



State of
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HOUSE RECORD

Second Year of the 168th General Court

Calendar and Journal of the 2024 Session

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Friday, April 5, 2024

No. 14

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

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The House will meet on Thursday, April 11th at 10:00 a.m. We will celebrate Tartan Day and welcome Kim Jae-hui, Consul General of the Republic of Korea, who will address the House following our Tartan Day ceremonies.

Please hold your calendar for possible House session days on Thursday, April 18th and Thursday, April 25th.

The House will meet on Thursday, May 2nd and Thursday, May 23rd. Please hold other Thursdays in May for possible House session days.

The solar eclipse on April 8th will be amazing to witness, but looking at the sun, even during an eclipse and even briefly, without proper eye protection, can cause severe, permanent damage or blindness. Permanent damage to the retinal cells can occur in just seconds. To protect your eyes, the N.H. Optometric Association has provided the NH House a limited supply of approved solar eclipse viewing glasses. We will have a supply on hand for House Members and staff. Supply is limited and is restricted to one set per member. Please see Krista Chamberlain in the Speaker's office.

As a reminder, lobbying/advocacy materials are not permitted on the anteroom tables. Food and beverages are not permitted within Representatives Hall, aside from water. Please leave other beverages and snacks in the anteroom, and keep our historic chamber clean.

Members are reminded to utilize our Visitor's Center staff if you wish to bring family and friends on a tour of our historic State House.

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.

Sherman A. Packard, Speaker of the House

NOTICE

There will be a Republican Caucus on **Thursday, April 11th at 9:00 a.m.** in Representatives Hall.

Rep. Jason Osborne, Majority Leader

NOTICE

There will be a Democratic Caucus on **Thursday, April 11th at 9:00 a.m.** in the State House Cafeteria.

Rep. Matt Wilhelm, Democratic Leader

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

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, April 10, 2024
 Wednesday, April 17, 2024
 Wednesday, April 24, 2024

AVAILABLE ON:

Friday, April 12, 2024
 Friday, April 19, 2024
 Friday, April 26, 2024

Paul C. Smith, Clerk of the House

2024 HOUSE DEADLINES**Second Year Session Deadlines**

Thursday, April 11, 2024
 Thursday, April 25, 2024
 Thursday, May 2, 2024
 Thursday, May 16, 2024
 Thursday, May 23, 2024
 Thursday, May 30, 2024
 Thursday, June 6, 2024
 Thursday, June 13, 2024
 Tuesday, September 3, 2024

Friday, September 13, 2024

Friday, October 25, 2024
 Wednesday, November 6, 2024

Friday, November 22, 2024

Thursday, January 2, 2025
 Friday, January 24, 2025

CROSSOVER – Last day to act on all House Bills
 Last day to report Senate Bills going to a second committee
 Last day to act on Senate Bills going to a second committee
 Last day to report all Senate Bills
 Last day to act on all Senate Bills
 Last day to form committees of conference
 Last day to sign committee of conference reports (4:00 p.m.)
 Last day to act on committee of conference reports
 First day for incumbents running for re-election to file LSRs with complete information
 Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information
 Last day to file 2024 Interim Study reports
 First day for all Representatives to file LSRs with complete information
 Last day to file LSRs with complete information (4:00 p.m.)
 Ten-day signoff begins
 Last day to sign-off on all LSRs (12:00 p.m.)
 Last day to introduce House Bills
 Last day to amend House Rules by majority vote

NOTICE

We are pleased to extend an invitation to the biennial Health Screening Day presented by Health Services. This event aims to promote wellness and provide valuable health resources to all participants. During the event, you will have the opportunity to have your blood pressure checked, assess your balance, learn hands-only CPR, AED operation, and Stop the Bleed Techniques. In addition, receive Stress Reduction tips, obtain Nutritional Counseling, enjoy Chair Massages, and information on Yoga, Meditation, and Reiki. We encourage you to take advantage of this valuable opportunity to prioritize your health and well-being. Should you have any questions or require further information, please feel free to contact Nurse Michele (603) 271-2757.

Date: Tuesday, April 30, 2024, Time: 10:00 am to 2:00 pm Location: Rooms 210-211, Legislative Office Building.

Michele Flanagan, RN

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

BILLS LAID ON THE TABLE

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 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 1053, relative to permissible residential units in a commercial zone. Pending question: Inexpedient to Legislate.

HB 1084, relative to qualifications for the commissioner of education. Pending question: No pending question.

HB 1087, establishing a commission to study information literacy and media literacy instruction in public schools. Pending question: No pending question.

HB 1099, relative to partisan school district elections. Pending question: Inexpedient to Legislate.

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

HB 1102-FN, relative to the definition of animal cruelty. Pending question: Inexpedient to Legislate.

HB 1156, relative to public health, safety, and state sovereignty. Pending question: Indefinite Postponement.

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

HB 1210, relative to the election of Strafford county commissioners. Pending question: No pending motion.

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

HB 1281, relative to zoning restrictions on residential rental property. 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 1301, relative to wake surfing on public bodies of water. Pending motion: Ought to Pass.

HB 1317-FN-L, relative to municipal filings made by charitable organizations exempt from taxation. Pending question: Majority committee amendment.

HB 1353, relative to authorizing the commissioner of the department of education to issue subpoenas. Pending question: Ought to Pass.

HB 1390, relative to regulating wakeboarding and wakesports. Pending question: Majority committee amendment.

HB 1452-FN, relative to credentials for the position of superintendent of schools and school business officer. Pending question: Ought to Pass.

HB 1453, relative to degree granting authority of certain institutions of higher education. Pending question: Ought to Pass.

HB 1476-FN, relative to charter school memorandums of understanding. Pending question: Ought to Pass.

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 1545, relative to the disposal of state surplus property for affordable housing. Pending question: Amendment (1115h).

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

HB 1592-FN-L, relative to the use of education freedom account funds in religious schools. 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 1640-FN, relative to qualified immunity standards. Pending question: Inexpedient to Legislate.

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 1683-FN, relative to coverage of circumcision under the state Medicaid plan. Pending question: No pending question.

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.

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. Pending question: Ought to Pass.

HR 31, urging support of the dignity through prosperity act. Pending question: Refer for Interim Study.

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)

HB 596, prohibiting the use of racial profiling in law enforcement activities and in sentencing. (SJ 2/15/2024)

THURSDAY, APRIL 11 CONSENT CALENDAR

CHILDREN AND FAMILY LAW

SB 359, raising the age of marriage to 18 years of age. **OUGHT TO PASS.**

Rep. Cassandra Levesque for Children and Family Law. The committee found that this bill is important to be in law because we know that age of majority does not amount to maturity, and that there is a greater risk of human trafficking and domestic violence without these protections. **Vote 14-1.**

SB 498-FN, relative to the department of health and human services, division for children, youth and families. **OUGHT TO PASS.**

Rep. Heather Raymond for Children and Family Law. This bill expands placement options for children involved in delinquency and CHINS (Child in Need of Services) to include fictive kin and certified placements including psychiatric residential treatment or child care institutions. **Vote 13-0.**

SB 506-FN, relative to aligning statutes with the age of a delinquent established under the juvenile delinquency statute. **OUGHT TO PASS.**

Rep. Lorie Ball for Children and Family Law. The Children and Family Law Committee agreed that this bill was needed to align several statutes to reflect a change in the law from age 17 to age 18 in establishing the age of a delinquent under the juvenile delinquency statute. **Vote 13-0.**

SB 566, relative to establishing a committee to study foster care families and the foster care system. **OUGHT TO PASS.**

Rep. Peter Petrigno for Children and Family Law. The committee is in unanimous support of establishing a committee to study foster care and the foster care system. It's not that we believe the system is broken, but rather hope to identify any potential problems and investigate solutions. The committee will examine if there are enough foster care parents, what we may do to guide and train foster parents, and to explore any barriers to doing this work. **Vote 13-0.**

SB 572, relative to establishing a commission to study the sharing of confidential records among members of a multidisciplinary child protection team. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Children and Family Law. One of the difficult tasks for lawmakers is when confronted with what we might call a clash of virtues. In this case, the question is balancing the need for privacy and confidentiality with the need for the sharing of information among the members of a multidisciplinary child protection team (MDT). With whom should items for the safety of the child be shared and how much should be shared? The bill establishes a committee of legislators to receive testimony from experts and stakeholders and to come up with helpful recommendations and possibly future legislation. The amendment takes the experts and stakeholders off the list of commission members so as to comply with RSA 14:49, adds two additional house members and calls for the final report to be submitted by November 1 of this year. **Vote 15-0.**

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 313, relative to the delivery of the mittimus in a criminal case. **OUGHT TO PASS.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee after hearing testimony decided that this bill ought to pass. The bill simply allows paperwork to be transmitted electronically regarding the transfer of prisoners between the court and the correctional facility. Currently it must be done in paper format and causes delays. As our state continues to update its antiquated electronic systems, the committee felt that this was a good step in that direction. The committee ensured that the veracity of the information transmitted was ensured and so was the accuracy and the connection between the two organizations. **Vote 20-0.**

SB 322, (New Title) relative to licenses to carry and immunity for law enforcement officers issuing certain firearms licenses. **OUGHT TO PASS.**

Rep. Jonathan Stone for Criminal Justice and Public Safety. After hearing witness testimony, it is the unanimous opinion of members of the committee this bill should pass as written. The fact that a small number of police chiefs feel they should not sign a pistol or revolver license is disturbing. If an individual meets all the requirements to be issued a license, the license should be issued. If the chief feels there is a legal reason to deny the license, they have that ability to do so. An aggrieved individual then may petition the circuit court to appeal the denial. Under the following section 159:6 I(a) "The selectmen of a town, the mayor or chief of police of a city or a full-time police officer designated by them respectively, the county sheriff for a resident of an unincorporated place, or the county sheriff if designated by the selectmen of a town that has no police chief, upon application of any resident of such town, city, or unincorporated place, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 5 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, unless the applicant is prohibited by New Hampshire or federal statute from possessing a firearm. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued." When used for reciprocity with other states, an individual could have a serious problem submitting an unsigned permit to a law enforcement officer. This bill gives clear direction that a license shall be signed with a signature, name and title. **Vote 20-0.**

SB 464-FN, to prohibiting the nonconsensual dissemination of synthetic sexual images. **REFER FOR INTERIM STUDY.**

Rep. David Meuse for Criminal Justice and Public Safety. This bill is identical to HB 1319-FN, which already passed in the House on the consent calendar earlier in this session. The committee recommended Interim Study to avoid having identical bills moving through the legislative process at the same time. Like the first bill, this legislation would amend New Hampshire's revenge porn statute to criminalize the act of making and sharing non-consensual "deepfake" porn videos that use artificial intelligence technology to realistically swap the face of a victim with that of an actor or actress in a porn video. **Vote 20-0.**

SB 482-FN, relative to National Guard and Staff Judge Advocate access to criminal history records. **OUGHT TO PASS.**

Rep. Jonathan Stone for Criminal Justice and Public Safety. After hearing witness testimony, it is the opinion of the committee that this proposed bill is necessary to facilitate the release of the information by state, county, and municipal law enforcement to the New Hampshire Air National Guard, New Hampshire Army National Guard, and 157 Air Refueling Wing Offices of the Staff Judge Advocate. Granting access to all confidential criminal history records, criminal investigation documentation, and public court records of New Hampshire National Guard employees and service members for the purpose of carrying out the office's responsibilities and the respective attorneys' duties under state, federal, and military law and regulations. One of the underlying issues for the release of this information for the above mentioned entities is for evaluating an individual's security clearance. No one testified in opposition of this bill. **Vote 20-0.**

ELECTION LAW

SB 490-FN, relative to the verification of the checklist. **INEXPEDIENT TO LEGISLATE.**

Rep. Joan Hamblet for Election Law. The full House passed an almost identical bill, HB 1369, on 3/14/24 that would require the Supervisors of the Checklist to verify ("purge") the voter checklists every 4 years. In addition, we have learned that the supervisors are now starting to verify the checklists by comparing the checklists against the National Change of Address List, which is proving to be very effective. Also, the availability to match checklists with the Department of Motor Vehicle records is coming soon. For all of these reasons, this bill is not necessary. **Vote 20-0.**

SB 535, relative to absentee ballot forms. **INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for Election Law. This bill consolidates the absentee ballot form used the day before a town election for the purpose of casting an absentee ballot due to a snow storm. The committee already passed a nearly identical bill out of the House and this the bill was no longer necessary. **Vote 20-0.**

FINANCE

HB 1032-FN, relative to certificate of title exemptions for vehicles 20 or more years old. **OUGHT TO PASS.**
Rep. Daniel Popovici-Muller for Finance. This bill changes the time period for exempting vehicles from the certificate of title requirement from a fixed date of “before the year 2000” to a floating period of “when the manufacturer’s model year is 20 or more years old,” removing the need for any further legislative action on this topic. **Vote 25-0.**

HB 1330-FN, relative to establishing an emergency medical services disciplinary review panel, and relative to procedures for removal of records of discipline. **OUGHT TO PASS.**

Rep. Daniel Popovici-Muller for Finance. The Finance Committee adopted this bill unanimously. It creates a review board to handle discipline of licensed EMTs in New Hampshire and bring it in line with the way similar licensed professionals are regulated. It passed the House as amended by floor amendment 2024-0818 on a voice vote on Feb. 22, 2024. **Vote 25-0.**

HB 1465-FN, (New Title) relative to studies of nuclear energy technologies and renaming the office of offshore wind industry development. **OUGHT TO PASS.**

Rep. Joe Sweeney for Finance. This bill requires the Department of Energy to coordinate the continuing studies by various state agencies on the uses and development of nuclear energy, including advanced nuclear reactors. The Finance Committee unanimously agreed with the premise of this legislation and looks forward to future studies on the uses and development of nuclear energy to be coordinated by the Department of Energy. **Vote 25-0.**

JUDICIARY

SB 361-FN, relative to legal services by paraprofessionals. **OUGHT TO PASS.**

Rep. Marjorie Smith for Judiciary. This bill expands and extends New Hampshire’s ongoing paraprofessional pilot program, which authorizes paraprofessionals to represent clients in certain civil cases in the Circuit Court, District and Family Divisions. The pilot program is currently only authorized in the Manchester, Berlin, and Franklin court locations; this bill would expand it to all court locations. The pilot program is currently set to expire on December 31, 2024; this bill would extend it by another 5 years. The bill requires interim and final reports from the Supreme Court to the legislature. According to the Judicial Branch, most people who appear in the Circuit Court do so without legal representation. The committee believes that the pilot program is a promising effort to increase access to legal representation and should move forward for another 5 years at all court locations. **Vote 12-0.**

PUBLIC WORKS AND HIGHWAYS

SB 470-FN, relative to allowing toll-free use for vehicles registered with municipal plates. **OUGHT TO PASS.**

Rep. John Cloutier for Public Works and Highways. Current legislation allows municipalities toll free use of vehicles registered with municipal plates. This bill continues this practice and extends it to municipal vehicles with passenger plates. Current use of E-ZPass transponders will continue. There is no fiscal impact according to the New Hampshire Department of Transportation. **Vote 16-0.**

WAYS AND MEANS

SB 324, relative to lottery license renewal notices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Fred Plett for Ways and Means. This bill, as amended, requires the NH Lottery Commission to notify Bingo and Lucky 7 licensees no less than 45 days before the expiration of their licenses. This is for annual licenses only. The bill with amendment refers to RSA 541-A:30 for the process of suspension or revocation of licenses. Testimony during the public hearing from the Lottery Commission elicited the fact that one-third of the licenses are monthly and the 45-day notice requirement would not work. **Vote 19-0.**

