212?pwd=Q3pyYncvcW55Zkg0ZVVNQW5USGlsZz09>

MONDAY, APRIL 15

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

10:00 a.m. Regular meeting.

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB38, HB 91, HB 116, HB 135, HB 194, HB 272, HB 276, HB 282, HB 300, HB 318, HB 345, HB 436, HB 439, HB 447, HB 449, HB 462, HB 463, HB 527, HB 533, HB 535, HB 537, HB 559, HB 560, HB 565, HB 566, HB 571, HB 593, HB 606, HB 608, HB 614, HB 616, HB 618, HB 620, HB 622, HB 627, HB 628, HB 645, HB 652, HB 1005, HB 1046, HB 1178, HB 1179, HB 1202, HB 1274, HB 1282, HB 1293, HB 1294, HB 1304, HB 1307, HB 1330, HB 1339, HB 1386, HB 1394, HB 1410, HB 1422, HB 1426, HB 1429, HB 1466, HB 1468, HB 1492, HB 1522, HB 1561, HB 1563, HB 1565, HB 1566, HB 1567, HB 1570, HB 1571, HB 1579, HB 1582, HB 1589, HB 1592, HB 1593, HB 1594, HB 1597, HB 1598, HB 1599, HB 1600, HB 1604, HB 1608, HB 1609, HB 1610, HB 1611, HB 1614, HB 1615, HB 1619, HB 1623, HB 1629, HB 1630, HB 1632, HB 1633, HB1634, HB 1636, HB 1639, HB 1640, HB 1641, HB 1644, HB 1645, HB 1647, HB 1651, HB 1654, HB 1656, HB 1660, HB 1663, HB 1665, HB 1669, HB 1675, HB 1677, HB 1681, HB 1682, HB 1686, HB 1687, HB 1689, HB 1702, HB 1706, HB 1709, HB 1710, HB 1711, SB 97, SB 106, SB 151, SB 176, SB 177, SB 180, SB 235, SB 249, SB 252, SB 267, SB 303, SB 306, SB 317, SB 345, SB 355, SB 393, SB 399, SB 447, SB 454, SB 465, SB 467, SB 470, SB 490, SB 492, SB 514, SB 540, SB 549, SB 553, SB 561, SB 580, SB 596.

OFFICIAL NOTICES

The Coos County Delegation will meet on **Monday, March 4, 2024 at 11:00 a.m.** The meeting will be held at Coos County Nursing Home, located at 364 Cates Hill Road, Berlin, NH.

Rep. Corinne Cascadden, Clerk

The **Grafton** County Executive Committee will meet **Monday, March 25, at 9:00 a.m.** at the Grafton County Administration Building, 3855 Dartmouth College Hwy in North Haverhill, NH.

Rep. Heather Baldwin, Clerk

There will be a public hearing for **Merrimack** County before the County Delegation at **10:00 a.m. on Friday, March 8, 2024** at the Old Courthouse, 2nd floor conference room, 163 North Main Street, Concord, New Hampshire. The purpose of the meeting is as follows: 1. Hear presentation on the proposed Community Power Plan for Merrimack County. 2. Presentation on the 2024 budget appropriations for Merrimack County. 3. Review of the annual grant resolution. 4. Review of Sheriff's fees. 5. Consider any other business that may appropriately come before them. At this time, any member of the public may present oral or written testimony regarding the 2024 budget estimates as proposed by the Merrimack County Executive Committee. Immediately following the public hearing there will be a meeting for Merrimack County before the County Delegation at the Old Courthouse, 2nd floor conference room, 163 North Main Street, Concord, New Hampshire. The purpose of the meeting is as follows: 1. Adoption of Community Power Electric Aggregation Plan. 2. Adoption of the 2024 Merrimack County proposed budget. 3. Adoption of annual grant resolution. 4. Adoption of Sheriff's fees. 5. To consider any other business that may appropriately come before them.

Rep. Dianne Schuett, Chair

Notice is hereby given that the Full **Strafford** County Delegation Public Meeting is scheduled for Wednesday, **March 20, 2024, 7:00 p.m.** (snow date: Wednesday, March 27, 2024, 7:00 p.m.) The Delegation meets to review Executive Committee recommendations and to adopt final budget for 2024, and to discuss any other business with may legally come before the Delegation. Superior Courtroom I, Justice and Administration Building. The budget must be approved by April 1st, or the Commissioners' Proposed Budget will be in effect. Public access via Zoom:

<https://us06web.zoom.us/j/89611842722?pwd=bulXb3oKQwYYUhaRErtXnThLAclJqa.1>

Meeting ID: 896 1184 2722 Passcode: 312030 Dial by your location: +1 1 646 931 3860 US

Rep. Peter Schmidt, Chairman

MEMBERS' NOTICES

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

All Representatives are invited to a Bible Study and Prayer, during the Lunch Break on Session Days. We will meet in LOB 104 with Pastor Peter Chamberland for this time together. Come and be refreshed both physically and spiritually during our lunch hour. Looking forward to seeing you there!

Rep. Deb Hobson

Most occupational licensing boards have members of the public serving on them. Those board members are intended to represent the public, the customers of the professions being licensed. The Office of Professional Licensure and Certification (OPLC) has difficulty filling those positions because most people don't even know they exist and OPLC does not have a good way to advertise. As representatives we know many people in our districts, so Representatives are asked to let citizens who might be interested in serving on a board to contact Lindsey B. Courtney, Executive Director, at lindsey.b.courtney@oplc.nh.gov. Alternatively, they may apply online at <https://www.oplc.nh.gov/interested-becoming-oplc-board-member>.

Reps. Tony Lekas and Jaci Grote

The Secular Values Legislative Caucus will meet during the lunch recess in the Clerk's conference room on session days in March for members and prospective members to socialize, share ideas, and relax. Bring your lunch.

Rep. Sherry Dutzy

Pursuant to Executive Order 2023-06, the Public Higher Education Task Force to Study the Strategic Alignment of Public Higher Education in New Hampshire will meet at 25 Hall Street, Concord, NH 03301 on **Friday, March 8, 2024; 12:30 p.m.– 4:30 p.m.**

Rep. Rick Ladd

The Department of Natural and Cultural Resources (DNCR) and the NH State Council on the Arts (NHSCA) invite you to join us at Representatives Hall on **Friday, March 15th at 5:00 p.m.** to watch our High School finalists vie for the opportunity to attend the National finals in DC this May. A national recitation program for high school-aged students, Poetry Out Loud has participants select, memorize and recite classic and contemporary poems, helping them to master public speaking skills, build self-confidence and learn about literary history and contemporary life.

Rep. Tim McGough

All members and staff are welcome to Acupuncture Day, **Wednesday March 20, 2024** in room 104 LOB. Learn what acupuncture can do for you. Ease tension and stress with treatments from NH Licensed Acupuncturist and Certified Detoxification Specialist with The People's Organization of Community Acupuncture.

Rep Ben Baroody

All legislators are invited to join NH's disability organizations on **Thursday, March 21, 2024, from 12 noon until 1:30 p.m. at the State House Cafeteria** to learn about and discuss how policy can impact the lives of people with disabilities. Hear how these organizations can be a resource for our decision makers. This event is co-sponsored by the NH Bipartisan Disability Caucus and is in memory of champion advocate, Jeff Dickinson. Refreshments will be served. For any questions contact: Vanessa.A.Blais@ddc.nh.gov or call 603-271-7040.

Rep. Gaby Grossman

Please join the NH Oral Health Coalition in celebrating the 1-year birthday anniversary of the successful roll-out of NH's Medicaid Adult Dental Benefit, NH Smiles. This open-house style program highlights the bipartisan collaboration that helped to make NH one of the nation's healthiest states. Get an update on the benefit, the rollout, and the impact on the people of NH, *your constituents*. Talk to the team that led the rollout, Mr. Tom Raffio, Dr. Jay Maillet, Dr. Sarah Finne, and Mr. Ed Lorch. Hear from the Institute on Disabilities Oral Health Consumer Task Force that created a beneficiary-facing brochure. Find out about the "Sealing Smiles Across NH" school-based pilot. **Wednesday, March 28 from 1:30 p.m. to 3:00 p.m.** in the State House Cafeteria. *Take a Break and Eat Cake!* RSVP to gbrown@nhoralhealth.org or 603-415-5550.

Rep. Tom Buco

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to CACR 19 (2024-0910h)

Proposed by the Committee on Election Law-r

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

I. That the second part of the constitution be amended by inserting after article 8 the following new article:

[Art.] 8-a. [Independent Redistricting Commission.] An Independent Redistricting Commission whose function is to draw election district boundaries for all state and federal elections in New Hampshire is essential to ensure a robust democratic process. Therefore:

(a) There is hereby established a nonpartisan Independent Redistricting Commission which shall be charged with establishing all election district boundaries for all state and federal elections in New Hampshire. This Commission is established so that henceforth elections shall reflect to the greatest extent possible the wishes of the voters of New Hampshire by eliminating partisan distortions of electoral districts.

(b) The Commission shall consist of members of the public. A person shall be eligible for appointment to the Commission if the person has been a resident of New Hampshire for 2 years, is eligible to register to vote in New Hampshire, and does not currently hold office or is not a candidate for and has not served in any of the following offices for the last 10 years: the United States House of Representatives, United States Senate, New Hampshire house of representatives, New Hampshire senate, governor, executive council, or a county commission.

(c) The secretary of state shall begin the process of gathering a pool of applicants for the commission no later than October 1 of each year ending in zero by taking efforts that the secretary of state deems appropriate to notify all eligible persons and invite them to apply. These efforts shall include:

(1) Advertising the application period and criteria in the newspapers in the state.

(2) Advertising the application period and criteria on the home page of state agency websites, including those of the secretary of state and the Commission.

(3) Requesting media to publicize the Commission's search for eligible members.

(d) A person who is eligible to serve as a member of the Commission may submit an application to the secretary of state no later than December 1 of each year ending in the number zero. Such applications shall include the following:

(1) Whether the applicant or an applicant's immediate family has, in the preceding 10 years, registered as a lobbyist, served as an officer, paid consultant, or contractor of a campaign committee, political committee, or state-level political party, or served as a staff member, paid consultant, or contractor for an elected official or candidate for public office. For purposes of this article, "immediate family" shall mean spouse, children, parents, siblings, and siblings' spouses' children.

(2) What elective offices, if any, the applicant or applicant's immediate family has held in the past 10 years.

(3) In which elections the applicant has voted the past 10 years, and if the applicant has voted in a state primary election or a presidential primary election in New Hampshire in the past 6 years.

(4) A sworn statement under oath, subject to the penalty of perjury, that the applicant will comply with the redistricting criteria in the constitution and the laws of New Hampshire.

(e) The commission shall be selected from the pool of applicants by a panel of 4 retired superior court or supreme court judges chosen by the secretary of state. If a retired judge is disqualified from serving as a commissioner, the judge is also disqualified from serving on the panel. The panel shall not include more than two retired judges of the same party. The panel shall review the applicants and create a pool of no more than 60 applicants (20 Republicans, 20 Democrats, and 20 undeclared voters). The panel shall interview the applicants and allow for public comment on applicants before creating a pool of 45 finalists that is equally divided between Republicans, Democrats, and undeclared voters and represents the state both geographically and demographically. Six commissioners (2 Republicans, 2 Democrats, and 2 undeclared voters) shall be randomly selected by the panel. The 6 commissioners so selected shall together select the remaining 3 commissioners from the remaining pool of applicants with the goal of balancing the commissioners geographically and demographically. The 6 commissioners shall randomly select applicants from the pool, with at least 4 commissioners agreeing upon each of the 3 remaining commissioners. No commissioner shall initiate communications or reply to communications about the selection process of the remaining commissioners with outside persons attempting to influence commissioners or commission action.

(f) In the event of substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, a member of the Commission may be removed by the Governor with the concurrence of two-thirds of the members of the Senate after having been served written notice and provided with an opportunity for a response. The remaining members shall replace the removed member with another member of the public from the same political party as the removed member.

(g) The terms of all Commissioners shall be for ten years. A member may be re-appointed upon the expiration of his or her term, to serve a maximum of two terms. The members shall elect annually a chairperson from among the members.

(h) No Independent Redistricting Commission member shall make a contribution to any candidate for office or political committee during the time he or she serves on the Commission.

(i) The Commission shall be authorized to conduct the redistricting of the State required by the state Constitution in the year after the results of the decennial federal census. The Commission shall establish single or multi-member districts for the New Hampshire House of Representatives, and single member districts for the New Hampshire Senate, Executive Council and U.S. Congressional offices using the following criteria in the following order of priority:

(1) Districts shall comply with the United States Constitution and all applicable federal laws. Districts shall be drawn on the basis of total population.

(2) Districts shall comply with the New Hampshire constitution and all applicable state laws.

(3) Districts shall be geographically contiguous.

(4) Districts shall provide racial minorities and language minorities with an equal opportunity to participate in the political process and shall not diminish their ability to elect candidates of choice whether alone or in coalition with others.

(5) Districts shall respect the integrity of communities of interest to the extent practicable. A community of interest is defined as an area with recognized similarities of interests, including, but not limited to racial, ethnic, economic, social, cultural, geographic, or historic identities. Communities of interest shall not include common relationships with political parties or political candidates.

(6) Districts shall form single congeries and shall not be bisected or otherwise divided by other districts, and districts shall respect the geographic integrity of political boundaries to the extent practicable without violating the requirements of state law or this Constitution.