SB 363-FN, relative to wagering on simulcast dog racing. **OUGHT TO PASS.**

Rep. Jordan Ulery for Ways and Means. Years ago, under the guidance of the late Honorable Steve Vaillancourt, dog racing was eliminated in New Hampshire. This was done due to the industry record of abuse of animals in large part. This bill simply assists in reducing animal abuse by preventing simulcast wagering on dog races in New Hampshire. **Vote 19-0.**

SB 497-FN, relative to establishing the disproportionate share hospital fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Almy for Ways and Means. Since 2014, the federal Centers for Medicare and Medicaid Services have required departments of health and human services applying Medicaid enhancement taxes to hospitals to re-distribute the moneys to hospitals with more Medicaid patients after analyzing and verifying the data. The state tax receives a match from the federal government. There is a new requirement that the state create a dedicated fund to receive and distribute the money, one which is only used during the annual verification process. This bill creates that fund. The amendment corrects a minor technical flaw. **Vote 19-0.**

SB 514-FN, relative to the timber tax. **OUGHT TO PASS.**

Rep. Thomas Schamberg for Ways and Means. This bill will reduce the timber tax paperwork and time burden for very small timber harvests on landowners and municipalities. It does so by increasing the volume of wood a landowner can harvest for personal use from 10,000 board feet and 20 cords of firewood to 15,000 board feet and 30 cords. The bill also increases the threshold for when an intent-to-cut needs to be filed and timber taxes paid from 10,000 board feet and 20 cords to 15,000 board feet and 30 cords, respectively, for land being converted to a non-forest use and it changes the whole-tree ton “equivalent language” in the land conversion exemption to allow the addition of 300 tons of whole-tree chips. No one testified in opposition to this bill. During the hearing, the NH Department of Revenue Administration (DRA) testified the annual fiscal impact of the bill was approximately \$200 per municipality. Also at the hearing, while not taking an official position on the bill, the NH Municipal Association testified the annual fiscal impact DRA calculated occurs in \$5 and \$10 increments often costing more in administrative costs than what is paid. **Vote 19-0.**

THURSDAY, APRIL 11 REGULAR CALENDAR

FINANCE

HB 318-FN-A, (New Title) relative to bail commissioners and making appropriations to the judicial branch. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Leishman for Finance. As amended, this bill incorporates SB 249, SB 252 and HB 1005. With few exceptions as noted below the Finance Committee adopted earlier approved House actions on bail reform. Originally, SB 249 supported 15 magistrates to handle serious crimes now handled by bail commissioners. The committee reduced the number of magistrates to 10. The annual cost for these 10 new magistrates is \$1.56 million. The committee supports a new bail information system for a one time expense of \$1.7 million. We also increased the bail commissioner fee to \$60.00 from \$40.00. We also established a new training coordinator for \$100,000 annually. This training coordinator will oversee judicial and bail commissioner training and continuing educational requirements. Finally, the bill appropriates \$750,000 to the Department of Safety to develop and implement a system to electronically share an individual's bail condition status with law enforcement, and \$986,000 to the Judicial Branch to develop and implement a Judicial Branch bail data platform to enable electronic sharing of an individual's bail condition status with law enforcement. **Vote 24-1.**

HB 1005-FN, relative to judicial training. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dan McGuire for the **Majority** of Finance. The policy provisions of this bill were included in the committee's amendment to HB 318, the comprehensive bail reform bill, therefore this is no longer needed. **Vote 24-1.** Rep. J.R. Hoell for the **Minority** of Finance. This bill provides for the establishment of a judicial training requirement for both new and current judges. It also creates the position of judicial training coordinator whose role is the creation of orientation and continuing education training under the direction of the Chief Justice of the Supreme Court. The impetus for this bill was the special family court committee which identified concerns from people whose court experience was not uniform between judges due to differences in the application of law. It is believed these differences were due in part to a lack of training and that the institution of an annual continuing education requirement will expand the expertise of all judges and their ability to uniformly apply the law. As amended, this bill also adds in training for magistrates. While the majority of the committee felt this could be merged in with HB 318-FN, relative to magistrates and bail commissioners, the minority felt this bill was crucial to many families in NH, given the life impacting decisions NH judges make each day, and therefore should stand on its own. The minority felt that the solution to judicial training was significant enough for a 'belt and suspenders' approach with HB 318

HB 1178-FN, relative to an employee's unused earned time. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for the **Majority** of Finance. New Hampshire has a myriad of interesting businesses that are full time, part time and seasonal. Owners need to adapt with a changing economy and season and have adapted the benefits they offer such as vacation time, sick time and paid time off. Some employers group all of these benefits into one general paid time off category and some offer other benefits in lieu of these standard benefits. One size does not fit all and the bill as written does not take into account these variations that do not fit the business model of all New Hampshire employers. A majority of the committee feels this bill needs more study so employers are not forced into utilizing a specific set of benefits and forced to pay unused benefits when other benefits and safeguards are already in place and outlined in an employee manual. **Vote 13-11.**

Rep. Chuck Grassie for the **Minority** of Finance. This bill applies to companies with 15 or more employees offering accrued vacation time. While it is common practice to include earned but unused vacation in final wages, employers can in their policy or practice deny this upon termination as a blanket rule, regardless of the circumstances. There is currently no protection for employees terminated due to layoff, sale or closure of their company. The time that was listed on their prior pay stub vanishes with the job. The main reason this bill is needed is to prevent an employee from losing time they've earned under circumstances that may be beyond their control. Many long-time hourly workers who may have accrued many days of vacation and then be laid-off for no fault of their own and do not return to work lose those earned vacation days. If a company accrues vacation days on January 1 and a lay-off occurs on May 1, those employees who took their vacations prior to May 1 would get their time-off, where those employees who had not taken their vacation time would lose their earned vacation time. The minority amendment, which was approved by the Finance Committee, addressed concerns that the NH University System had with the bill and limits the amount of accrued time that must be paid out to 30 days.

HB 1199-FN-A, relative to services of the office of the child advocate for youth experiencing homelessness and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joe Sweeney for the **Majority** of Finance. This bill would add a state employee and expand the scope of the Office of the Child Advocate to coordinate resources for homeless adults up to the age of 25, utilizing one time funds available in unused ARPA funds. The majority of the House Finance Committee felt this legislation, while well-intentioned for a meaningful cause, expanded the scope of the Office of the Child Advocate far too greatly and utilized one time ARPA funds to hire a new state employee who would eventually need funding from general fund dollars in order to sustain this new position and scope of the office. **Vote 13-12.** Rep. Chuck Grassie for the **Minority** of Finance. With current concentration on adult homelessness, this bill is specific to youth experiencing homelessness. Testimony revealed the youth addressed in this bill fall outside the current system, do not usually receive services, and are at greater risk for sex trafficking in our state. The Office of the Child Advocate said that they are finding that this group includes a higher level of LGBTQ youth. The budget is for an advocate for these children and youths. This advocate will work with other state and local officials to address the housing needs of this population. The Office of the Child Advocate is the best fit for collecting data and addressing recommendations to the legislature. The policy committee voted 12 -0 to recommend this bill.

HB 1202-FN, relative to the issuance of permits for the alteration of driveways exiting onto public ways. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tracy Emerick for Finance. This bill increases staffing by three engineers with the explicit purpose of reducing the timing for approval of curb cuts on state roads. Multi-unit residential development will be considered on an expedited basis with specific time frames. Should an approval not be delivered in a timely manner the curb cut will be approved by default. **Vote 23-2.**

HB 1212-FN-LOCAL, relative to eligibility for free school meals. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Daniel Popovici-Muller for the **Majority** of Finance. This bill would increase state funding for the free and reduced meals program by tens of millions a year to “assist Granite State families in reducing food insecurity and expanding the opportunity to feed hungry kids,” but during hearings on HB 601 earlier this year, NH Hunger Solutions testified that they are not aware of any school children that are denied breakfast or lunch in our schools due to their inability to pay. Neither does the Department of Education (DOE) have any data showing that children are not being fed by schools because of their inability to pay. We asked the DOE to compile information of any school lunch debt being written off, so we can evaluate the most fiscally responsible way to ensure that all kids that want school meals get them without undue fiscal burdens being placed on taxpayers. School districts that are unable to collect funds owed for school meals would be best served by legislation that allows them to receive funds from the education trust fund to cover any uncollectible school meals debt. Debt which clearly shows that school children are getting properly fed in school, whether they can pay or not. Instead, HB 1212 proposes a budget breaking expansion of the federal lunch program, asking the NH taxpayers to pay \$50 - \$75 million or more a year (including hiring at least three new DOE employees) to address a hunger problem that nobody even showed exists in NH public schools. The majority believe this is not the fiscally responsible approach that NH taxpayers expect of us. **Vote 13-11.** Rep. Mary Heath for the **Minority** of Finance. The minority finds that the intent of this bill is to support families who are vulnerable by providing greater access to school meals and raises the cap for free school meals to 350% of the federal poverty level. New Hampshire has 100,000 individuals living in poverty. Homelessness is at an all-time high. Food insecurity is associated with poorer adult and child health, poor sleep quality, mental health disorders, higher probability of common chronic diseases, problems with language development in children, school performance and social interactions for children, higher rates of asthma and lower physical growth potential for children, and higher risk of maternal depression and anxiety among mothers. Available data showing poverty rates for groups in New Hampshire suggest greater concerns regarding food insecurity may be warranted for specific populations. Single parents, particularly women with related children, face higher poverty rates, as do children overall; they are individuals who struggle from day to day. Research suggests children can face long-term consequences from food insecurity, likely affecting their future abilities to engage in the workforce. New Hampshire is a wealthy state, feeding hungry children should be a priority for the New Hampshire House.

HB 1282-FN, relative to the duration of child support. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for Finance. This bill came to Finance Division III with a vote of 13-0 from Children and Family Law and a strong House vote. It closes the loophole in cases where a child turns 18 while in school, but then chooses not to graduate. The Finance amendment postpones the effective date to July 1, 2025 to coincide with the start of a new budget cycle. **Vote 23-0.**

HB 1288-FN, relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Tracy Emerick for the **Majority** of Finance. This bill establishes certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learn-

ing. This framework is a guideline, if a state institution has these rights already respected there is no need to change. Testimony from a state higher education executive was that of the 2,000+ cases in 2023, only 80 had a formal hearing, which would be the same under these guidelines. **Vote 13-12.** Rep. Mary Hakken-Phillips for the **Minority** of Finance. This bill attempts to solve an alleged problem of unfairness within the NH higher education system disciplinary process, but not one of the sponsors could provide evidence of a single violation of due process occurring within the Community College System of NH or the University System of NH. New Hampshire's colleges and universities have a long-standing disciplinary system that is set up to resolve cases ranging in severity from underage drinking on campus to mental health crises and to sexual assaults. Testimony reveals current procedures are appropriate, fair, and do not preclude an aggrieved faculty member, student or organization from seeking civil or criminal remedies through the judicial system. If passed, the bill will create an unnecessary, parallel judicial system to the state's court system, which will conflict with collective bargaining agreements for unionized faculty and staff and with Title IX federal protective order enforcement jeopardizing significant funding sources. Ultimately, the bill proposes no appropriation to expand NH's higher education footprint and to increase costs by \$1.3 million per year plus the unknown but significant costs related to litigation defense.

HB 1304-FN-LOCAL, relative to vessel registration and boat fee decals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Popovici-Muller for Finance. This bill separates the state vessel registration fees from the federal vessel registration to bring us in compliance with the United States Coast Guard rules, avoiding potential loss of federal funds. Two stickers will be issued for every vessel, one for the actual vessel registration and the other for the state fee vessel registration. The amendment (adopted with a 25-0 vote) was requested by the Joint Legislative Committee on Administrative Rules (JLCAR) to make a minor change providing the statutory authority to charge those fees for a replacement sticker instead of just for a new one. **Vote 24-1.**

HB 1307-FN, providing a supplemental appropriation for members of the retirement system receiving an accidental disability retirement allowance. **OUGHT TO PASS.**

Rep. Dan McGuire for Finance. This bill allocates \$401,000 to make one-time \$500 payments to the 802 retirees collecting an accidental disability pension, who have been retired for at least five years and whose pension is \$40,000 or less. It also puts into law language that such disabled retirees will be eligible for future supplemental payments and COLAs without regard to years of service, since disability can occur at any time during a career. That language may or may not have effect depending on the way future legislation is drafted. For example, in 2018 retirees were paid a \$500 supplemental, but only if they had 20 years of service. HB 1307 is a reasonable expense, especially as many disabled members did not benefit in 2018. **Vote 25-0.**

HB 1339-FN, (New Title) relative to background checks during motions to return firearms and ammunition. **OUGHT TO PASS.**

Rep. Joseph Pitre for Finance. This bill provides a procedure for conducting a discretionary background check prior to the return of firearms and/or ammunition in a court proceeding. The bill sets a time frame for a response by the Department of Safety (DOS) of ten business days for an individual for approval or denial of return of firearms and/or ammunition. If the DOS issues a denial response via "NICS" checks, the response will be with site specific citation of statute as to prohibited categories included in state or federal law. If the individual is denied, the individual may request a hearing within ten business days and the court shall schedule a hearing within ten business days. The DOS at the hearing will demonstrate by clear and convincing evidence, the individual is prohibited from possession of these items. Failure by DOS to attend or meet its burden, the property will be returned to the individual. If the hearing does not resolve the issue, a hearing at the NH State Supreme Court will be scheduled at no expense to the individual. This bill authorizes no positions, but the fiscal note reveals a cost of \$68K in FY25, \$71K in FY26 and \$78K in FY27, respectively. **Vote 25-0.**

HB 1355-FN, relative to the New Hampshire National Guard recruitment and reenlistment incentive program. **OUGHT TO PASS.**

Rep. Joe Sweeney for Finance. This bill allows the New Hampshire National Guard to offer a reenlistment bonus of up to \$6,000 to members of the New Hampshire National Guard reenlistment program with an estimated total cost of \$50,000. The strength of our National Guard is based on its ability to recruit and retain quality members and the Finance Committee continues to support our National Guard's ability to retain and recruit members of quality. **Vote 25-0.**

HB 1363-FN, relative to allowing members of the general court to participate in the department of health and human services employee assistance program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jess Edwards for the **Majority** of Finance. This bill would add members of the General Court, and their family, to the employee assistance program (EAP). While the committee agrees that EAPs are a great employee benefit and may make the advantaged workforce more resilient, and because this benefit is not available to

all NH taxpayers, the policy committee recommends ITL because taxpayer funded EAPs are unnecessary, redundant, or exacerbates inequity. Further, voting to increase our personal benefits package represents the featherbedding of our own employee benefits when we are neither employees nor entitled to a fully funded benefit applicable to every legislator, and his/her family, without making any financial contribution towards the new expense of government expansion. While delaying implementation was considered as a way to sidestep the reality of voting to improve our own personal benefits package, the full committee rejected that as an adequate way to overcome the principle that our legislative compensation package is embedded in the NH Constitution (part 2, Article 15) at \$200. Given that legislators would get the EAP benefit at no cost, the legislature could arguably be providing themselves increased compensation in law while circumventing the CACR process. This body would open the doors to future benefit enhancements if this self-serving precedent became law. At minimum, the majority of the policy committee wished to legitimize program participation in the EAP program by offering the benefit as an opt-in choice and paid for by the legislator individually similar to our current medical and dental offerings. **Vote 13-12.** Rep. Laura Telerski for the **Minority** of Finance. The bill would allow members of the general court to participate in the existing state employee assistance program (EAP) already operated by the Department of Health and Human Services. The EAP is a program that provides confidential assistance on issues that affect overall well-being by providing referrals and support related to concerns such as emotional health, financial concerns, marriage and family challenges, health management, substance misuse, gambling, and more. Providing access to the EAP would encourage overall well-being for legislators to better serve our constituents and would be a valuable tool for the Speaker's Office and caucus leadership as they attempt to assist legislators who are struggling to fulfill their duties. The proposed amendment addresses opposition concerns and to clarify who qualifies, adds language that legislators are not employees despite having access to the EAP, and moving the effective date to 2027 to be clear that voting for this will not directly benefit anyone since there are two elections before it is implemented. Supporters of the bill believe the EAP is simply an expansion of other wellness programs legislators have access to, such as health education and guidance through the State House nurse and Health Screening Day scheduled on April 30th.

HB 1394-FN-A, relative to licensure and regulation of music therapists and making an appropriation therefor. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Jose Cambrils for the **Majority** of Finance. The majority of the Finance Committee agreed that due to the small number of licenses required for musical therapists, HB 1394 would be amended. The amendment provided the Office of Professional Licensure and Certification (OPLC) funding needed to administer and monitor licenses to this small group. By utilizing existing staff and overtime labor, this eliminated the need to hire a full-time position. **Vote 15-10.** Rep. J.R. Hoell for the **Minority** of Finance. The committee heard testimony that approximately 30 music therapists practice in New Hampshire, either for private pay or in clinics that provide their services. The minority was not convinced that creating a new, specialized license for, yet another type of therapy was appropriate. The bill requires that those covered by this new license spend an extra \$155 every other year to maintain their license to practice a profession that is currently being practiced without the license. These licenses do not transfer the liability to the state for bad practice, so the practitioners are paying for an oversight that they are not getting. Having a license does not ensure that those who are seeking these services are getting a quality product/therapy. The minority supports the committee's amendment to reduce the cost to the state to \$3,000 annually as the group that would be seeking licensing is insufficient in size to cover the costs of a new position on the bill as filed.

HB 1466-FN, relative to providing disaster relief funding to municipalities after a natural disaster. **OUGHT TO PASS.**

Rep. Mary Heath for Finance. This is a bipartisan bill authorizing disaster relief for municipalities that suffer certain natural disasters and establishes a recovery fund for municipalities of no more than \$100,000 in one calendar year, for towns suffering a disaster. This bill allows for the town to petition for funds to provide immediate relief as a grant. The purpose of the Emergency Response and Recovery Fund is to provide immediate liquidity for towns suffering a disaster to allow time for the town to go through the steps necessary to petition for state or federal emergency funds. It is the intent that this grant would be reimbursable from state or federal or disaster relief programs. Requests shall be filed with the Joint Legislative Fiscal Committee within 45 days and will coordinate with the federal management agency. The fund shall be non-lapsing and continually appropriated to the Department of Safety. Moneys shall be distributed from the New Hampshire Disaster Relief Fund established in RSA 21-P:46-a. The Joint Legislative Fiscal Committee may decide to appropriate a lesser amount to the request based on available funding. **Vote 25-0.**

HB 1468-FN-A, directing the department of transportation to develop a Conway Branch rail line master plan. **OUGHT TO PASS.**

Rep. Thomas Buco for Finance. This bill directs the Department of Transportation to work with the Bureau of Rails and Transit and the Bureau of Trails and also to meet with the Executive Councilor of District 1, a

member of the House Public Works and Highways Committee, a member of the Senate Capital Budget Committee, and a representation of the New Hampshire North Coast Railroad in order to formulate a master plan for the best public use of the “Conway Branch” rail corridor from Ossipee to Madison. The master plan shall explore the uses and costs of bringing the rail corridor to a safe, level surface for recreational activity. The fiscal note says cost will be less than \$10,000. **Vote 23-2.**

HB 1564-FN, relative to the child support guidelines. **OUGHT TO PASS.**

Rep. Maureen Mooney for Finance. This bill has been a long time in coming in order to make welcome adjustments to the child support guidelines. The bill was filed after collaborative meetings last summer with those most familiar with child support guidelines in New Hampshire namely mediators, parents, legislators, family law attorneys from NH Association for Justice, attorneys from NH Legal Assistance and NH Coalition of Domestic Violence. The bill unanimously passed in the Children and Family Law Committee and then on a voice vote from the full House in February. In sum, the bill increases the self-support reserve, allows for expenses related to childcare, healthcare and extracurricular activities to be split, and allows for rebuttable presumptions of deviations based on shared parenting time. The bill is cost effective and the majority of the House Finance Committee believes is a prudent investment. **Vote 22-1.**

HB 1570-FN-A-LOCAL, (New Title) requiring the department of education to conduct a facility assessment of public schools and public chartered schools. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Popovici-Muller for Finance. This bill received a 20-0 vote in the Education Committee and passed the House on a voice vote. The Finance Committee adopted an amendment to clarify that the Department of Education has the authority to request the funding needed until June 30, 2025 from the Fiscal Committee of the General Court, then unanimously approved the OTP/A motion for the amended bill. **Vote 25-0.**

HB 1573-FN, relative to oversight of and criteria for residential placement of children. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Keith Erf for the **Majority** of Finance. Last August a rare, but extremely unfortunate, event occurred involving two children under a court order in a residential placement in Tennessee. An Office of the Child Advocate investigation and report indicated that NH standards for trauma informed, therapeutic care had devolved to approximate an incarceration model. The facility had been visited and found acceptable the week earlier and subsequent 3rd party audits were consistent with the department’s findings. The Children’s Behavioral Health Division promptly addressed the need to relocate the children to New England. Immediately the Department of Health and Human Services (DHHS) implemented policies and procedures conforming to recommendations of the Office of the Child Advocate (OCA) to improve quality assurance with increased site visits and clear certification requirements. Children and Family Law was quickly engaged to write additional law. The process was rapid, “HB 1573 was quickly, and at the deadline, filed as a ‘place holder’.” Work began between DHHS, the OCA and the legislature to develop a bill. HB 1573 came to the House floor with a \$6.7 million annual price tag and 39 new positions. The bill as amended in the House increased that to 53 new positions and a \$7.5 million annual cost. The rapidly developed bill passed without debate and came to Finance with the statement that cost impacts had not been considered and that task was left to Finance. An amendment from OCA and DHHS brought to the Finance Committee called for 16 new positions and an undetermined cost. The primary driver of increased staffing, and thus increased cost, isn’t the frequency of visits as this remains monthly. The change is moving to a system where only the caseworker assigned to a child will perform the visits and in stronger certification and recertification requirements. The initial bill required two additional judges and seven judicial clerks to increase the number of court reviews required. DHHS has implemented most, if not all of the actions proposed in the original bill. The amendment adds \$1 million to the DHHS budget to fund the added workload until the next budget cycle. The department will retain flexibility to meet the goals without a heavily prescriptive law. The possibility of other incidents of these types of residential placement were floated without substantiation as motivation to “do something.” Yet, during our Finance Committee budget hearings last year we didn’t hear anything of this despite our spending many hours discussing the replacement for the Sununu Center which is often the first stop for court ordered placements under RSA 169-B. The proposed amendment, allows time for continued optimization of a solution. It replaces HB 1573 with three parts: the Statement of Purpose and Findings as proposed by OCA and DHHS; including a policy requiring any placement outside of New England requires the approval of the Director of the Division of Children, Youth and Families; a \$1 million appropriation to DHHS so they may continue to implement their improved policies and practices. In the meantime, the Senate has a companion bill being considered. The majority believes an independent workload study be done to determine appropriate staffing levels. **Vote 13-11.** Rep. Mary Jane Wallner for the **Minority** of Finance. The majority amendment removes all policy, except for one small piece, and leaves only the bill’s purpose and a \$1,000,000 appropriation. There is no direction as to how DCYF is to spend the appropriation, no requirement for a report to the legislature as to how the funds are spent. The policy developed through extensive meetings with DCYF and the Child Advocate and the Children and Family Law Committee has been rejected. HB 1573 came to the

Finance Committee from Children and Family Law where it passed unanimously and passed on the floor of the House on a voice vote. The bill addresses a very serious issue of children in state custody who are placed in residential facilities, some of which are out of state. The bill originated after the Child Advocate reported on visits she made to two NH children at a facility in Tennessee. The report revealed several concerning findings and resulted in the children being returned to NH. The report pointed out the need for more oversight of residential facilities by DCYF. The bill as it came to the Finance Committee contained policy and process for assuring children were visited on a monthly basis by a DCYF case worker and that facilities were certified on a regular basis. The bill provided for facilities to receive unannounced visits as well as announced visits. The minority amendment was developed by the Child Advocate and DCYF and that the DCYF director said his agency needs. The need for policy and guidelines in the area of residential facilities is important to the safety of children in state custody.

HB 1577-FN, relative to digital images of ballots. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dan McGuire for the **Majority** of Finance. New voting machines scan ballots, then store the images and related information on internal memory cards. The original bill had the Secretary of State obtain the cards, and then allow interested parties to view the images. This would have required a new employee. Also, ballots and other election information are stored by municipalities and the Secretary of State only obtains them in the case of a recount. The amendment allows citizens to purchase copies of the memory cards from clerks for their costs, thus eliminating any fiscal impact of the bill. **Vote 13-12.**

Rep. Karen Ebel for the **Minority** of Finance. As amended, HB 1577, remains opposed by the Secretary of State. It removes privacy and security safeguards in the voting process. To protect the basic right of privacy in the voting booth, ballots are exempted from our right to know laws. HB 1577 would allow all ballots to be viewed post-election for an unlimited period of time by anyone who requests access. The Secretary of State is concerned that this could encourage vote-buying schemes because stray marks or other indicators could reflect the identity of the voters confirming their vote to the viewer. It removes the role of the Secretary of State in monitoring the review of the ballot images and provides no replacement supervision. It allows any voter to obtain a copy of a memory stick containing digital images of all ballots from a machine, rather than restricting access to the memory stick to the Secretary of State. The Secretary of State also expressed concern related to the privacy of voting for those using accessible voting machines, something the state has gone to great lengths to protect. As amended, the financial burden on the Secretary of State has been removed, however, nothing is free. Despite the fee that can be charged for the memory stick containing digital images of the ballots, all labor and other costs fall on our municipalities, downshifting costs yet again. Anyone reviewing a memory stick can request an Attorney General investigation based on discrepancies they believe they have identified. Innumerable studies have confirmed that NH elections are fair, safe, and secure, and many measures in place to safeguard our election process, including ballot machine testing and approval, ballot reconciliation by moderators and post-election audit requirements. The Governor, two Secretaries of State, and the Special Committee on Voter Confidence have all expressed confidence in our elections. HB 1577 is clearly problematic, expensive for our towns, creates many administrative burdens and is completely unnecessary.

HB 1583-FN-A, relative to the per pupil cost of an opportunity for an adequate education. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Tracy Emerick for the **Majority** of Finance. This bill as previously approved by the House establishes an adequate education payment by the state of \$4,004 and sets forth guidelines for fiscal disparity aid for districts where property valuations are lacking to support educational needs. **Vote 18-7.** Rep. J.R. Hoell for the **Minority** of Finance. The bill makes the changes affecting the calculation of final adequacy grants to public school districts, aid to public charter schools, and education freedom accounts (EFAs). The LBA estimates the average cost for this program at \$68 million/year for each of the next three years. This is unprecedented amount of new spending in a non-budget year, especially in the face of declining enrollment, and softening revenue (March business taxes came in \$30 million under plan). This bill could also put in jeopardy the desperately needed group II retirement improvements. Last year during the budget cycle we already made significant increases, greater than \$80 million/year, to those same areas. Furthermore, the minority is aware that there are pending cases in front of the New Hampshire Supreme Court relative to base education adequacy grants and the general education funding formula and thinks it is unwise to proceed at the current time. The minority thinks that holding onto this bill is a better approach while we wait for a decision from the New Hampshire Supreme Court which we might need to respond to.

HB 1588-FN, relative to court jurisdiction over persons receiving special education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Preece for Finance. The Finance Committee supports the passage of this bill, which updates statutes relating to the court jurisdiction of children needing services to reflect that special education is offered to students up to the age of 22 years if the student has not exited special education based on receipt of a high

school diploma. The Department of Health and Human Services will serve approximately 32 additional young adults annually receiving Child Protection (CPS) and Juvenile Justice (JJS) Services (21 CPS and 11 JJS). Of those, ten are predicted to receive residential treatment or utilize placement (eight in residential and two in other placement settings (Foster Care/Kinship), and 22 will receive additional community-based services. As a result of the increased workloads, the department will require two additional Child Protective Service Worker positions and one additional Juvenile Probation and Parole Officer. The cost will range from \$1,657,607 to \$6,063,48, depending upon the placement and services. The funding source is the general fund. **Vote 25-0.**

HB 1589-FN, establishing a veterans treatment court OUGHT TO PASS WITH AMENDMENT.

Rep. Dan McGuire for Finance. This bill creates a veteran's court, similar to drug court, after successful trials in some counties. The original bill spent \$2 million in annual grant payments to counties to fund the court, but estimates are that there will only be at most 40 cases annually. The amendment changes the grants to \$5,000 reimbursements per case and funds the veteran's court coordinator, considerably reducing the cost of the bill. **Vote 25-0.**

HB 1593-FN, (New Title) making an appropriation to the department of health and human services to support recreational activities for individuals with developmental disabilities. OUGHT TO PASS WITH AMENDMENT.

Rep. Jerry Stringham for Finance. This bipartisan bill came out of the Health and Human Services Committee with a 17-3 recommendation and passed by the House on a voice vote. This bill was necessitated by a disruption to the developmental services program that was caused by an unannounced change in the list of eligible services during this budget cycle. Individuals previously receiving recreational services, like bowling, swimming, karate, and other activities that promote socialization with the general public and help advance health and safety goals, are no longer part of the developmental disability Medicaid waiver program. This bill provides a maximum of \$600 per person through the end of this budget cycle, prioritizing those who participated in these programs under a prior individualized service budget, and it would be effective upon passage. The program would have an income and medical necessity means test for any participant. The appropriation is \$500,000 with comparable savings that occurred with the discontinuation of the same services under the disability waiver program. This is a one-time fix and does not create an ongoing obligation for the legislature to address this and other issues in providing services to the developmental disability community beyond this biennium. The Finance Committee amended the bill to limit these services to adults who have left the school system and thus have fewer opportunities for community recreational programs. The amendment also requires the Department of Health and Human Services to produce a timely report so that adjustments to the developmentally disabled program could be included for the next biennium. **Vote 23-1.**

HB 1595-FN, relative to adjustment of the child support guidelines based on parenting time, medical support, and child care expenses. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Jess Edwards for the **Majority** of Finance. The amendment accepts the definition of parenting time advanced by HB 1564 and adopts a formula and calculator likely to lead to reduced court time needed for most families navigating child support. All parties would have the appropriate mathematical tool to do so easily and effectively outside of court (which we currently do not have). Thus, leaving the family court system more available to those who need to navigate delicate issues and directly addresses the stated concerns of the minority. Judges retain the ability to what is in the best interest of the children, including domestic violence issues which are specifically handled in RSA 461-A:6 – Determination of Parental Rights and Responsibilities; Best Interest. The section of law already in effect speaks specifically to abuse, and the courts' ability to conclude "that frequent and continuing contact between each child and both parents is not in the best interest of the child, the court shall make findings supporting its order." The original bill came to Finance with the approval of the House after a 7-6 committee vote. The amendment obviated a great deal of the concerns and implements the findings of multiple independent reports. **Vote 13-11.** Rep. Laura Telerski for the **Minority** of Finance. This bill as amended makes a significant adjustment to the child support guidelines by utilizing 'parenting time' in the support calculations. With two bills before the committee addressing the issue of child support, the majority believed both bills could be passed and exist concurrently with one fiscal expense of \$98,600 in general funds for system updates. Advocates including NH Legal Assistance, NH Association of Justice, and Waypoint all raised concerns that the bill as amended does not sufficiently address the issue of families where domestic violence is present. HB 1595 relies solely on parenting time to calculate child support and that, in and of itself, is inherently problematic in situations of abuse. It is the minority opinion that a more appropriate motion is Interim Study where more work can be done on clarifying the formula to directly address these problematic situations to ensure the well-being of the child is first and foremost in all situations.