(7) The plan as a whole shall not have the intent or the effect of unduly favoring or disfavoring any political party or incumbent or candidate for political office.

(8) Districts shall be drawn, if possible, in compact shapes and shall avoid jagged edges and extensions.

(j) The Commission shall create an approved plan on or before December 15 of a year ending in 1 with a vote of at least 7 members, with at least one Democrat, one Republican, and one undeclared member voting in favor of the final plan. Upon completion, the Commission shall certify the final plan to the Secretary of State, and provide copies to the Speaker of the New Hampshire House of Representatives and the president of New Hampshire Senate.

(k) If the Commission fails to adopt and file a redistricting plan by December 15 of the odd year following a federal decennial census, the New Hampshire Supreme Court shall appoint, by January 15 of the year ending in 2, a special master to create a plan in accordance with the redistricting criteria and requirements set forth in subparagraph (i). The Supreme Court shall make the special master's plan public and schedule a hearing where interested parties may present testimony and other evidence regarding the plan's compliance with redistricting criteria. The Supreme Court shall modify or adopt the proposed plan no later than April 1 of the year ending in 2 and certify the results to the Secretary of State, which shall constitute the final certified plan.

(l) The Supreme Court has original and exclusive jurisdiction in all proceedings in which a certified final map is challenged or is claimed not to have taken timely effect. Any registered voter in this State may file a petition, within forty-five days after the commission has certified a final map to the Secretary of State, to bar the Secretary of State from implementing the plan on the grounds that the filed plan violates this Constitution, the United States Constitution, or any federal or state statute. The New Hampshire Supreme Court shall give priority to ruling on any matter related to redistricting presented to the Court. If the Court determines that a final certified map violates this Constitution, the United States Constitution, or any federal or state statute, the Court shall fashion the relief that it deems appropriate, including, but not limited to, the relief set forth in subparagraph (k).

II. That article 9 of the second part of the constitution be amended to read as follows:

[Art.] 9. [Representatives Elected Every Second Year; Apportionment of Representatives.] There shall be in the Legislature of this State a House of Representatives, biennially elected and founded on principles of equality, and representation therein shall be as equal as circumstances will admit. The whole number of representatives to be chosen from the towns, wards, places, and representative districts thereof established hereunder, shall be not less than three hundred seventy-five or more than four hundred. As soon as possible after the convening of the next regular session of the Legislature, and at the session in 1971, and every ten years thereafter, the [legislature] **Independent Redistricting Commission** shall make an apportionment of representatives according to the last general census of the inhabitants of the State taken by authority of the United States or of this State. In making such apportionment, no town, ward or place shall be divided nor the boundaries thereof altered.

III. That article 11 of the second part of the constitution be amended to read as follows:

[Art.] 11. [Small Towns; Representation by Districts.] When the population of any town or ward, according to the last federal census, is within a reasonable deviation from the ideal population for one or more representative seats, the town or ward shall have its own district of one or more representative seats. The apportionment shall not deny any other town or ward membership in one non-floterial representative district. When any town, ward, or unincorporated place has fewer than the number of inhabitants necessary to entitle it to one representative, the [legislature] **Independent Redistricting Commission** shall form those towns, wards, or unincorporated places into representative districts which contain a sufficient number of inhabitants to entitle each district so formed to one or more representatives for the entire district. In forming the districts, the boundaries of towns, wards, and unincorporated places shall be preserved and contiguous. The excess number of inhabitants of a district may be added to the excess number of inhabitants of other districts to form at-large or floterial districts conforming to acceptable deviations. The [legislature] **Independent Redistricting Commission** shall form the representative districts at the regular session following every decennial federal census.

IV. That article 26 of the second part of the constitution be amended to read as follows:

[Art.] 26. [Senatorial Districts, How Constituted.] And that the State may be equally represented in the Senate, the Legislature shall divide the State into single member districts, as nearly equal as may be in population, each consisting of contiguous towns, city wards and unincorporated places, without dividing any town, city ward or unincorporated place. The [legislature] **Independent Redistricting Commission** shall form the single member districts at its next session after approval of this article by the voters of the state and thereafter at the regular session following each decennial federal census.

V. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2024.

VI. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2024 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2024 session of the general court shall be approved.

VII. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending the second part of the Constitution by inserting after article 8 a new article 8-a, and by amending articles 9, 11, and 26 to read as follows:

[Art.] 8-a. [Independent Redistricting Commission.] An Independent Redistricting Commission whose function is to draw election district boundaries for all state and federal elections in New Hampshire is essential to ensure a robust democratic process. Therefore:

(a) There is hereby established a nonpartisan Independent Redistricting Commission which shall be charged with establishing all election district boundaries for all state and federal elections in New Hampshire. This Commission is established so that henceforth elections shall reflect to the greatest extent possible the wishes of the voters of New Hampshire by eliminating partisan distortions of electoral districts.

(b) The Commission shall consist of members of the public. A person shall be eligible for appointment to the commission if the person has been a resident of New Hampshire for 2 years, is eligible to register to vote in New Hampshire, and does not currently hold office or is not a candidate for and has not served in any of the following offices for the last 10 years: the United States House of Representatives, United States Senate, New Hampshire house of representatives, New Hampshire senate, governor, executive council, or a county commission.

(c) The secretary of state shall begin the process of gathering a pool of applicants for the Commission no later than October 1 of each year ending in zero by taking efforts that the secretary of state deems appropriate to notify all eligible persons and invite them to apply. These efforts shall include:

(1) Advertising the application period and criteria in the newspapers in the state.

(2) Advertising the application period and criteria on the home page of state agency websites, including those of the secretary of state and the commission.

(3) Requesting media to publicize the Commission’s search for eligible members.

(d) A person who is eligible to serve as a member of the commission may submit an application to the secretary of state no later than December 1 of each year ending in the number zero. Such applications shall include the following:

(1) Whether the applicant or an applicant’s immediate family has, in the preceding 10 years, registered as a lobbyist, served as an officer, paid consultant, or contractor of a campaign committee, political committee, or state-level political party, or served as a staff member, paid consultant, or contractor for an elected official or candidate for public office. For purposes of this article, “immediate family” shall mean spouse, children, parents, siblings, and siblings’ spouses’ children.

(2) What elective offices, if any, the applicant or applicant’s immediate family has held in the past 10 years.

(3) In which elections the applicant has voted the past 10 years, and if the applicant has voted in a state primary election or a presidential primary election in New Hampshire in the past 6 years.

(4) A sworn statement under oath, subject to the penalty of perjury, that the applicant will comply with the redistricting criteria in the constitution and the laws of New Hampshire.