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. OUGHT TO PASS WITH AMENDMENT.

Rep. Mary Jane Wallner for Finance. The bill as amended provides for a consultant to assist the Department of Health and Human Services in preparing a report relative to the management of social security and veterans benefits for children in foster care placements. The consultant shall be knowledgeable of other states' efforts in managing such payments and benefits for children in placement. The report is due no later than December 31, 2024. The bill appropriates \$150,000. **Vote 25-0.**

HB 1633-FN-A, relative to the legalization and regulation of cannabis and making appropriations therefor. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Chuck Grassie for the **Majority** of Finance. This bill intends to legalize cannabis so that it can be regulated to ensure that these products are tested and labeled to ensure that consumers are informed and protected. The bill delineates that cannabis will not be sold to minors under the age of 21. Many years of work have led to this effort, which focuses the State of NH on harm reduction, non profits, and allows the state to control distribution and access through state laws, administrative rules, and local control. The bill will limit initial cannabis retail outlet licenses to 15 while providing a pathway for expanded licenses. This legislation ensures that laws and administrative rules do not pick favorites but rather create a transparent administrative process for applications and selection criteria. The legalization of cannabis will move production and sales from the underground, sometimes dangerous, illicit market to legal businesses, allowing for appropriate regulations and control. The Finance committee amendment tightens up the bill, corrects a vagueness in the penalties for public use and moves financial responsibility from the general fund to the New Hampshire Liquor Commission. The House policy committee approved the bill by a 17 to 3 vote and it passed the House 239 to 141. The amendment requires reporting to the House Commerce and Consumer Affairs Committee and the Joint Fiscal Committee. It also sets the agency fee to 10% of the monthly total gross revenue derived for the sale of cannabis and cannabis products and provides for any remaining Liquor Commission profits from cannabis to be returned to the general fund. **Vote 19-6.** Rep. Kenneth Weyler for the **Minority** of Finance. The minority is inspired to use the language that Governor Youngkin used in his veto in Virginia: "States following this path have seen adverse effects on children's and adolescent's health and safety, increased gang activity and violent crime, significant deterioration in mental health, decreased road safety, and significant costs associated with marijuana that far exceed tax revenue. It also does not eliminate the illegal black-market sale of cannabis, nor guarantee product safety. Addressing the inconsistencies in enforcement and regulation in our current laws does not justify expanding access to cannabis, following the failed paths of other states and endangering our health and safety."

HB 1647-FN-A, relative to the calculation of group II retirement benefits in the retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gerald Griffin for Finance. This bill addresses the inequities that resulted from changes made to the Retirement System in 2011. It was recommended by the Retirement Commission that met last year. It came out of the policy committee on a 20-0 vote and easily passed the full House. The bill increases Group II retirement annuity multipliers to 2.5% for each year of service beyond 10 years for members who commenced service prior to July 1, 2011, but had not attained vested status prior to January 1, 2012, and for members who commenced service on or after July 1, 2011, including future hires. This change only applies to members who qualify for retirement provided under RSA 100-A:5, II or for disability retirement under RSA 100-A:6, II. The Finance Committee amended the money included in the bill from \$55,600,000 to \$53,600,000 based on updated calculations made by the retirement system. **Vote 23-2.**

HB 1649-FN, relative to prohibiting certain products with intentionally added PFAS. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Karen Ebel for the **Majority** of Finance. This bill, as amended, would prohibit manufacturers from selling specified consumer products in our state that have PFAS intentionally added, all products we use in our everyday lives. Effective January 1, 2027, New Hampshire would join other states that have banned the sale of these products which expose us, our families, friends and neighbors to PFAS, including food packaging, products sold to children, cosmetics, carpets and upholstered furniture. Products proposed to be banned are those with the highest PFAS load entering our waste stream via landfills and waste water treatments plants, or are sources of the greatest direct human exposure. New Hampshire is one of the states most burdened by PFAS contamination. Our state and towns have spent no less than \$110 million already in remediation and there is no end in sight. The health of our citizenry has suffered, especially in Merrimack. Those costs are unquantifiable. The toxicity level to which our drinking water must now be tested is in the one-trillionths. "Forever chemicals" have invaded our water, our soil and our air. Virtually everyone now has PFAS in their bodies. Few, if any issues, could bring people together the way a proposed PFAS ban brought together HB 1649 supporters, including public and private solid waste facilities and operators, waste water treatment and drinking water facilities, public health associations, professional firefighters, the NH Municipal Association a consortium of environmental organizations and clean water advocates. To effectuate the ban, HB 1649 would create a position at New Hampshire Department of Environmental Services (NHDES), which would

sunset in 2033. The bill also appropriates \$250,000 to get the program going and authorizes participation in a multi-state clearinghouse. HB 1649 passed the House on a voice vote with no debate following the strong recommendation of the House Commerce Committee. The bipartisan majority of the Finance Committee concurs that the best way to stop the influx of these dangerous chemicals into our state is to just stop using them in our products. **Vote 15-9.** Rep. Dan McGuire for the **Minority** of Finance. This bill introduces a ban on any one of a large list of consumer products if they are made with a chemical compound whose formula contains one or more “fully fluorinated carbon” molecules. They call these “forever chemicals,” but they could just as easily be called “useful chemicals.” There are approximately 15,000 such compounds and the number of consumer products affected must run into the 100’s of thousands. It includes every food container, bag, box or can, including the ink on the labels. It also includes every piece of cloth sold in the state, whether clothing, upholstery, linens, etc, cosmetics, toys and other common consumer products. Brand names affected include Gore-Tex and Teflon. Strangely, the bill does not ban these chemicals if they occur in things that are actually ingested, like the medications Lipitor (atorvastatin) and Prozac (fluoxetine) or used for cooking like non-stick pans. HB 1649 purports to enforce these bans with a single Department of Environmental Services (DES) employee, so the enforcement will necessarily be selective. It will likely target smaller companies who can’t afford to investigate the chemical formulas of all product components provided by their suppliers. The bill doesn’t contain any testing for chemical concentrations; one molecule is considered as bad as one pound. This kind of environmental regulation is not something that the state of New Hampshire can do effectively. The US Environmental Protection Agency (EPA), US Food and Drug Administration (FDA) and other agencies are already on this, with their far greater resources. For example, the FDA announced last month that grease-proof food containers made with PFAS are no longer sold in the United States.

HB 1656-FN-LOCAL, (New Title) relative to adequate education grant amounts for pupils receiving special education services. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Tracy Emerick for the **Majority** of Finance. This bill previously approved by the House establishes three levels of special education payments from the state where currently one rate applies for all special education needs students. The levels are defined by the number of hours per week a student requires special education support. The bill also establishes payments for free and reduced lunch students and English language learners. **Vote 21-4.** Rep. Mary Jane Wallner for the **Minority** of Finance. The special subcommittee on school funding recommended increasing special education adequacy aid by \$35 million using a three-tiered formula. However, the Finance Committee learned that the bill as passed was far short of that estimate. The bill with this amendment implements the three-tiered formula for special education adequacy aid at the funding level recommended by the special subcommittee. It also makes a technical correction that accurately recognizes all students receiving special education services. These changes recognize the costs for providing special education services and benefit all public schools.

HB 1666-FN, relative to income reporting requirements for lobbyists. **OUGHT TO PASS.**

Rep. Joe Sweeney for Finance. This bill requires lobbyists to identify clients and income received from lobbying activity and also authorizes the Secretary of State to enforce lobbyist statement requirements. The unanimous House Finance Committee had no issues with the small fiscal impact of this bill, slightly over \$35,000, to hire a part-time investigator at Labor Grade 28, Step 1. With this part-time investigator the Secretary of State’s office will be empowered to enforce existing statutes for lobbyist disclosures as well as new statutes included in this legislation. **Vote 23-0.**

HB 1669-FN, relative to restricting data sharing through the state immunization registry. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J.R. Hoell for Finance. The Department of Health and Human Services (DHHS) currently does not share information in the immunization information system (registry) with other states. In the event that DHHS would like to share the information within the immunization information system, the bill requires the DHHS to ensure the receiving party agrees to comply with New Hampshire laws and constitutional requirements that protect personal privacy. The bill requires that prior to any data sharing agreement, DHHS redact personally identifiable information within the immunization information system. The amendment copies the complete bill as sent over from the Health, Human Services and Elderly Affairs Committee and adds the necessary support staff within DHHS to make sure that the program is implemented correctly. The amended version spends \$107,000 for the first year and \$80,000 for ongoing support. **Vote 25-0.**

HB 1678-FN, establishing a New Hampshire farm to school local food incentive pilot program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dan McGuire for the **Majority** of Finance. This bill creates a two-year pilot program in the Department of Agriculture, Markets and Food to give grants to schools buying local farm products for the breakfast, lunch or other programs. It creates a six-member committee to create selection and funding criteria and review grant applications. It allocates \$241,000 for the purpose, some of which will be spent to administer the program.

Last summer the Fiscal Committee accepted \$559,000 from the federal government for essentially the same purpose. It allows the 44 school districts in the state with over 40% of their members on free and reduced lunch to place orders for food directly to local farms, who will be paid from the federal funds. All funds are used to buy food. HB 1678 is duplicative of that effort, and more bureaucratic. The state has other, more pressing uses for general funds. **Vote 13-12.**

Rep. Chuck Grassie for the **Minority** of Finance. This bill establishes the New Hampshire Farm to School Pilot Program. The program establishes a fund of \$120,500 each year for two years for reimbursement to schools on a competitive basis for the purchase of local, New Hampshire produced foods, overseen by a committee including a farm representative and child nutrition expert. This program will encourage local farms to produce healthful foods for consumption in New Hampshire schools entirely within state authority, with no ties to federal programs, and as such no federal requirements are attached. This program is designed to both facilitate more nutritious and desirable foods for New Hampshire students and improve local food security within the state. The policy committee voted 17-3 to recommend this bill.

SB 252-FN, (New Title) relative to the release of a defendant pending trial, directing the establishment of an electronic monitoring program for criminal defendants released on bail, and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan McGuire for Finance. The policy provisions of this bill were included in the committee's amendment to HB 318, the comprehensive bail reform bill, therefore this is no longer needed. **Vote 25-0.**

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, APRIL 5

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1), Room 201, LOB
10:00 a.m. Regular meeting.

MONDAY, APRIL 8

ADVISORY COUNCIL ON CAREER AND TECHNICAL EDUCATION (RSA 188-E:10-b), CRTC 170 Warren St. Concord,
9:00 a.m. Regular meeting.

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30), Conservation Center French Wing, Williams Room, 54 Portsmouth St., Concord

9:00 a.m. Regular meeting.

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.

TUESDAY, APRIL 9

EDUCATION, Room 205-207, LOB

10:00 a.m. Administrative rules review subcommittee.

1:00 p.m. Executive session on **SB 217-FN-A**, establishing a rural and underserved area educator incentive program for higher education and making an appropriation therefor; **SB 338**, relative to the education professional standards board; **SB 340**, relative to communication between parents and school districts regarding special education; **SB 374-FN**, relative to the licensing of part-time teachers; **SB 377-FN**, establishing the achieving a better life experience (ABLE) savings account program administrative fund; **SB 441**, relative to establishing an advisory group to examine potential funding sources for career and technical education (CTE) construction and renovation; **SB 443-FN**, relative to the definition of school transportation vehicle; **SB 521-FN**, relative to the educational credentials for master teacher; **SB 528**, relative to trustees of the university system.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 10:00 a.m. **SB 476-FN**, making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men.
- 10:45 a.m. Executive session on **SB 592-FN**, renaming Route 127 from Central Street in Franklin to the town line of Sanbornton as Officer Bradley Haas Memorial Highway; **SB 580-FN**, authorizing the sale of toll credits to fund a newly established noise barrier construction fund for the design and construction of noise barrier projects.

WAYS AND MEANS, Room 202-204, LOB

- 10:00 a.m. Executive session on **SB 513**, relative to permitting charity auctions by non-profit corporations.
- 10:30 a.m. **SB 472-FN**, relative to historic horse racing licensing, establishing operations of games of chance for the benefit of the host community, and relative to charitable gaming dates for municipalities and charitable organizations.
- 11:00 a.m. **SB 597**, relative to lucky 7 ticket dispenser devices.
- 11:15 a.m. **SB 585-FN**, relative to a property lien resulting from unpaid meals and rooms taxes.

WEDNESDAY, APRIL 10**CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB**

- 10:00 a.m. **SB 504-FN**, relative to land in current use.
- 10:30 a.m. **SB 564-FN**, relative to crimes involving child sexual abuse images.
- 1:00 p.m. Executive session on **SB 248-FN**, relative to bail for a defendant; **SB 418-FN**, relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated; **SB 425**, relative to bail commissioner fees; **SB 460-FN**, establishing the crime of and penalties for unlawful use of unmanned aircraft systems; **SB 504-FN**, relative to land in current use; **SB 564-FN**, relative to crimes involving child sexual abuse images.

EDUCATION, Room 205-207, LOB

- 10:00 a.m. Full committee work session on **SB 378**, relative to the performance-based school accountability system task force; **SB 526**, relative to a public school facility condition assessment and school building aid grants for temperature control.

EDUCATION, Room 205-207, LOB

- 1:00 p.m. Continued Executive Session on any remaining bills from April 9, 2024.
- 1:00 p.m. Executive session on **SB 378**, relative to the performance-based school accountability system task force; **SB 526**, relative to a public school facility condition assessment and school building aid grants for temperature control; **SB 339**, relative to repealing the graduation requirement regarding Free Application for Federal Student Aid (FAFSA) applications.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306-308, LOB

- 9:00 a.m. **SB 485-FN**, enumerating the office of professional licensure and certification's processes and procedures for temporary occupational licensure for military service members and their spouses.
- 10:00 a.m. **SB 599**, relative to the state fire code.
- 10:30 a.m. **SB 437**, relative to local authority to amend the state building code.
- 11:15 a.m. **SB 367**, reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.
- 1:00 p.m. **SB 479**, relative to recognizing the second Thursday in October as children's environmental health day.
- 1:30 p.m. **SB 430**, relative to establishing a council to study the impacts of electric vehicles, e-mobility devices, and the associated lithium-ion batteries on first responder response, the environment, building and fire codes, life safety, and property protection.
- 2:00 p.m. **SB 210-FN**, relative to the licensing of software applications by state agencies.
- 2:30 p.m. **SB 439-FN**, to prohibiting discriminatory boycotts of Israel in state procurement and investments.
- 3:00 p.m. **SB 318-FN**, relative to adoption of the social work licensure compact.
- 3:05 p.m. Public Hearing on non-germane amendment #2024-1429h to SB 318, relative to adoption of the social work licensure compact. The amendment converts the manufactured housing installations standards board into an advisory board and makes other amendments implementing this change, combines the advisory board of massage therapists with the advisory board of reflexology, structural integration, and Asian bodywork therapy and makes other amendments implementing this change, converts the board of examiners of nursing home administrators into an advisory board and makes other amendments implementing this change, and eliminates medical technicians from professions permitted to provide telemedicine and telehealth services. Copies of the amendment are available on the General Court website.

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

- 9:30 a.m. **SB 355-FN**, relative to newborn screening for cytomegalovirus.
- 9:45 a.m. **SB 349**, relative to a voluntary home visiting program report by the wellness and primary prevention council.
- 10:00 a.m. **SB 409-FN**, relative to reimbursement for ambulance services under the state Medicaid plan.
- 11:00 a.m. **SB 403-FN**, relative to the health care workforce.
- 1:00 p.m. **SB 456-FN**, relative to the state loan repayment program for qualified nursing professionals, and making an appropriation therefor.
- 1:30 p.m. **SB 496-FN**, directing the department of health and human services to establish a climate and health protection program.
- 2:30 p.m. **SB 567-FN**, directing the commissioner of the department of health and human services to compile a report on the availability of mifepristone and misoprostol.

JUDICIARY, Room 206-208, LOB

- 10:00 a.m. **SB 185-FN**, establishing a committee to study the various barriers to discharge for patients to be safely discharged from acute care facilities.
- 10:30 a.m. **SB 507-FN**, extending the time to petition for a new trial in certain cases.
- 11:00 a.m. Executive session on **SB 314-FN**, relative to pre-trial competency evaluations; **SB 327-FN**, providing penalties for the assault or harassment of sports officials; **SB 435**, relative to the New Hampshire unitrust statute.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 10:00 a.m. **SB 301**, relative to establishing a committee to study the possibility of placing a desalination plant in New Hampshire.
- 10:45 a.m. **SB 345-FN**, relative to state park fees for state residents.
- 11:30 a.m. **SB 387-FN**, relative to a state parks pass pilot program for recovery centers and community mental health centers.
- 1:00 p.m. **SB 474**, relative to prohibiting metal detecting in certain areas.
- 1:45 p.m. **SB 492**, relative to wastewater engineering.
- 2:30 p.m. **SB 549-FN**, relative to procedures for inspection and transfer of dams and establishing a committee to study alternatives for the funding, operation, maintenance, and repair of state-owned dams.
- 3:00 p.m. **SB 589-L**, relative to wastewater surcharges.

SPECIAL COMMITTEE ON CHILDCARE, Room 104, LOB

- 10:00 a.m. **SB 478-FN**, relative to child day care, residential care, and child-placing agency licensing.
- 10:15 a.m. Executive Session on **SB 478-FN**, relative to child day care, residential care, and child-placing agency licensing.

THURSDAY, APRIL 11**CHILD CARE ADVISORY COMMITTEE (RSA 126-A:17), 2 Delta Drive, Concord**

- 1:00 p.m. Regular meeting.

FRIDAY, APRIL 12**ASSESSING STANDARDS BOARD (RSA 21-J:14-a), NH Department of Revenue Administration, Training Room, 109 Pleasant Street, Concord**

- 9:30 a.m. Subcommittee work session meeting.
- 10:30 a.m. Regular meeting.

COMMISSION ON BEHAVIORAL HEALTH CRISIS SERVICES (RSA 135-C:68), Walker Building, 21 S. Fruit Street, Concord

- 10:00 a.m. Regular meeting. Microsoft Teams <https://teams.microsoft.com/>
Meeting ID: 277 642 215 512 Passcode: BYj4w2
By Phone: 1 603-931-4944, 982 442 082#

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=Q3pvYncvcW55Zkg0ZVVNQW5USGlsZz09>

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

- 9:00 a.m. Discussion about NH Homeland Security's role during COVID.
- 1:00 p.m. Discussion about COVID protocols, and related items to the committee's mission statement.

STATE HEALTH ASSESSMENT AND STATE HEALTH IMPROVEMENT PLAN ADVISORY COUNCIL (RSA 126-A:88), JSI - NH Office, 501 South Street, Bow

12:30 p.m. Regular meeting. Join Zoom: <https://unh.zoom.us/j/98011299433?pwd=Q0pzeXJwREcxMXE5YWWE2WkM0SFRBZz09>

MONDAY, APRIL 15

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.

EDUCATION FREEDOM SAVINGS ACCOUNT OVERSIGHT COMMITTEE (RSA 194-F:12), Room 103, SH

10:00 a.m. Regular meeting.

NEW HAMPSHIRE CANADIAN TRADE COUNCIL (RSA 12-O:22), Room 100, SH

2:00 p.m. Regular meeting.

NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4), NHDES, Cafeteria, 29 Hazen Drive, Concord

10:00 a.m. Regular meeting.

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

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=bUFER3I5emt3NGVudDBYYW9SZThLUT09>

TUESDAY, APRIL 16

ENVIRONMENT AND AGRICULTURE, Room 301-303, LOB

10:30 a.m. **SB 329-FN**, relative to background checks of certain persons associated with solid waste management.

11:00 a.m. **SB 587**, relative to animals brought into this state.

1:00 p.m. **SB 385**, relative to the cost of care fund.

1:30 p.m. **SB 545-FN**, Establishing a committee to study the scope and role of veterinary technicians.

WEDNESDAY, APRIL 17

LEGISLATIVE ADMINISTRATION, Room 203, LOB

10:00 a.m. **SB 605**, relative to ethical standards for members of the general court.

10:20 a.m. **SB 331-A**, relative to certain historic commemorations.

10:45 a.m. Full committee work session on **SB 605**, relative to ethical standards for members of the general court; **SB 331-A**, relative to certain historic commemorations.

FRIDAY, APRIL 19

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), Lane Memorial Library, 2 Academy Dr., Hampton

3:00 p.m. Regular meeting. Join Zoom: Meeting ID: 861 1781 8803 Passcode: 669915

<https://us06web.zoom.us/j/86117818803?pwd=cWRXdGwQnQvc2ZRbkNOBhGc3M0dz09>

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

10:00 a.m. Regular meeting.

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

1:00 p.m. Regular meeting.

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

1:10 p.m. Regular meeting.

SOLID WASTE WORKING GROUP (RSA 149-M:61), DBEA Office, 100 North Main Street, Concord, First Floor; Kinsman Conference Room

9:30 a.m. Regular meeting.

MONDAY, APRIL 22

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2), Room 212, LOB

1:00 p.m. Regular meeting.

NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2), National Guard Edward Cross Training Center, 722 Riverwood Drive, Pembroke, NH

10:00 a.m. Regular meeting.

NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2), Brown Building Auditorium, 129 Pleasant St. C, Concord, NH

9:30 a.m. Regular meeting.

WEDNESDAY, APRIL 24

SUBCOMMITTEE ON ALZHEIMER'S DISEASE AND OTHER RELATED DEMENTIA (RSA 126-A:15-a), Room 103, SH

3:00 p.m. Regular meeting.

FRIDAY, APRIL 26

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13), Room 210-211, LOB

10:00 a.m. Regular meeting.

MONDAY, APRIL 29

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

9:00 a.m. Regular meeting.

TUESDAY, MAY 7

NEW HAMPSHIRE DRUG OVERDOSE FATALITY REVIEW COMMISSION (RSA 126-DD:1), Executive Council Chamber, State House Room 207, 107 N. Main St. Concord

3:00 p.m. Regular meeting.

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

5:00 p.m. Regular meeting.

FRIDAY, MAY 10

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: Meeting ID: 827 3125 2212 Passcode: 392939

<https://us02web.zoom.us/j/82731252212?pwd=Q3pvYncvcW55Zkg0ZVVNQW5USGlsZz09>

STATEWIDE INTEROPERABILITY EXECUTIVE COMMITTEE (SIEC) (RSA 21-P:48, IV), Marine Patrol Bureau 31 Dock Road Gilford

9:00 a.m. Regular meeting.

MONDAY, MAY 13

NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4), 2nd Floor Conference Room at the Department of Safety (33 Hazen Drive, Concord)

10:00 a.m. Regular meeting.

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: ID: 762 964 6757 Passcode: 782701

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 1288, HB 1293, HB 1294, HB 1304, HB 1307, HB 1330, HB 1339, HB 1386, HB 1394, HB 1410, HB 1412, 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 1573, HB 1577, HB 1579, HB 1582, HB 1583, 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 1649, HB 1651, HB 1654, HB 1656, HB 1660, HB 1663, HB 1665, HB 1666, HB 1669, HB 1675, HB 1677, HB 1678, 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 314, SB 317, SB 321, SB 345, SB 352, SB 355, SB 361, SB 393, SB 399, SB 426, SB 447, SB 453, SB 454, SB 460, SB 465, SB 467, SB 470, SB 489, SB 490, SB 492, SB 504, SB 507, SB 514, SB 521, SB 540, SB 545, SB 549, SB 553, SB559, SB 561, SB 567, SB 580, SB 591, SB 596.

OFFICIAL NOTICES

The following dates have been set for **Grafton** County Executive Committee/Delegation meetings: Meetings will take place in the Administration Building, 3855 Dartmouth College Hwy, North Haverhill. All meetings will start at 9:00 a.m., and delegation meetings will have an 8:00 a.m. Caucus time.

4/22/24 - Discuss and recommend Elected Officials salaries for 2025-2026.

5/6/24 - Full Delegation to vote on Elected Officials salaries for 2025-2026

5/20/24 - Regular Executive Committee Meeting

6/3/24 - Budget Meeting

6/7/24 - Budget Meeting

6/10/24 - Budget Meeting

6/14/24 - Budget Meeting

6/17/24 - Budget Meeting (if needed)

6/24/24 - Full Delegation to vote on Budget

Rep. Heather Baldwin, Clerk

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@oplcnh.gov. Alternatively, they may apply online at <https://www.oplc.nh.gov/interested-becoming-oplc-board-member>.

Reps. Tony Lekas and Jaci Grote

The Veteran's Caucus will be hosting the head of the State National Guard, The Adjutant General, Gen. David J. Mikolaities, to discuss the National Guard and the many roles it plays in and out of the Granite State, as well as how we as a legislature can help. We will also be hosting a representative from the United States Army Recruiting Command. They will discuss some of the serious challenges the military is currently facing in meeting the minimum staffing numbers required to fulfill the many roles that they are tasked with. The meetings will be in the LOB **Tuesday, April 2 beginning at 12:00 p.m.** The room will be determined closer to the event. If you have any questions, please contact Representative Roy.

Rep. Terry Roy

Announcing an evening with the Granite Bridge Legislative Alliance on **Tuesday, April 2nd, from 4:30 p.m. to 6:00 p.m.** at Tandy's Restaurant in Eagle Square. All are welcome. Hors d'oeuvres will be provided. This is an opportunity to mix with your fellow legislators in a relaxed setting and to acquaint yourselves with this endeavor.

Reps. Alicia Gregg and Fred Plett

The NH Office of the Child Advocate and New Hampshire Children's Trust invite legislators and staff to join us at St. Paul's Episcopal Church in Concord on **Wednesday, April 10 from 8:00 a.m.-9:30 a.m.** for a legislative breakfast. Explore ways to protect the best interests of children and help to strengthen families here in the Granite State through a primary prevention lens. Please RSVP to Melanie.B.Wallis@childadvocate.nh.gov.

Reps. Grassie, Wallner and David Paige

All legislators and staff are cordially invited to join the New Hampshire Automobile Dealers Association (NHADA) for our annual Legislative Crossover Reception on **Thursday, April 11, 2024 at 3:30 p.m.** (or following the end of the session day) at the Holiday Inn, 172 North Main Street, Concord. NHADA has historically hosted this event which offers legislators a wonderful opportunity to unwind and enjoy the company of fellow legislators and staff in a fun, social gathering.

Speaker Sherman Packard

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

Rep. Jason Osborne

The NH Bankers Association cordially invites all members of the House to attend a complimentary breakfast and meet local bankers on **April 16th from 8:00-9:00 at St. Paul's Episcopal Church's Ordway Hall located at 21 Centre Street., Concord.** The breakfast will include a brief presentation from Brian Gottlob of Polecon Research who will outline the economic impact of investing taxpayer funds locally, based on his recently conducted study. NH Bankers represents 40 member banks serving all 10 NH Counties and employs roughly 6,000 workers.

Reps. Jason Osborne and Matthew Wilhelm

CASA of NH recruits, trains, and supports volunteer Court Appointed Special Advocates (CASAs) who provide "best interest" advocacy for minors who are the subjects of abuse and/or neglect cases. On **Wednesday, April 17, 2024** CASA of NH will be at the State House Plaza from **11:00 a.m. to 2:00 p.m.** Come and meet volunteer advocates, former CASA youth, board members, and staff, and learn about the work that CASA does to support and advocate for the child throughout the court proceeding. The goal is to strengthen and reunify families and, when that is not possible, to ensure that the child has a safe, loving, and secure permanent home. There will be cookies and beverages.

Rep. Lucy Weber

The New England-Canada Business Council (NECBC) invites you to join us at this year's U.S./Canada Economic Forum at the Federal Reserve Bank of Boston on **April 24, 2024 from 12:00 p.m. - 3:30 p.m.**

The forum provides a one-stop unparalleled opportunity to learn from and network with an influential community of Canadian and American industry executives, thought leaders, government officials, consulting and legal experts from the U.S./Canada financial, business, economic, and technology ecosystem - the world's largest bilateral trade and investment relationship at U.S. \$1.7 Trillion. Registration Information: necbc.org/event/2024FinInv, NHCTC Discount: 2024EFGOVTACADDISCOUNT, NECBC event contact David Ehrlich, NECBC Executive Director info@necbc.org.

Rep. Tim McGough

The New Hampshire Beverage Association will be holding a legislative luncheon on **Thursday, May 2, 2024 from 11:30 a.m. to 1:30 p.m.** in the State House cafeteria. New Hampshire Beverage Association members are companies licensed to manufacture and distribute soft drinks, juices, teas, and bottled water. They provide almost 1,000 jobs and create a direct economic impact of \$841 million in New Hampshire. Please stop by to learn more about their efforts to increase sustainability and sample various new products.

Reps. Jason Osborne and Matthew Wilhelm

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to HB 318-FN-A (2024-1404h)

Proposed by the Committee on Finance-r

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

AN ACT relative to magistrates, bail commissioners, the standards applicable to and the administration of bail, and making appropriations.

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

1 New Chapter; Magistrates. Amend RSA by inserting after chapter 491-A the following new chapter:

CHAPTER 491-B

MAGISTRATES

491-B:1 Appointment and qualifications. The chief justice of the supreme court, in consultation with the chief justice of the superior court and the administrative judge of the circuit court, shall appoint at least 10 magistrates, subject to appropriation by the legislature. Such magistrates shall serve at such locations as the chief justice of the supreme court may determine under this chapter. Magistrates shall be judicial branch employees.

491-B:2 Duties.

I. At the discretion of the chief justice of the supreme court, in consultation with the chief justice of the superior court and the administrative judge of the circuit court, magistrates may have the following powers:

(a) To determine the release or detention of defendants on all days of the week and at all times of day pursuant to RSA 597:2;

(b) To conduct arraignment hearings and issue decisions on arraignments;

(c) To conduct bail hearings and issue decisions on bail and other decisions regarding release or detention of persons pending trial pursuant to RSA 597:2;

(d) To issue arrest warrants or other processes of arrest;

(e) To issue search warrants;

(f) To administer oaths and affirmations; and

(g) To perform such other acts or functions specifically authorized by the chief justice of the supreme court not inconsistent with the New Hampshire constitution or any state or federal laws.