(e) The Commission shall be selected from the pool of applicants by a panel of 4 retired superior court or supreme court judges chosen by the secretary of state. If a retired judge is disqualified from serving as a commissioner, the judge is also disqualified from serving on the panel. The panel shall not include more than two retired judges of the same party. The panel shall review the applicants and create a pool of no more than 60 applicants (20 Republicans, 20 Democrats, and 20 undeclared voters). The panel shall interview the applicants and allow for public comment on applicants before creating a pool of 45 finalists that is equally divided between Republicans, Democrats, and undeclared voters and represents the state both geographically and demographically. Six commissioners (2 Republicans, 2 Democrats, and 2 undeclared voters) shall be randomly selected by the panel. The 6 commissioners so selected shall together select the remaining 3 commissioners from the remaining pool of applicants with the goal of balancing the commissioners geographically and demographically. The 6 commissioners shall randomly select applicants from the pool, with at least 4 commissioners agreeing upon each of the 3 remaining commissioners. No commissioner shall initiate communications or reply to communications about the selection process of the remaining commissioners with outside persons attempting to influence commissioners or commission action.

(f) In the event of substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office, a member of the Commission may be removed by the Governor with the concurrence of two-thirds of the members of the Senate after having been served written notice and provided with an opportunity for a response. The remaining members shall replace the removed member with another member of the public from the same political party as the removed member.

(g) The terms of all Commissioners shall be for ten years. A member may be re-appointed upon the expiration of his or her term, to serve a maximum of two terms. The members shall elect annually a chairperson from among the members.

(h) No Independent Redistricting Commission member shall make a contribution to any candidate for office or political committee during the time he or she serves on the Commission.

(i) The Commission shall be authorized to conduct the redistricting of the State required by the state Constitution in the year after the results of the decennial federal census. The Commission shall establish single or multi-member districts for the New Hampshire House of Representatives, and single member districts for the New Hampshire Senate, Executive Council and U.S. Congressional offices using the following criteria in the following order of priority:

(1) Districts shall comply with the United States Constitution and all applicable federal laws. Districts shall be drawn on the basis of total population.

(2) Districts shall comply with the New Hampshire constitution and all applicable state laws.

(3) Districts shall be geographically contiguous.

(4) Districts shall provide racial minorities and language minorities with an equal opportunity to participate in the political process and shall not diminish their ability to elect candidates of choice whether alone or in coalition with others.

(5) Districts shall respect the integrity of communities of interest to the extent practicable. A community of interest is defined as an area with recognized similarities of interests, including, but not limited to racial, ethnic, economic, social, cultural, geographic, or historic identities. Communities of interest shall not include common relationships with political parties or political candidates.

(6) Districts shall form single congeries and shall not be bisected or otherwise divided by other districts, and districts shall respect the geographic integrity of political boundaries to the extent practicable without violating the requirements of state law or this Constitution.

(7) The plan as a whole shall not have the intent or the effect of unduly favoring or disfavoring any political party or incumbent or candidate for political office.

(8) Districts shall be drawn, if possible, in compact shapes and shall avoid jagged edges and extensions.

(j) The Commission shall create an approved plan on or before December 15 of a year ending in 1 with a vote of at least 7 members, with at least one Democrat, one Republican, and one undeclared member voting in favor of the final plan. Upon completion, the Commission shall certify the final plan to the Secretary of State, and provide copies to the Speaker of the New Hampshire House of Representatives and the president of New Hampshire Senate.

(k) If the Commission fails to adopt and file a redistricting plan by December 15 of the odd year following a federal decennial census, the New Hampshire Supreme Court shall appoint, by January 15 of the year ending in 2, a special master to create a plan in accordance with the redistricting criteria and requirements set forth in subparagraph (i). The Supreme Court shall make the special master's plan public and schedule a hearing where interested parties may present testimony and other evidence regarding the plan's compliance with redistricting criteria. The Supreme Court shall modify or adopt the proposed plan no later than April 1 of the year ending in 2 and certify the results to the Secretary of State, which shall constitute the final certified plan.

(l) The Supreme Court has original and exclusive jurisdiction in all proceedings in which a certified final map is challenged or is claimed not to have taken timely effect. Any registered voter in this State may file a petition, within forty-five days after the Commission has certified a final map to the Secretary of State, to bar the Secretary of State from implementing the plan on the grounds that the filed plan violates this Constitution, the United States Constitution, or any federal or state statute. The New Hampshire Supreme Court shall give priority to ruling on any matter related to redistricting presented to the Court. If the Court determines that a final certified map violates this Constitution, the United States Constitution, or any federal or state statute, the Court shall fashion the relief that it deems appropriate, including, but not limited to, the relief set forth in subparagraph (k).

[Art.] 9. [Representatives Elected Every Second Year; Apportionment of Representatives.] There shall be in the Legislature of this State a House of Representatives, biennially elected and founded on principles of equality, and representation therein shall be as equal as circumstances will admit. The whole number of representatives to be chosen from the towns, wards, places, and representative districts thereof established hereunder, shall be not less than three hundred seventy-five or more than four hundred. As soon as possible after the convening of the next regular session of the Legislature, and at the session in 1971, and every ten years thereafter, the [legislature] **Independent Redistricting Commission** shall make an apportionment of representatives according to the last general census of the inhabitants of the State taken by authority of the United States or of this State. In making such apportionment, no town, ward or place shall be divided nor the boundaries thereof altered.

[Art.] 11. [Small Towns; Representation by Districts.] When the population of any town or ward, according to the last federal census, is within a reasonable deviation from the ideal population for one or more representative seats, the town or ward shall have its own district of one or more representative seats. The apportionment shall not deny any other town or ward membership in one non-floterial representative district. When any town, ward, or unincorporated place has fewer than the number of inhabitants necessary to entitle it to one representative,

the [legislature] **Independent Redistricting Commission** shall form those towns, wards, or unincorporated places into representative districts which contain a sufficient number of inhabitants to entitle each district so formed to one or more representatives for the entire district. In forming the districts, the boundaries of towns, wards, and unincorporated places shall be preserved and contiguous. The excess number of inhabitants of a district may be added to the excess number of inhabitants of other districts to form at-large or floterial districts conforming to acceptable deviations. The [legislature] **Independent Redistricting Commission** shall form the representative districts at the regular session following every decennial federal census.

[Art.] 26. [Senatorial Districts, How Constituted.] And that the State may be equally represented in the Senate, the Legislature shall divide the State into single member districts, as nearly equal as may be in population, each consisting of contiguous towns, city wards and unincorporated places, without dividing any town, city ward or unincorporated place. The [legislature] **Independent Redistricting Commission** shall form the single member districts at its next session after approval of this article by the voters of the state and thereafter at the regular session following each decennial federal census.

VIII. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 2024 General Court" shall be printed in bold type at the top of the ballot.

IX. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

X. Voters' Guide.

AT THE PRESENT TIME, the state legislature apportions state representatives according to the last United States census or state census.

IF THE AMENDMENT IS ADOPTED, election district boundaries for all state and federal elections in the state shall be established by a nonpartisan Independent Redistricting Commission.

**Amendment to HB 1012-FN
(2024-0855h)**

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

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Endangering the Welfare of a Child; Exception for Certain Parenting Decisions. Amend RSA 639:3 by inserting after paragraph VI the following new paragraph:

VII. It is not a violation of this section for parents to allow children to take reasonable risks to further their development as independent human beings.

2024-0855h

AMENDED ANALYSIS

This bill provides that a parent shall not be guilty of endangering the welfare of a child for allowing the child to take reasonable risks to further their development as an independent human being.

**Amendment to HB 1038-FN
(2024-0829h)**

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

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

1 Sexual Assault and Related Offenses; Prohibition From Contact With a Minor. Amend RSA 632-A:10 to read as follows:

632-A:10 Prohibition From ~~[Child Care Service of Persons Convicted of Certain Offenses]~~ **Employment in Businesses Providing Direct Services to Minors or Direct Supervision or Oversight of Minors.**

I. A person is guilty of a class A felony if, having been convicted in this or any other jurisdiction of any felonious offense involving child sexual abuse images, or of a felonious physical assault on a minor, or of any sexual assault, he or she knowingly ~~[undertakes]~~ **engages in** employment or volunteer service, ~~[involving the care, instruction or guidance of minor children, including, but not limited to, service as a teacher, a coach, or worker of any type in child athletics, a day care worker, a boy or girl scout master or leader or worker, a summer camp counselor or worker of any type, a guidance counselor, or a school administrator of any type]~~ **either as the employer or provider of such service or as an employee or volunteer, that consists of acting as a public or private school teacher, school administrator, guidance counselor, coach, a worker of any kind in child athletics, a day care worker, a boy or girl scout master or leader or worker, a camp counselor, or any employment or volunteer activity that provides services exclusively or predominantly to minors, that involves direct supervision of minors, or that involves one on one work with minors, or any employment or volunteer service that involves the direct supervision of minors, or one on one work with other minor employees.**

II. A person is guilty of a class B felony if, having been convicted in this or any other jurisdiction of any of the offenses specified in paragraph I of this section, he *or she* knowingly fails to provide information of such conviction when ~~[applying or volunteering for service or employment of any type involving the care, instruction, or guidance of minor children, including, but not limited to, the types of services set forth in paragraph I]~~ ***offering employment or volunteer service opportunities or applying for or engaging in employment or volunteer service of the kind specified in paragraph I.***

III. A person is guilty of a class B felony if, having been convicted in this or any other jurisdiction of any of the offenses specified in paragraph I of this section, he *or she* knowingly fails to provide information of such conviction when making application for initial teacher certification in this state.

2 Effective Date. This act shall take effect January 1, 2025.

**Amendment to HB 1126
(2024-0957h)**

Proposed by the Committee on Election Law–c

Amend the bill by replacing section 1 with the following:

1 Absentee Ballots; Information for Candidates. Amend RSA 657:15, III to read as follows:

III. Candidates whose names appear on the ballot for statewide office and persons bearing a notarized request from candidates whose names appear on the ballot for statewide office may obtain a statewide list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B from the secretary of state. Information on the statewide absentee voter list shall be limited to voter name ***and address where registered***, voter ID number, ***voter's party, the type of election the absentee ballot was requested in***, the date the absentee ballot was requested, ***the date the absentee ballot was sent or handed to the voter***, and the date that the ***absentee*** ballot was returned.

**Amendment to HB 1150
(2024-0958h)**

Proposed by the Committee on Election Law–c

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

AN ACT relative to advertising rates for political advertising.

Amend the bill by replacing section 1 with the following:

1 Advertising Rates; Political Advertising. Amend RSA 664:16 to read as follows:

664:16 [Identification of Political Advertising] ***Advertising Rates.*** [Political advertising printed in newspapers, periodicals or billboards shall be marked at the beginning or at the end thereof "Political Advertising." Rates for advertising shall be filed, no later than 30 days prior to the deadline for filing for office for an election, with the secretary of state by each person or business organization publishing a newspaper or periodical, operating a radio or television station, or selling billboard space. Such schedule shall be open to public inspection, and such schedules may be amended. However, rates in such amendments shall not take effect until 5 days after they are filed with the secretary of state.] No person or business organization publishing a newspaper or periodical, operating a radio or television station, or selling billboard space shall charge an advertising rate to any candidate, political committee, party, or cause that is different from that charged to any other candidate, political committee, party or cause.

2024-0958h

AMENDED ANALYSIS

This bill requires that rates for political advertising be the same regardless of candidate, political committee, party, or cause.

**Amendment to HB 1156
(2024-0582h)**

Proposed by the Committee on State-Federal Relations and Veterans Affairs–r

Amend the bill by replacing section 1 with the following:

1 World Health Organization; Jurisdiction. The World Health Organization shall have no jurisdiction in New Hampshire. The state and its political subdivisions, including, but not limited to counties, cities, towns, precincts, water districts, school districts, school administrative units, or quasi-public entities, shall not engage in the enforcement of, or any collaboration with the enforcement of, any requirements, mandates, or instructions provided by this organization. Furthermore, any requirements, mandates, or instructions by this organization shall not be used in this state to justify any mask, vaccine, or medical testing requirements and shall have no force or effect in New Hampshire.

2024-0582h

AMENDED ANALYSIS

This bill provides that the World Health Organization shall have no jurisdiction in New Hampshire.

**Amendment to HB 1158
(2024-0903h)**

Proposed by the Committee on Transportation-c

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Minimum Age for Operation; Commercial Vessel Exception. Amend RSA 270:30 by inserting after paragraph III the following new paragraph:

III-a. A person 14 years of age or older, but under 18 years of age may operate a commercial vessel on any of the public waters of the state without a valid certificate to act as operator of a commercial vessel if all of the following conditions are met:

- (a) The vessel shall be 16 feet in length or less.
- (b) The vessel may be operated only for the selling of pre-packaged food and/or non-alcoholic beverages.
- (c) The vessel shall not be operated for the safety support of other boaters, swimmers, or other persons in or on the water, or for incidental transportation of passengers, towing of other vessels, refueling, or servicing.
- (d) The vessel shall not tow any water skiers, aquaplane, or similar devices.

2024-0903h

AMENDED ANALYSIS

This bill exempts certain persons from requiring a certificate of operation for a commercial vessel so long as they meet certain requirements.

**Amendment to HB 1204
(2024-0839h)**

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

Amend RSA 595-A:11 as inserted by section 2 of the bill by deleting RSA 595-A:11, V, and renumbering the original RSA 595-A:11, VI through IX to read as RSA 595-A:11, V through VIII, respectively.