II. Magistrates may only perform the powers listed in paragraph I(b) through I(g) if they are licensed to practice law in the state of New Hampshire.

III. The magistrates shall provide to any person bailed by the magistrate pursuant to the authority granted by this chapter information on local services that are available to the person relating to homelessness, hunger, mental health, and substance use issues.

491-B:3 Bail Payments.

I. If bail is being determined pursuant to RSA 597:2, I where the person seeking bail is physically present at a state courthouse, bail payments may be in the form of cash or non-cash electronic form as established by rule or order of the supreme court.

II. If bail is being determined pursuant to RSA 597:2, I where the person seeking bail is not physically present at a state courthouse, bail payments shall be accepted in any non-cash electronic form as established by rule or order of the supreme court.

2 Arrests in Criminal Cases; Release or Detention; Place and Time of Detention. Amend RSA 594:20-a, I to read as follows:

I. When a person is arrested with or without a warrant, he or she may be committed to a county correctional facility, to a police station or other place provided for the detention of offenders, or otherwise detained in custody. The person shall be taken to appear before a **magistrate**, circuit court, or a superior court in the case of felony complaints and misdemeanors and violation level charges that are directly related to those felonies, without unreasonable delay, to answer for the offense. All persons shall appear no later than 24 hours after arrest~~[, or no later than 36 hours after arrest if arrested between 8:00 a.m. and 1:00 p.m. and the person's attorney is unable to attend an arraignment on the same day, Saturdays, Sundays, and holidays excepted].~~ ***In the case of a person arrested when the court is not open within the next 24 hours, a decision on bail shall be made by a magistrate within 24 hours of the arrest.***

3 Bail and Recognizances; Review and Appeal of Release or Detention Order. Amend RSA 597:6-e to read as follows:

597:6-e Review and Appeal of Release or Detention Order.

I. If a person is ordered released by a bail commissioner **or magistrate**, the person, or the state, shall be entitled to a hearing, if requested, on the conditions of bail before a justice within 48 hours, Sundays and holidays excepted.

II. Subject to RSA 597:2, X **and XI**, the person or the state may file with the superior court a motion for revocation of the order or amendment of the conditions of release set by a municipal or district court, by a justice **or magistrate**, or by a bail commissioner. The motion shall be determined promptly. However, no action shall be taken on any such motion until the moving party has provided to the superior court certified copies of the complaint, affidavit, warrant, bail slip, and any other court orders relative to each charge for which a release or detention order was issued by a justice, or a bail commissioner. In cases where a district court justice has made a finding, pursuant to RSA 597:2, IV that the person poses a danger to another, the superior court shall, after notification to both parties, the police department that brought the charges in district court, and the victim, conduct a hearing and make written findings supporting any modifications and reasons for new conditions or changes from the district court order. The reviewing court shall take into consideration the district court's written findings, orders, pleadings, or transcript when making a modification.

III. The person, or the state pursuant to RSA 606:10, V, may appeal to the supreme court from a court's release or detention order, or from a decision denying revocation or amendment of such an order. The appeal shall be determined promptly.

4 Bail and Recognizances; Detention and Sanctions for Default or Breach Conditions. Amend RSA 597:7-a, I to read as follows:

I. A peace officer may detain an accused until [he] **the accused** can be brought before a justice **or magistrate** if [he] **the peace officer** has a warrant issued by a justice for default of recognizance or for breach of conditions of release or if [he] **the peace officer** witnesses a breach of conditions of release. The accused shall be brought before a justice **or magistrate** for a bail revocation hearing within [48] **24 hours**~~[, Saturdays, Sundays and holidays excepted].~~

5 Bail and Recognizances; Release of a Defendant Pending Trial. Amend RSA 597:2, I-IV to read as follows:

I. Except as provided in paragraph **III or VI**, upon the appearance before the court **or magistrate** of a person charged with an offense, the court **or magistrate** shall issue an order that, pending arraignment or trial, the person be:

- (a) Released on his or her personal recognizance or upon execution of an unsecured appearance bond, pursuant to the provisions of paragraph III;
- (b) Released on a condition or combination of conditions pursuant to the provisions of paragraph III;
- (c) Detained; or
- (d) Temporarily detained to permit revocation of conditional release pursuant to the provisions of paragraph VIII.

I-a. The court shall have the authority under paragraph I to set a cash bail amount only if it is an amount which the defendant is able to meet.

II. Except as provided in RSA 597:1-d, a person charged with a probation violation shall be entitled to a bail hearing. The court **or magistrate** shall issue an order that, pending a probation violation hearing, the person be:

- (a) Released on his or her personal recognizance or upon execution of an unsecured appearance bond, pursuant to the provisions of paragraph III;
- (b) Released on a condition or combination of conditions pursuant to the provisions of paragraph III; or
- (c) Detained.

III. When considering whether to release or detain a person, the court, **magistrate, or, if applicable, a bail commissioner** shall consider the following issues:

- (a) Safety of the public or the defendant.

(1) Except as provided in RSA 597:1-c, a person who is charged with homicide under RSA 630; first degree assault under RSA 631:1; second degree assault under RSA 631:2; felony level domestic violence under RSA 631:2-b; aggravated felonious sexual assault under RSA 632-A:2; felonious sexual assault under RSA 632-A:3; kidnapping under RSA 633:1; felony level stalking under RSA 633:3-a, VI(a); trafficking in persons under RSA 633:7; robbery under RSA 636:1, III; possession, manufacture, or distribution of child sexual abuse images under RSA 649-A; or computer pornography and child exploitation under RSA 649-B; shall not be brought before a bail commissioner and shall, upon arrest, be detained pending arraignment before the court. Arraignment shall occur no later than 24 hours after the arrest. In the case of a person arrested when the court is not open within the next 24 hours, a decision on bail shall be made by a magistrate within 24 hours of the arrest. At the person's appearance before the court or magistrate, the court or magistrate shall order that the person be detained pending trial if the court or magistrate determines that there is substantial evidence to believe that release of the person is a danger to that person or the public. For purposes of this subparagraph, "substantial evidence" shall be more than a preponderance of evidence and less than clear and convincing evidence. In determining whether release will endanger the safety of that person or the public, the court or magistrate may consider all relevant and material factors presented pursuant to paragraph IV. If the court or magistrate does not find that there is substantial evidence that the person must be detained, the court or magistrate shall order the person released pursuant to subparagraph I(a) or subparagraph I(b), or, if applicable, temporarily detained pursuant to subparagraph I(d). In any case where a protective order is issued by the court or magistrate related to any of the crimes listed in this subparagraph, a person may be released only with electronic monitoring in order to ensure the safety of any alleged victim. Any violation of the conditions of the release with electronic monitoring shall be immediately reported to the law enforcement agency in the jurisdiction where the violation occurred, which, if there is probable cause to establish such violation, shall cause the person to be arrested forthwith. A person arrested for violating the conditions of his or her bail for an offense listed in this subparagraph shall be held until they can be brought before the court at the first available date. If at a subsequent hearing, the court finds probable cause exists that the person violated the conditions of his or her bail for any of the crimes listed in this subparagraph, such violation shall be prima facie evidence of dangerousness and the defendant shall be held pending trial. The court may order reimbursement of the cost of electronic monitoring to the county in accordance with the provisions in paragraph VI(b).

*(2) If a person is charged with any **other** criminal offense, [an offense listed in RSA 173-B:1, I, or a violation of a protective order under RSA 458:16, III, or after arraignment, is charged with a violation of a protective order issued under RSA 173-B;] the court **or magistrate** may order preventive detention without bail, or, in the alternative, may order restrictive conditions including but not limited to electronic monitoring and supervision, only if the court **or magistrate** determines by clear and convincing evidence that release will endanger the safety of that person or the public, **except as provided in paragraph VI**. In determining whether release will endanger the safety of that person or the public, the court **or magistrate** may consider all relevant factors presented pursuant to paragraph IV. **The court shall have the authority to set a cash bail amount only if it is an amount which the defendant is able to meet.***

(b) Assuring the court appearance of charged persons.

(1) The court **or magistrate** shall order the pre-arraignment or pretrial release of the person on his or her personal recognizance, or upon execution of an unsecured appearance bond in an amount specified by the court **or magistrate**, or cash or corporate surety bail, subject to the condition that the person not commit a crime during the period of his or her release, and subject to such further condition or combination of conditions that the court **or magistrate** may require unless the court **or magistrate** determines by a preponderance of the evidence that such release will not reasonably assure the appearance of the person as required.

(2) If the court **or magistrate** determines by a preponderance of the evidence that a person has failed to appear on any previous matter charged as a felony, class A misdemeanor, or driving or operating while impaired, or a reasonably equivalent offense in an out-of-state jurisdiction, 3 or more times within the past 5 years, or twice on the present case, there shall be a rebuttable presumption that release will not reasonably assure the appearance of the person as required.

(3) In determining the amount of the unsecured appearance bond or cash or corporate surety bail, the court **or magistrate** may consider all relevant factors bearing upon a person's ability to post bail.

(4) The court **or magistrate** shall not impose a financial condition that will result in the pretrial detention of a person solely as a result of that financial condition unless the court **or magistrate** determines by clear and convincing evidence that the nature of the allegations presents a substantial risk that the person will not appear and that no reasonable alternative will assure the person's appearance. The defendant shall be afforded the opportunity to be heard.

(c) Failure of a person to abide by previous bail conditions. If there is probable cause to believe that, while on release pending resolution of a previous offense, the person committed a felony, ***or if there is probable cause to believe that a person is on release pending resolution of a previous offense, and thereafter was arrested and released pending the resolution of a second offense, and has committed an additional*** class A misdemeanor[,] or driving or operating while impaired, ***the person shall be detained for no more than 24 hours for a bail hearing before a magistrate or the court. Upon appearance in front of a magistrate or the court for a person detained under this section,*** there shall be a rebuttable presumption that the person will not abide by a condition that the person not commit a new offense. The court ***or magistrate*** shall not impose a financial condition that will result in the pretrial detention of the person solely as a result of that financial condition unless the court ***or magistrate*** determines by clear and convincing evidence after a hearing that no reasonable alternative or combination of conditions will assure that the person will not commit a new offense. The court ***or magistrate*** may consider any relevant factors in making its determination.

IV.(a) Evidence in support of preventive detention shall be made by offer of proof at the initial appearance before the court ***or magistrate***. At that time, the defendant may request a subsequent bail hearing where live testimony is presented to the court.

(b) At any subsequent hearing, such testimony may be presented via video conferencing, unless the court determines that witness testimony in court is necessary. A request by the defendant for in-court testimony shall be made by oral motion at the initial hearing or by written motion prior to any subsequent hearing. Any order granting the defendant's request shall be distributed to the parties at least 48 hours prior to any subsequent hearing.

(c) There shall be a rebuttable presumption that an alleged victim of the crime shall not be required to testify at the bail hearing. Nothing in this section shall preclude an alleged victim from voluntarily testifying at such hearing ***or otherwise providing information to the court or magistrate***. The state may present evidence of statements made in the course of an investigation through a law enforcement officer.

6 Bail and Recognizances; Release of a Defendant Pending Trial. Amend RSA 597:2, VI-IX to read as follows:

VI. If a person is charged with violation of a protective order issued under RSA 173-B or RSA 633:3-a[;]:

(a) The person shall be detained without bail pending arraignment ***by the court*** pursuant to RSA 173-B:9, I(a). ***Arraignment for a person charged with violation of a protective order issued under RSA 173-B or RSA 633:3-a shall not be heard by a magistrate.***

(b) ***If the court releases the person, the court shall order electronic monitoring of the person while released.***

(1) ***The county shall develop uniform criteria to evaluate and determine whether a person is indigent or not indigent for the purpose of the person's ability to repay the cost of electronic monitoring. Based on the criteria, the county shall render a finding of indigent or not indigent for the purpose of the person's ability to repay the cost of electronic monitoring.***

(2) ***If the county finds that the person is not indigent for the purpose of repaying the cost of electronic monitoring, the county shall order that the person reimburse the county for payment of the cost of electronic monitoring. The county may extend the time period for repayment in its discretion to allow the person time to make the repayment, except that in no case shall the time period exceed one year from the date the case was closed.***

(3) ***If the county finds that the person is indigent for the purpose of repaying the cost of electronic monitoring, the person shall not be liable to pay the cost of electronic monitoring.***

(c) ***A law enforcement officer shall have probable cause to arrest any person who is released pursuant to this paragraph with electronic monitoring upon probable cause that the person has violated the monitoring conditions imposed by the court. The county employee or agent who is tasked with monitoring the released person shall inform the law enforcement agency in the appropriate jurisdiction of any violation of the monitoring conditions.***

(d) ***Unless pursuant to a search warrant, a law enforcement officer shall not be provided access to any data associated with the electronic monitoring of the released person, including but not limited to location data, for any purpose other than the investigation of non-compliance with the monitoring conditions imposed by the court.***

VII. In a release order issued pursuant to this section, the court ***or magistrate*** shall include a written statement that sets forth:

(a) All of the conditions to which the release is subject, in a manner sufficiently clear and specific to serve as a guide for the person's conduct; and

(b) The provisions of RSA 641:5, relative to tampering with witnesses and informants.

VIII. A person charged with an offense who is, or was at the time the offense was committed, on release pending trial for a felony or misdemeanor under federal or state law, release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence, for any offense under federal or state law; or probation or parole for any offense under federal or state law, except as provided in RSA 597:1-d, III, may be

detained for a period of not more than 72 hours from the time of his or her arrest, excluding Saturdays, Sundays and holidays. The law enforcement agency making the arrest shall notify the appropriate court, probation or parole official, or federal, state, or local law enforcement official. Upon such notice, the court **or magistrate** shall direct the clerk to notify by telephone the department of corrections, division of field services, of the pending bail hearing. If the department fails or declines to take the person into custody during that period, the person shall be treated in accordance with the provisions of law governing release pending trial. Probationers and parolees who are arrested and fail to advise their supervisory probation officer or parole officer in accordance with the conditions of probations and parole may be subject to arrest and detention as probation and parole violators.

IX. Upon the appearance of a person charged with a class B misdemeanor, the court **or magistrate** shall issue an order that, pending arraignment, the person be released on his or her personal recognizance, unless the court **or magistrate** determines pursuant to paragraph III that such release will endanger the safety of the person or the public. The court **or magistrate** shall appoint an attorney to represent any indigent person charged with a class B misdemeanor denied release for the purpose of representing such person at any detention hearing.

7 New Paragraph; Bail and Recognizances; Release of a Defendant Pending Trial. Amend RSA 597:2 by inserting after paragraph X the following new paragraph:

XI. If a person is ordered to be released by a circuit court, the state may appeal only on the grounds of dangerousness to the superior court. Upon receipt of the intent to appeal, the circuit court shall detain the person pending resolution of the appeal. The appeal shall be filed in the superior court on the same day as the circuit court's notice of its decision in accordance with rules adopted by the court. The superior court shall hold a hearing on the appeal within 48 hours of the filing of the appeal, excluding weekends and holidays.

8 New Section; Bail and Recognizances; General Provisions; Electronic Monitoring. Amend RSA 597 by inserting after section 2-b the following new section:

597:2-c Electronic Monitoring Program to be Established.

I. In this section, "electronic monitoring" means tracking the location of an individual through the use of physical equipment or software that is capable of determining or identifying the monitored individual's presence or absence at a particular location, including but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location.