**Amendment to HB 1231
(2024-0887h)**

Proposed by the Majority of the Committee on Health, Human Services and Elderly Affairs-r

Amend the introductory paragraph of RSA 126-X:2, II-a as inserted by section 5 of the bill by replacing it with the following:

II-a. Except as provided in RSA 126-X:3, VII(b), a qualifying patient or designated caregiver who has reported to the department a cultivation location that meets the requirements of this chapter, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or denied any right or privilege for the therapeutic use of cannabis in accordance with this chapter, if, at the cultivation location, while transporting cannabis and cannabis plants and seedlings to a new cultivation location that has been reported to the department within the prior 21 days, or while transporting cannabis seedlings from an alternative treatment center to the cultivation location, the qualifying patient or designated caregiver possesses or cultivates an amount of cannabis that does not exceed the following:

Amend the introductory paragraph of RSA 126-X:4, XIII(a) as inserted by section 13 of the bill by replacing it with the following:

XIII.(a) No later than December 1, 2024, the department shall allow existing and new qualifying patients and designated caregivers to report a cultivation location provided that:

Amend the bill by replacing section 14 with the following:

14 Use of Therapeutic Cannabis; Affirmative Defense. Amend RSA 126-X:5, I to read as follows:

I. It shall be an affirmative defense for any person charged with manufacturing, possessing, having under his or her control, selling, purchasing, prescribing, administering, transporting, or possessing with intent to sell, dispense, or compound cannabis, cannabis analog, or any preparation containing cannabis, if:

(a) The actor is a qualifying patient who has been issued a valid registry identification card, was in possession of cannabis in a quantity and location permitted pursuant to this chapter, and was engaged in the therapeutic use of cannabis;

(b) The actor is a designated caregiver who has been issued a valid registry identification card, was in possession of cannabis in a quantity and location permitted pursuant to this chapter, and was engaged in the therapeutic use of cannabis on behalf of a qualifying patient; or

(c) The actor is an employee of a laboratory conducting testing required for alternative treatment centers pursuant to rules adopted under this chapter *or that tests cannabis provided to it by qualifying patients and designated caregivers.*

**Amendment to HB 1254-LOCAL
(2024-0681h)**

Proposed by the Committee on Ways and Means-r

Amend RSA 353:11, I as inserted by section 1 of the bill by replacing it with the following:

I. The legislative body of a municipality may vote to collect a public safety assessment on each occupancy, as defined in RSA 78-A:3, XI, of each hotel, as defined in RSA 78-A:3, VII, for the purpose of establishing funding for municipal services as described in paragraph II. No occupant shall be charged for more than 30 days during a single visit. Under this section:

(a) "Hotel" means inns, motels, lodging homes, rooming houses, boarding houses, and hostels; and

(b) "Occupant" means the same as defined under RSA 78-A:3, XII.

Amend RSA 353:11 as inserted by section 1 of the bill by inserting after paragraph III the following new paragraph:

IV. As authorized by the legislative body vote, the fee may be collected as a daily charge of up to \$2 per occupancy per 24-hour period, or as a percentage of the price of the occupancy, provided that the rate shall not exceed \$2 per occupancy per 24-hour period. If the average daily price of the occupancy does not exceed \$40, the occupancy fee shall not be collected. The vote by the legislative body shall specify the number of consecutive days to which the occupancy fee applies, provided that the maximum number of consecutive days for which the fee may be collected for each occupancy shall not exceed 30 days. Enforcement powers for non-payment shall be the same as those provided under RSA 31:39-c, RSA 31:39-d, and RSA 47:17-B, relative to enforcement of ordinances.

**Amendment to HB 1270-FN
(2024-0851h)**

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

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

1 Repeal. The following are repealed:

I. RSA 172:15, III, relative to contact requirements regarding incapacitated individuals taken into drug-related protective custody.

II. RSA 172-B:3, III, relative to contact requirements regarding incapacitated individuals taken into alcohol-related protective custody.

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

2024-0851h

AMENDED ANALYSIS

This bill repeals contact requirements imposed upon local jails and county correctional facilities before lodging an individual incapacitated by either alcohol or drugs in the local jail or county correctional facility in protective custody.

**Amendment to HB 1305-FN
(2024-0654h)**

Proposed by the Committee on Education-r

Amend RSA 188-J:2, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Nothing in this section shall be interpreted as preventing public institutions of higher education from prohibiting, limiting, or restricting behavior, conduct, or expression that:

(a) Violates any law and could be subject to criminal action.

(b) Is unprotected by the free speech provisions of the United States and New Hampshire constitutions, including but not limited to true threats and expression directed to provoke imminent lawless actions.

(c) Constitutes harassment as defined in RSA 188-J:1, VI.

**Amendment to HB 1312
(2024-0774h)**

Proposed by the Committee on Education-r

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Parental Notification of Changes in Student Mental Well-Being. Amend RSA 186:11 by inserting after paragraph IX-d the following new paragraph:

IX-e. Require School Districts to Adopt a Policy on Parental Notification of Changes in Student's Mental and Emotional Well-Being, or Related Services. A school district may not adopt policies, procedures or student support forms that prohibit school district personnel from answering questions from a parent about his or her student's mental, emotional, or physical health or well-being, sexuality, or a change in related services or monitoring, or that encourage or have the effect of encouraging a student to withhold from a parent such information. School district personnel may not discourage or prohibit parental notification of and involvement

in critical decisions affecting a student's mental, emotional, or physical health or well-being. This paragraph does not prohibit a school district from adopting procedures that permit school personnel to withhold such information from a parent if a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect pursuant to RSA 169-C:3.

2024-0774h

AMENDED ANALYSIS

This bill expands notice requirements by school districts to parents for certain curriculum course material, and prohibits school districts from adopting policies that prohibit employees from answering questions from parents about students' well-being.

Amendment to HB 1313-FN-LOCAL (2024-0624h)

Proposed by the Committee on Election Law-c

Amend RSA 654:31, II as inserted by section 1 of the bill by replacing it with the following:

II. In towns and cities, the public checklist as corrected by the supervisors shall be open for the examination of any person at all times before the opening of a meeting or election at which the list is to be used. The supervisors of the checklist or city or town clerk shall furnish a physical copy or an electronic copy of the most recent public checklist of their town or city to any person requesting such copy. If a person requests an electronic copy, the supervisors of the checklist, or the city or town clerk, shall notify the person requesting the copy of the electronic format options available from which the person requesting may choose. ***Options shall include an electronic copy, to be sent via email, of at least one sortable format such as a spreadsheet. Two free requests may be made per election, before a fee of up to \$25 may be charged for such an electronic copy sent by email.*** The supervisors of the checklist or city or town clerk may only provide checklist information for their town or city. The supervisors of the checklist or city or town clerk shall charge a fee of \$25 for each ***paper*** copy of the public checklist for a town or ward. For public checklists containing more than 2,500 names, the supervisors of the checklist or city or town clerk shall charge a fee of \$25, plus \$0.50 per thousand names or portion thereof in excess of 2,500, plus any shipping costs. The supervisors of the checklist or city or town clerk may provide public checklist information on paper, ~~[computer disk, computer tape, electronic transfer,]~~ ***or in electronic formats,*** or any other form.

Amendment to HB 1319-FN (2024-0209h)

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

Amend RSA 644:9-a, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) "Disseminate" means to import, publish, produce, print, manufacture, ***post or share electronically,*** ~~[distribute,]~~ sell, lease, exhibit, ~~[or]~~ display, ***or otherwise distribute.***

Amendment to HB 1326-FN (2024-0741h)

Proposed by the Minority of the Committee on Resources, Recreation and Development-r

Amend RSA 485-C:21, IV as inserted by section 1 of the bill by replacing it with the following:

IV.(a) The department shall hold the public hearing within 30 days after the request of the governing body of the municipality or the supplier of water made pursuant to paragraph III. Notice of the hearing shall be made by the applicant and shall be published twice in 2 different weeks, the last publication to be 7 days before the hearing, in one newspaper of general circulation throughout the state and another newspaper of general circulation in the municipality. The notice shall also be posted in 2 public places in the municipality.

(b) The applicant shall provide written notification 30 days prior to the public hearing to all property owners within a 5000 foot radius of the project by post card or similar mail. The notice shall specify the purpose of the hearing and its time, date and place. The list of all persons notified shall become an addendum to the application. The list of all property owners within 5000 feet of the project shall be provided to the applicant by relevant municipalities as derived from current tax maps.

Amendment to HB 1348 (2024-0894h)

Proposed by the Committee on Election Law-r

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

AN ACT governing the application for a ballot recount in a state general election.

Amend the bill by replacing section 1 with the following:

1 Recount; Cast Ballots Exceeding the Number of Registered Voters. Amend RSA 660:1 to read as follows:

660:1 Application.

I. Any candidate for whom a vote was cast for any office at a state general election may apply for a recount, provided that:

(a) The difference between the votes cast for the applying candidate and a candidate declared elected is less than 20 percent of the total votes cast in the towns which comprise the office to be recounted; **or**

(b) **The total count of cast ballots exceeds the number of registered voters on the day of the election for any race, regardless of whether the candidate's race was affected.**

II. The application shall be made in writing to the secretary of state and shall be submitted no later than the Friday following the election. Each candidate requesting a recount shall pay the secretary of state fees as provided in RSA 660:2.

2024-0894h

AMENDED ANALYSIS

This bill prescribes the criteria and filing deadline for an application for a ballot recount in a state general election.

Amendment to HB 1364

(2024-0890h)

Proposed by the Committee on Election Law-r

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

AN ACT relative to intimidation of election officials, officers, and workers, improper influence over the electoral process, and tampering with electronic ballot counting devices, voter lists or rosters, voter registration systems, and voting system components or passwords.

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

1 Intimidation of Election Officials, Officers, and Workers. Amend RSA 659:40-b, I to read as follows:

I. No person shall use or threaten force, violence, or any tactic of coercion or intimidation to knowingly discourage, interfere with, or compel any election officer, as defined in RSA 652:14, **any election official, any election worker**, and other appointed individuals assisting at the polling place, such as ballot clerks and greeters, from engaging in or completing duties related to an election **or in retaliation against the election official, officer, or worker on account of the official's, officer's, or worker's performance of their duties.**

2 Improper Influence. Amend RSA 640:3 to read as follows:

640:3 Improper Influence.

I. A person is guilty of a class B felony if he **or she**:

(a) Threatens any harm to a public servant, party official or voter with the purpose of influencing his **or her** action, decision, opinion, recommendation, nomination, vote or other exercise of discretion; or

(b) Privately addresses to any public servant who has or will have an official discretion in a judicial or administrative proceeding any representation, argument or other communication with the purpose of influencing that discretion on the basis of considerations other than those authorized by law; or

(c) Being a public servant or party official, fails to report to a law enforcement officer conduct designed to influence him **or her** in violation of subparagraph (a) or (b) hereof.

II. A person is guilty of a class A misdemeanor if he or she knowingly and without consent makes publicly available, including but not limited to, through the Internet, personal information about an election officer, official, or worker or an election officer's, official's, or worker's family or household member if:

(a) **The dissemination poses an imminent and serious threat to the officer's, official's, or worker's safety or the safety of an officer's, official's, or worker's family or household member; and**

(b) **The person making the information publicly available knows or reasonably should know of any imminent and serious threat.**

~~III.~~ **III.** "Harm" means any disadvantage or injury, to person or property or pecuniary interest, including disadvantage or injury to any other person or entity in whose welfare the public servant, party official, or voter is interested, provided that harm shall not be construed to include the exercise of any conduct protected under the First Amendment to the United States Constitution or any provision of the federal or state constitutions.

IV. "Personal information" means a person's home address, home telephone number, personal mobile telephone number, or personal email address; a photograph of a person; directions to person's home; or a photograph or description of a person's home, vehicle, or vehicle license plate.

3 Tampering with Electronic Ballot Counting Devices, Voter Lists or Rosters, Voter Registration Systems, and Voting System Components or Passwords. Amend RSA 659:42 to read as follows:

659:42 Tampering With Electronic Ballot Counting Devices, **Voter Lists or Rosters, Voter Registration Systems, and Voting System Components or Passwords.**

I. Whoever shall tamper with or injure or attempt to injure or facilitate unauthorized access to any electronic ballot counting device for the counting of ballots to be used or being used in an election or whoever shall prevent or attempt to prevent the correct operation of such device or whoever shall tamper with software used in the counting of ballots or design such software so as to cause incorrect tabulation of the ballots or any unauthorized person who shall make or have in his or her possession a key to an electronic ballot counting device to be used or being used in an election shall be guilty of a class B felony if a natural person or guilty of a felony if any other person.

II. Except for the purpose of conducting official duties as expressly authorized by law, a person shall not knowingly mutilate or erase any name, figure, or word on a voter registration list or polling place roster; remove or destroy a registration list or polling place roster; or mutilate, erase, or remove any part of a list or roster from the place where it has been deposited with an intention to destroy it, to procure or prevent the election of any person, or to prevent any voter from voting.

III. A person shall not knowingly access, or attempt to access, the statewide voter registration system except for the purpose of conducting official duties as authorized by law.

IV. A city or town clerk shall not knowingly create, permit any person to create, or disclose to any person an image of the hard drive of any voting system component without the express permission of the secretary of state.