II. Each county shall obtain the ability to equip and monitor defendants who have been arrested and released on bail with electronic monitoring. The county may contract with a private company, enter into a memorandum of understanding with a government agency, or utilize its own personnel, subject to legislative appropriation, to obtain such ability to both equip and monitor. Each county may recover the cost of its electronic monitoring program through a charge to defendants who have been released on bail with electronic monitoring.

9 Appropriation; Department of Safety; Division of State Police and the New Hampshire Judicial Branch.

I. The sum of \$750,000 is hereby appropriated in the fiscal year ending June 30, 2025, to the department of safety, division of state police, to develop and implement a system to electronically share an individual's bail condition status with law enforcement.

II. The sum of \$986,000 is hereby appropriated in the fiscal year ending June 30, 2025, to the judicial branch, to develop and implement a judicial branch bail data platform to enable electronic sharing of an individual's bail condition status with law enforcement.

III. The appropriations in paragraphs I and II shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

10 Bail and Recognizances; Bail Commissioners; Fees. Amend RSA 597:20 to read as follows:

597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of [~~\$40~~] **\$60**. However, clerks of court or members of their staffs who are bail commissioners shall be entitled to collect such fee only when called while not on active duty. In jurisdictions where the bail commissioner is a full-time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers, such person shall not receive the fee established in this section, but instead such amount shall be remitted to the town or city in which the district court is situated. If the defendant is indigent, the fee shall be waived.

11 Bail and Recognizances; General Provisions; Determination of Indigence and Payment of Bail Commissioner Fee. Amend RSA 597:2-b to read as follows:

597:2-b Determination of Indigence and Payment of Bail Commissioner Fee.

I. The arresting officer, at the point of arrest, shall inform the offender of the availability of the services of the bail commissioner. [~~If the offender elects to utilize the bail commissioner's services and is not indigent,~~

the offender shall pay the bail commissioner's fee directly to the bail commissioner. If the offender elects to utilize the services of the bail commissioner, but claims indigence, the court shall, to the extent of available funding, utilize all possible means to pay the bail commissioner's fee, and shall include written evidence of fee payment in the offender's case file.] ***In any case where the offender has been arrested for a crime of violence against an individual person, including any act of stalking or criminal threatening, and the bail commissioner determines that the offender may be released pending arraignment, the arresting agency shall attempt to contact the alleged victim for at least one hour to inform the alleged victim of the pending release and the conditions of bail. This contact may be either in-person or by telephone. If the alleged victim has not been reached within one hour of the bail commissioner's setting of the terms and conditions of release, the police shall immediately provide notice to the alleged victim through either telephonic voicemail or written notice left at the alleged victim's last known residence. The police shall document all efforts to contact the alleged victim and the time of the notification provided under this section. The offender shall not be released until the alleged victim has been notified, or one hour has elapsed from the time the bail commissioner set the terms and conditions of release, whichever is earlier.***

I-a. On a monthly basis, the court shall pay each bail commissioner the fees as authorized by RSA 597:20 that each bail commissioner is entitled to from the previous month.

II. The court shall develop uniform criteria to evaluate and determine whether an offender is indigent or not indigent for the purpose of the offender's ability to [pay] ***repay*** the bail commissioner's fee. Based on the criteria, the court shall render a finding of indigent or not indigent for the purpose of the offender's ability to [pay] ***repay*** the bail commissioner's fee.

III. If the court finds that the offender is not indigent for the purpose of [paying] ***repaying*** the bail commissioner's fee, the ***court shall order that the*** offender [shall] reimburse the court for payment of the bail commissioner's fee. ***The court may extend the time period for such repayment in its discretion to allow the offender reasonable time to make the repayment, except that in no case shall the time period exceed one year from the date the case was closed.***

IV. If the court finds that the offender is indigent for the purpose of [paying] ***repaying*** the bail commissioner's fee, the offender shall not be liable to pay the fee.

12 Bail and Recognizances; Bail Commissioners; Term and Identification Card. Amend RSA 597:17 to read as follows:

597:17 Term and Identification Card.

I. Bail commissioners shall be commissioned for 5 years and continue in office until their successors shall have qualified. ***A bail commissioner's appointment may be revoked for cause at any time during the term of his or her appointment by the chief justice of the supreme court or the chief justice's designee.***

II. The ***chief justice of the superior court or the*** administrative judge of [the superior court or] the circuit court shall issue an identification card to each qualified bail commissioner in the state. ***The identification card shall be made of a durable material similar to that of a driver's license, and shall contain a photograph of the bail commissioner, the terms and dates of the bail commissioner's appointment, and any other information deemed necessary by the chief justice of the superior court or the administrative judge of the circuit court. The chief justice of the superior court or the administrative judge of the circuit court may enter into an agreement, through an interagency memorandum of understanding or any other appropriate mechanism, with the department of safety, division of motor vehicles to facilitate the production and issuance of the identification card.***

13 New Chapter; Judicial Training. Amend RSA by inserting after chapter 490-J the following new chapter:

CHAPTER 490-K JUDICIAL TRAINING

490-K:1 Judicial Training Coordinator.

A judicial training coordinator position shall be created on or before January 1, 2025, to work under the direction of the chief justice of the supreme court. The judicial training coordinator shall develop high quality judicial branch training and continuing education programs and work to provide judges, magistrates, bail commissioners, administrators, and court staff with a reasonable opportunity to fulfill any mandatory orientation and initial required training as well as continuing educational requirements.

490-K:2 Initial Judicial Training Requirements.

Any person who holds the position of judge or magistrate in this state, and all nonjudicial employees of the judicial branch with a hire date on or after July 1, 2025, shall complete a judicial orientation and training program within 3 months of hire, as directed by the chief justice of the supreme court. The minimum initial training for judges shall be as follows:

I. Orientation for new judges on procedures and functions of the applicable court and relevant procedural and substantive law;

II. Education for new judges on major legal subjects and practical skills needed by them and appropriate to the jurisdiction of the court in which they serve;

III. At least one hour of training devoted to the topics of legal and judicial ethics, professionalism, preventing implicit bias, mental health, and domestic violence.

490-K:3 Judicial Continuing Education Requirements.

Any person who holds the position of judge, magistrate, court administrator, clerk, or director of the administrative office of the court in this state, shall be required to complete continuing education as the chief justice of the supreme court directs:

I. Justices of the supreme court shall complete a minimum of 24 hours of continuing education each year.

II. Justices of the superior court shall complete a minimum of 24 hours of continuing education approved by the chief justice of the superior court each year.

III. All superior court clerks shall complete a minimum of 16 hours of continuing education approved by the chief justice of the superior court each year.

IV. All circuit court judges shall complete a minimum of 24 hours of continuing education approved by the administrative judge of the circuit court each year.

V. All circuit court clerks shall complete a minimum of 12 hours of continuing education approved by the administrative judge of the circuit court each year.

VI. Magistrates shall complete a minimum of 16 hours of continuing education approved by the chief justice of the supreme court each year.

VII. The director of the administrative office of the courts shall complete a minimum of 16 hours of continuing education approved by the chief justice of the supreme court each year.

14 Bail and Recognizances; Bail Commissioners; Educational Requirements for Bail Commissioners. RSA 597:18-a is repealed and reenacted to read as follows:

597:18-a Educational Requirements for Bail Commissioners.

I. The judicial training coordinator, in consultation with the chief justice of the superior court and the administrative judge of the circuit court, shall develop an education program to ensure that new bail commissioners are adequately trained and that existing bail commissioners have current information regarding the status of the laws affecting bail commissioners and the powers and duties of bail commissioners. This education program shall include the laws specific to bail and the conditions that may be imposed by the bail commissioners.

II. Upon appointment, each bail commissioner shall receive at least 16 hours of training. Training may be in person, remote, or on the job training by shadowing another bail commissioner for a period of time as determined by the courts.

III. Each bail commissioner shall undergo 8 hours of annual training that shall include any changes to the law made by the general court or as a result of court decisions. An updated copy of all laws concerning bail commissioners and a copy of the latest edition of the Bail Commissioner's Handbook shall be provided to each bail commissioner at this annual training.

IV. Bail commissioners shall be paid for time spent during training as follows:

(a) Bail commissioners shall be paid a \$50 stipend for each 8 hour block of training. Any in person training requiring less than 8 hours shall nonetheless be paid for a minimum 8 hour block. Remote training less than 8 hours may be prorated based upon the \$50 per 8 hour block standard.

(b) If the training for newly appointed bail commissioners exceeds 16 hours, the newly appointed bail commissioners shall not be paid for more than 2, 8-hour blocks.

15 New Section; Bail and Recognizances; Bail Commissioners; Duties. Amend RSA 597 by inserting after section 18-a the following new section:

597:18-b Duties.

I. The bail commissioners shall provide to any person bailed by the bail commissioner under this chapter information on local services that are available to the person relating to homelessness, hunger, mental health, and substance use issues.

II. The bail commissioners shall notify any person bailed by the bail commissioners under this chapter that any violations of a protective order are non-bailable.

16 Funding.

I. The judicial branch shall determine the amount of funding needed in order to pay for the fees for bail commissioners and to establish the identification cards as directed in sections 10-12 and 14 of this act, and that amount is hereby appropriated in the fiscal year ending June 30, 2025 to the judicial branch.

II. The judicial branch shall determine the amount of funding needed to establish 10 new magistrates who will serve at such locations as the chief justice of the supreme court designates and who shall be empowered to perform certain judicial functions relative to bail, arraignments, and warrants, and that amount is hereby appropriated in the fiscal year ending June 30, 2025 to the judicial branch.

III. The appropriations in paragraphs I and II shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

17 Effective Date.

- I. Sections 9 and 16 of this act shall take effect July 1, 2024.
- II. Sections 5, 6, 7, and 8 of this act shall take effect July 1, 2025.
- III. The remainder of this act shall take effect January 2, 2025.

2024-1404h
AMENDED ANALYSIS

This bill:

- I. Establishes magistrates and provides them duties and requirements.
- II. Makes various amendments governing the standards applicable to and the administration of bail.
- III. Establishes an electronic monitoring program for certain criminal defendants and provides various appropriations to allow for the development and implementation of such a program.
- IV. Makes amendments to the amount of the bail commissioner's fee and makes other amendments to the duties and educational requirements for bail commissioners.
- V. Establishes a judicial training coordinator and establishes training requirements for judges and certain judicial employees.
- VI. Makes additional appropriations to the judicial branch.

**Amendment to HB 1178-FN
(2024-1256h)**

Proposed by the Minority of the Committee on Finance-r

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Protective Legislation; Wages. Amend RSA 275:43 by inserting after paragraph V the following new paragraph:

V-a. Notwithstanding RSA 275:43, V, if an employee is separated from an employer, as defined in RSA 275:35-a, I, because the employer's business closed, changed ownership or due to a layoff with no reasonable assurance of the employee being able to return to said employer, up to 30 days of unused paid time off such as vacation, holiday, and personal time, but not sick days, whether earned by accrual or awarded in some other manner shall be considered wages pursuant to RSA 275:42, III and due upon separation from employment pursuant to RSA 275:44.

(a) When an employer does not delineate the types of paid time off awarded to an employee, as described in RSA 275:43, I, the entire balance of unused paid time off shall be prorated upon separation from employment.

(b) In lieu of payment for unused paid time off an employee described in RSA 275:43, V-a, I may agree in writing that their unused paid time off can be carried forward and transferred to their subsequent employer following a change in ownership.

**Amendment to HB 1202-FN
(2024-0971h)**

Proposed by the Committee on Finance-r

Amend the bill by replacing section 1 with the following:

1 Driveway Construction Permits. Amend RSA 236:13, IV-V to read as follows:

IV. No construction permit shall allow:

(a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.

(b) More than 2 driveways, entrances, exits, or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

IV-a. For any existing or proposed residential use of land, including multifamily development, the department shall issue the permit described in paragraph II within 30 days of filing. If the department fails to approve or deny a permit within that time it shall issue a permit by default, which shall allow the applicant to proceed with the project as presented in the application. Such default permit shall be issued by the department within 5 business days following default and may contain a statement indicating that the department has not fully reviewed the plan. The department and the applicant may by mutual agreement extend any of the deadlines in this section.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III, and IV shall be conferred upon the planning board or governing body in cities and towns in which the planning board or governing body has been granted the power to regulate the grading and improvement of streets within a subdivision as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate

administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II(a). ***The planning board or its delegate shall not be subject to the timelines in paragraph IV-a, but its regulations shall specify a reasonable time for it or its delegate to act on permits under this section, which shall not exceed 65 days.***

**Amendment to HB 1282-FN
(2024-1186h)**

Proposed by the Committee on Finance-r

Amend the bill by replacing section 2 with the following:

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

**Amendment to HB 1304-FN-LOCAL
(2024-0933h)**

Proposed by the Committee on Finance-r

Amend the bill by inserting after section 6 the following and renumbering the original sections 7 - 10 to read as 8 - 11, respectively:

7 Decal Issuance; Replacement. Amend RSA 270:62, V to read as follows:

V. A fee of \$125 shall be charged for each initial decal issued pursuant to this subdivision which shall be deposited in the navigation safety fund established under RSA 270-E:6-a. An annual mooring fee of \$50 for each mooring in a congregate mooring field and \$25 for each mooring not in a congregate mooring field shall be charged for each decal renewed ***or replaced*** pursuant to this subdivision which shall be deposited in the navigation safety fund established under RSA 270-E:6-a.

**Amendment to HB 1363-FN
(2024-1257h)**

Proposed by the Minority of the Committee on Finance-r

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

1 New Section; Member of the General Court; Participation in Employee Assistance Program. Amend RSA 14-A by inserting after section 6 the following new section:

14-A:7 Participation in Employee Assistance Program. Current members of the general court and household members shall be permitted to participate in the New Hampshire employee assistance program operated by the department of health and human services. Any cost for the participation shall be determined by the department of health and human services and paid from funds of the legislative branch. Nothing in this section shall be construed that members of the general court are employees or otherwise deemed anything but members of the legislative branch.

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

**Amendment to HB 1394h-FN-A
(2024-1141h)**

Proposed by the Majority of the Committee on Finance-r

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

AN ACT relative to licensure and regulation of music therapists.

Amend the bill by replacing section 5 with the following:

5 Office of Professional Licensure and Certification; Directive. For the biennium ending June 30, 2027, the office of professional licensure and certification shall increase their annual budget by \$3,000 for the purpose of hiring temporary or part-time staff or for overtime to help with licensing and administration of the music therapists governing board.

2024-1141h
AMENDED ANALYSIS

This bill establishes the licensure and regulation of music therapists under the office of professional licensure and certification. This bill further directs the office of professional licensure and certification, for the biennium ending June 30, 2027, to increase their annual budget by \$3,000 for the purpose of hiring temporary or part-time staff, or overtime costs, to help with licensing and administration of the music therapists governing board.

**Amendment to HB 1570-FN-A-LOCAL
(2024-1037h)**

Proposed by the Committee on Finance-r

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:
2 Appropriations.

I. For the fiscal year ending June 30, 2025, the commissioner of education may request the fiscal committee of the general court authorize additional funding for the purpose of meeting the requirements of RSA 198:15-a, V(a) and (b), relative to contracting with an outside vendor to conduct a facility assessment of public schools and public chartered schools, and to create a ranked list of schools most in need of construction or renovation. Amounts requested under this paragraph shall be a charge to the education trust fund. For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

II. For the fiscal year ending June 30, 2026, and each year thereafter, the department may include in its efficiency expenditure request under RSA 9:4 sufficient funds for the continued cost of complying with the provisions of RSA 198:15-a, V(a) and (b).