V. A person shall not knowingly publish or cause to be published passwords or other confidential information relating to an electronic voting system. In addition to any other remedies and penalties provided by this section, the town or city clerk shall immediately revoke any authorized access rights of a person found to be in violation of this paragraph.

VI. The provisions of this section shall not apply to authorized vulnerability disclosure programs and bug bounty programs.

VII. Violators of the provisions above are guilty of a class B felony if a natural person or guilty of a felony if any other person.

VIII. The designated election official may follow the requirements of this section when voting system components are deployed for use or stored at a voting site and polling center.

IX. It shall be a class B misdemeanor for knowingly failing to comply with this section, unless the designated election official files notice with the secretary of state of inability to comply due to timeline and or funding constraints and lays out a timeline for compliance.

4 Effective Date. This act shall take effect January 1, 2025.

2024-0890h

AMENDED ANALYSIS

This bill makes it a crime to intimidate election officers, officials, and workers, to improperly influence the electoral process, and to tamper with electronic ballot counting devices, voter lists or rosters, voter registration systems, and voting system components or passwords.

Amendment to HB 1403 (2024- 0612h)

Proposed by the Majority of the Committee on Transportation-r

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

AN ACT relative to temporary waivers for vehicle emission control equipment.

Amend the bill by replacing section 1 with the following:

1 Motor Vehicles; Emission Control Equipment; Waiver Period Extended. Amend RSA 266:59-b, V to read as follows:

V. If a vehicle fails the EPA OBD II test and it passes all other inspection requirements under this chapter, then it shall be issued a temporary waiver that permits its operation for [60] **120** days from the date of issuance, in order to make required repairs. A vehicle shall be eligible for only one such waiver during its inspection cycle. The department shall adopt rules, pursuant to RSA 541-A, that have the effect of establishing the broadest possible waivers for consumers consistent with 40 C.F.R. sections 51.350 through 51.373. It is the intent of the legislature to provide appropriate waivers to persons for whom the making of OBD II repairs would constitute economic hardship. The committee established in paragraph VII shall make recommendations for such waivers and the department shall consider such recommendations during the rulemaking process required by this paragraph.

2024-0612h

AMENDED ANALYSIS

This bill extends the repair period for vehicles that fail the OBD II test to 120 days.

**Amendment to HB 1407
(2024-0753h)**

Proposed by the Committee on Special Committee on Childcare–c

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

1 Child Day Care Licensing; Rulemaking; Child Care Staffing Ratios. Amend RSA 170-E:11, I(c) to read as follows:

(c) The number of individuals or staff required to insure adequate supervision and care of the children received *including a waiver system based on the following:*

(1) For children ages 6 weeks to 12 months, the maximum group size shall be 13 with the following minimum staffing levels:

(A) One associate teacher with up to 4 children;

(B) One associate teacher and one assistant teacher with 5 to 9 children; and

(C) One lead teacher and 2 assistant teachers with 9 to 13 children.

(2) For children ages 13 to 24 months, the maximum group size shall be 16 with the following minimum staffing levels:

(A) One associate teacher with up to 5 children;

(B) One associate teacher and one assistant teacher with 6 to 11 children; and

(C) One lead teacher and 2 assistant teachers with 11 to 16 children.

(3) For children ages 25 to 35 months, the maximum group size shall be 19 with the following minimum staffing levels:

(A) One associate teacher with up to 6 children;

(B) One associate teacher and one assistant teacher with 7 to 13 children; and

(C) One lead teacher and 2 assistant teachers with 13 to 19 children.

(4) Any licensed child care provider may apply for a one year waiver under this paragraph. The department shall not deny a waiver unless there is a documented cause for such denial. The definition of documented cause shall be established in rules adopted by the department. There shall be no limit on the number of waivers, and there shall be no fee for the application for or renewal of a waiver. Waivers may be renewed annually.

(5) The department shall make an interim report to the speaker of the house of representatives and the president of the senate on the number of waivers applied for, granted, and denied by November 1, 2025. The department shall make a final report on the number of waivers applied for, granted, denied, and renewed by November 1, 2026.

2 Effective December 31, 2026; Child Day Care Licensing; Rulemaking; Child Care Staffing Ratios. RSA 170-E:11, I(c) is repealed and reenacted to read as follows:

(c) The number of individuals or staff required to insure adequate supervision and care of the children received.

3 Effective Date.

I. Section 2 of this act shall take effect December 31, 2026.

II. The remainder of this act shall take effect 60 days after its passage.

2024-0753h

AMENDED ANALYSIS

This bill creates a waiver for larger ratios in licensed child care facilities for infants and toddlers. This bill also prospectively repeals the waiver in 2026.

**Amendment to HB 1609-FN
(2024-0755h)**

Proposed by the Committee on Health, Human Services and Elderly Affairs–c

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 New Paragraph; Commission on the Interdisciplinary Primary Care Workforce Issues; Commission Established; Membership. Amend RSA 126-T:1 by inserting after paragraph XX the following new paragraph:

XXI. A direct primary care provider appointed by the New England Direct Primary Care Alliance.

**Amendment to HCR 9
(2024- 0433h)**

Proposed by the Minority of the Committee on State-Federal Relations and Veteran Affairs–r

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

A RESOLUTION rescinding House Concurrent Resolution No. 40 passed by the 2012 New Hampshire General Court asking that Congress call a convention under Article V of the United States Constitution.

Amend the concurrent resolution by replacing all after the enacting clause with the following:

Whereas, Article V of the United States Constitution establishes two methods for proposing amendments to the United States Constitution; and

Whereas one method of proposing amendments requires the Congress of the United States to call a constitutional convention upon the application of two-thirds of the several states (now 34); and

Whereas, it is generally believed that these applications never expire, and that current Legislatures are bound by applications made years, decades or centuries ago; and

Whereas, legal experts disagree about both the longevity of these applications and as to whether a convention called for a particular purpose may consider amendments beyond the scope of that purpose; and

Whereas, on May 31, 2012, the general court of the state of New Hampshire, acting with the best of intentions, passed House Concurrent Resolution Number 40 which is an application petitioning the United States Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States requiring for each fiscal year, with certain exceptions, a federal balanced budget.

Whereas, New Hampshire's 2012 application no longer reflects the will of the New Hampshire general court; and

Whereas, the need to advance various policy reforms should be debated anew, and the current general court should not be bound by past general courts' opinions; and therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the General Court of the State of New Hampshire hereby rescinds, repeals, cancels, voids, nullifies and supersedes its application passed by the 2012 New Hampshire general court which asks Congress to call a constitutional convention pursuant to Article V of the United States Constitution; and be it further

Resolved, that the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, to the Secretary of the Senate, to the Speaker of the United States House of Representatives, to the Clerk of the United States House of Representatives, to each member of the New Hampshire Congressional Delegation, and to be published in the Congressional Record.