2024-1037h

AMENDED ANALYSIS

This bill directs the department of education to contract with a vendor to conduct a facility assessment of public schools and public chartered schools and directs the department to request additional funding for this purpose.

**Amendment to HB 1573-FN
(2024-1309h)**

Proposed by the Majority of the Committee on Finance-r

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

AN ACT making an appropriation to the department of health and human services to enhance oversight of children in residential placements.

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

1 Statement of Purpose and Findings. The general court makes the following findings regarding children in state care:

I. Children in the care of the state have fundamental rights, as recognized by RSA 170-G:21.

II. When a child is placed under the care and custody of the state pursuant to RSA 169-B, RSA 169-C or RSA 169-D, it is the responsibility of the state to ensure that a child receives appropriate housing, nutrition, medical and mental health care, education, and basic standards of care.

III. Children who are removed from their homes must be placed in the least restrictive alternate setting. When removal and placement cannot be avoided, the disruption that the child may experience is minimized, and emotional trauma may be reduced, by placing the child in the most familiar, least restrictive setting. The first alternative considered is placement with a relative or a close friend, “kin” or “fictive kin”, to offer the child some degree of familiarity and continuity. When placement with a relative or a family friend is not possible, the least restrictive placement of choice is placement in a licensed foster home.

IV. Residential facilities are appropriate only for children who cannot safely receive the clinically appropriate treatment in their own home or a community-based alternative; a shortage or lack of foster family homes or community-based resources shall not be an acceptable primary reason for placement in a residential facility. Residential facilities are congregate care placements, are considered the most restrictive settings for receiving treatment, and are generally not appropriate for children under 12 years of age. Therefore, placement in a residential setting is used only as a last alternative for children age 12 and older. Special consideration will be given to children under age 12, if deemed clinically appropriate due to a therapeutic or medical necessity.

V. Placing children in facilities must be viewed as a time-limited and only for the purpose of treatment and services. The purpose is to stabilize the child’s behaviors, provide treatment and to prepare him or her for a less restrictive setting. The goal is to facilitate family/caregiver integration or another plan consistent with the agency’s policy of permanency planning.

VI. To best meet the needs of the children placed in a residential setting, the department of health and human services (DHHS), in coordination with the office of child advocate (OCA), will expand and enhance certification requirements and oversight process. In addition to certification, DHHS and OCA will coordinate to improve caseworker visits with children placed by the state in a residential setting. DHHS and OCA will continue this coordination through regular meetings and coordinated visits.

VII. It shall be the policy of DHHS that any placement of a child outside of New England shall require the approval of the division for children youth and families’ director prior to that placement, with specific findings of the need for that placement.

2 Appropriations; Department of Health and Human Services.

The sum of \$1,000,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of enhancing oversight of residential facilities where New Hampshire children are, or will be, placed, as provided in the provisions of this act. This appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect July 1, 2024.

2024-1309h

AMENDED ANALYSIS

This bill makes an appropriation to the department of health and human services to enhance oversight of children in court-ordered, residential placements.

Amendment to HB 1573-FN (2024- 1313h)

Proposed by the Minority of the Committee on Finance-r

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

1 Statement of Purpose and Findings. The general court makes the following findings regarding children in state care:

I. Children in the care of the state have fundamental rights, as recognized by RSA 170-G:21.

II. When a child is placed under the care and custody of the state pursuant to RSA 169-B, RSA 169-C or RSA 169-D, it is the responsibility of the state to ensure that a child receives appropriate housing, nutrition, medical and mental health care, education, and basic standards of care.

III. Children who are removed from their homes must be placed in the least restrictive alternate setting. When removal and placement cannot be avoided, the disruption that the child may experience is minimized, and emotional trauma may be reduced, by placing the child in the most familiar, least restrictive setting. The first alternative considered is placement with a relative or a close friend, “kin” or “fictive kin”, to offer the child some degree of familiarity and continuity. When placement with a relative or a family friend is not possible, the least restrictive placement of choice is placement in a licensed foster home.

IV. Residential facilities are appropriate only for children who cannot safely receive the clinically appropriate treatment in their own home or a community-based alternative; a shortage or lack of foster family homes or community-based resources shall not be an acceptable primary reason for placement in a residential facility. Residential facilities are congregate care placements, are considered the most restrictive settings for receiving treatment, and are generally not appropriate for children under 12 years of age. Therefore, placement in a residential setting is used only as a last alternative for children age 12 and older. Special consideration will be given to children under age 12, if deemed clinically appropriate due to a therapeutic or medical necessity.

V. Placing children in facilities must be viewed as a time-limited and only for the purpose of treatment and services. The purpose is to stabilize the child’s behaviors, provide treatment and to prepare him or her for a less restrictive setting. The goal is to facilitate family/caregiver integration or another plan consistent with the agency’s policy of permanency planning.

VI. To best meet the needs of the children placed in a residential setting, the department of health and human services (DHHS), in coordination with the office of child advocate (OCA), will expand and enhance certification requirements and oversight process. In addition to certification, DHHS and OCA will coordinate to improve caseworker visits with children placed by the state in a residential setting. To allow for the expansion of these services to be implemented in a thoughtful and detailed manner that meets the requirements of both DHHS and OCA, the appropriation effective date will allow for time to establish the program through hiring and training, with the remaining sections effective 6 months later. DHHS and OCA will continue this coordination through regular meetings and coordinated visits.

2 Residential Care and Child-Placing Agency Licensing; Deemed Licensed. Amend RSA 170-E:31-a to read as follows:

170-E:31-a Deemed Licensed. Any [qualified] residential treatment program accredited by organizations as specified in Title 42 of the Social Security Act, 42 U.S.C. section 672(k)(4)(G), as amended, shall submit a completed license application or renewal application. Such child care institutions and child care agencies defined as group homes, specialized care, or homeless youth programs, shall be deemed licensed under this subdivision and shall be exempt from inspections carried out under RSA 170-E:31, IV. This section shall only apply to the activities or portions of the facility or agency accredited under Title 42 of the Social Security Act, 42 U.S.C. section 672(k)(4)(G), as amended. ***Any child care institution or child care agency deemed licensed under this section shall be subject to the requirements of this chapter, RSA 169-F, and RSA 170-G:4, XVIII.***

3 New Sections; Out-of-Home Placements; Oversight. Amend RSA 169-F by inserting after section 4 the following new sections:

169-F:5 Oversight of Children in Care; Department Responsibilities.

I. Any child in a court-ordered placement pursuant to RSA 169-B, RSA 169-C, or RSA 169-D by the department shall be seen in-person on at least a monthly basis, by the case worker assigned to that child's case. In the event the assigned case worker is not available, another case worker or supervisor familiar with the child and/or case may perform the visit. The visit to the child shall include a private meeting with the child, in a safe place as determined by the case worker, to inquire about care received, as well as an in-person tour of the child's living quarters. The monthly contact shall also include contact with the child's placement provider, therapeutic providers, and educational providers, preferably in real-time, but at least by written correspondence. In addition, for any child placed in a residential placement by the department, these visits shall include a tour of that portion of the facility the child may access; a check-in with appropriate leadership about program culture and therapeutic programming; a check-in with program direct care staff about the child's progress in the program; and a check-in with the clinical director and/or the child's therapeutic provider about the program culture, therapeutic programming, and the child's individual progress, strengths and challenges in the program, which may occur outside of the in-person visit in virtual real-time if circumstances require.

II. The department shall develop, in consultation with the office of child advocate, a standard operating procedure and form for monthly visits conducted by the department, pursuant to RSA 169-F:5, I, to be completed during each monthly in-person visit.

169-F:6 Residential Treatment Programs; Certification Required.

I. No child shall be placed by the department in a residential treatment program, including a residential treatment program or psychiatric residential treatment program, unless the program has been licensed in accordance with RSA 170-E or the laws of the state in which they operate, and certified by the department under this chapter. Any program not certified by the department shall not be eligible to receive state funds or federal funds disbursed by the state of New Hampshire.

II. On or before January 2, 2025, the department shall establish a certification team, responsible for the certification, recertification, and oversight of all residential treatment programs utilized by the department, and certified for placements and payment by the department. Such assessments shall include an in-person visit of the facility and review of all appropriate records and certification criteria. The team shall give priority to all residential treatment programs where children are placed on the effective date of this section.

III. The team shall develop a standard operating procedure and form for assessment of the programs to be completed during each in-person visit, in consultation with the office of the child advocate.

IV. The department shall assess and certify for payment every in-state and out-of-state program including residential treatment program or psychiatric residential treatment program prior to the placement of any child in that facility. To be certified by the department, the program shall demonstrate compliance with staff training and program requirements and offer an appropriate therapeutic milieu and culture - centered in trauma-informed care, in accordance with standards adopted by the department, in consultation of the office of the child advocate.

V. The department shall make monitoring visits, in-state and out-of-state, at least twice per year, of which at least one shall be unannounced, to all facilities where New Hampshire children are currently placed by the state in residential treatment. The department shall continue to make annual recertification or technical assistance visits to all certified residential placement facilities that have received a New Hampshire child within the certification period; if a child is being placed at a residential facility that does not currently have a New Hampshire child in placement, the department shall make a visit prior to the placement of that child unless a department visit has occurred within the past 120 days. Upon renewal of certification, if a program has not served a New Hampshire child within the prior 12 months, the department may waive the recertification visit and conditionally recertify the program subject to conducting an on-site visit prior to the placement of a New Hampshire child. Clear and comprehensive records shall be maintained by the department on each facility showing the dates and findings of each such visit. Such records shall be made available to the facility and the office of the child advocate, as well as included in the paperwork for the certification and/or re-certification process. If the facility is found not to be in compliance either with the statute or the rules adopted by the commissioner, a corrective action plan shall be submitted to the department, and the department shall notify the licensing agency of that facility if the corrective action plan includes concerns of health or safety. Failure to submit an acceptable plan or a failure to take the necessary corrective actions shall result in the immediate removal of all New Hampshire children from that facility, and/or revocation of the certification.

VI. Any placement of a child outside of New England shall require the approval of the division for children youth and families' director prior to that placement, with specific findings of the need for that placement.

169-F:7 Court Oversight of Children in Residential Treatment Programs.

I. Except in cases of emergency placement, prior to placing a child in residential treatment programs or psychiatric residential treatment programs, the court shall:

(a) Consider all assessments and plans for the child, including assessment of whether a residential treatment program is the most effective and appropriate level of care, in the least restrictive environment for the child, and any child-specific, short- and long-term goals for the child and the family. The assessment shall specify, in writing:

(1) Whether the child's needs can be met in a kin, fictive kin or foster family home, not primarily dependent upon availability of community resources.

(2) If the assessment recommends a residential treatment program:

(A) The specific reasons why the child's needs cannot be met in a kin, fictive kin or foster family home, not primarily dependent upon availability of community resources; and

(B) Why recommended placement in a residential treatment program is the setting that will provide the child with the most effective and appropriate level of care, in the least restrictive environment.

(3) How the placement is consistent with the short- and long-term goals for the child, as specified in the case plan or permanency plan for the child.

(b) Confirm that the school district has complied with its legal obligations to assess the educational impact of the placement and consider the school district's input on that impact.

(c) Determine that the needs of the child cannot be met through placement with a parent, legal guardian, legal custodian, kin or fictive kin caregiver, or in a foster family home; and that placement of the child in a residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment; and that placement is consistent with the short- and long-term goals, including mental, behavioral, and physical health goals, for the child as specified in the permanency plan for the child, or as outlined in the family services plan. A shortage or lack of foster family homes shall not be an acceptable primary reason for determining that the needs of the child cannot be met in a foster family home.

(d) Review information relating to the facility, including staff-to-child ratio; staff training; program culture; therapeutic, clinical and milieu programming; educational programming; recreational programming; and, family connections, in order to ensure that the program is the most effective and appropriate level of care, in the least restrictive environment for the child, and meets the child-specific short- and long-term goals for the child and the family.

(e) Approve or disapprove of the placement, in a written order, containing all of the necessary findings provided in this section.

II. In the case of an emergency necessitating immediate placement of a child in a residential treatment program, the department shall notify the court within 2 business days of such placement, in order for the court to make the findings required under paragraph I.

III. Prior to determining that a residential treatment program is the most effective and appropriate level of care, in the least restrictive environment for the child, the court shall consider any available assessments and plans, giving the greatest weight to assessments completed by a licensed psychologist or licensed neuropsychologist with specialized training in the evidence-based treatment of childhood trauma. If the court deviates from such recommendation, the court shall make specific findings of fact regarding the most effective and appropriate level of care, in the least restrictive environment for the child, and that the placement is consistent with child-specific short and long-term goals for the child and the family. When making such findings of fact, the court shall consider all relevant information, including but not limited to:

(a) Whether the protocol for the residential treatment program assessment was followed;

(b) Whether the school district is meeting the child's educational needs, based on their statutory requirements under RSA 169-B:22, RSA 169-D:18, and RSA 169-C:20;

(c) The strengths and specific treatment or service needs of the child and the family;

(d) The expected length of stay; and

(e) The placement preference of the child and the family.

IV. When a child is placed in a residential treatment program or psychiatric residential treatment program:

(a) The department shall notify the court promptly of such placement.

(b)(1) The court shall review the placement of that child within 60 days after placement, and at every subsequent court review hearing; or

(2) Upon a motion by the child, the child's representative, or the child's guardian ad litem establishing reason to believe the ordered residential treatment program is not the most effective and appropriate level of care for the child in the least restrictive environment, the court shall review the placement within 30 days, and every at every subsequent court review hearing.

(3) The court may review the placement at any time sua sponte or in response to a motion for review by any party.

V. As long as a child remains in a residential treatment program, the department shall submit evidence to the court and all parties, at least 5 business days prior to every placement review hearing:

(a) Demonstrating:

(1) Ongoing assessment of the strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement with a parent, legal guardian, legal custodian, kin or fictive kin caregiver, or in a foster family home;

(2) Any recommended psychological or clinical evaluations or assessments have been completed, and if not, the status of those evaluations or assessments;

(3) The department has worked with the school district to assure, consistent with the best interest of the child, the child's educational stability;

(4) The placement in a residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment; and

(5) The placement is consistent with the short- and long-term goals for the child as specified in the permanency plan for the child, or as outlined in the family services plan.

(b) Documenting:

(1) The specific treatment or service needs that will be met for the child in the placement;

(2) The length of time the child is expected to need treatment or services, and the treatment basis for the determination of that length of time; and

(3) The specific efforts made by the division to prepare the child and prospective placement for the child's return home or to be placed with a fit and willing kin or fictive kin caregiver, a legal guardian, legal custodian, or an adoptive parent, or in a foster family.

4 Reallocation of Monies Saved. Any monies saved by the department of health and human services, including the division for children, youth and families and the bureau of children's behavioral health, in preventing the out-of-home placement of children pursuant to this act shall be used by the department to provide services pursuant to RSA 135-F, the system of care for children's mental health, and any other community-based intervention services.

5 Classified Positions Established; Facility Certification Team.

I. The following classified positions are established in the department of health and human services to support a facility certification team:

(a) Three program specialist IV positions (labor grade 23, step 5).

(b) One program specialist IV position (labor grade 25, step 5).

II. The sum of \$356,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

6 Classified Positions Established; Oversight of Children in Residential Programs.

I. The following classified positions are established in the department of health and human services to support the placement of youth in residential facilities:

(a) Eight child protective service worker IV (labor grade 24, step 5).

(b) Two juvenile probation and parole officer IV (labor grade 24, step 5)

II. The sum of \$522,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

7 Classified Positions Established; Oversight of Children in Residential Programs.

I. The following classified positions are established in the department of health and human services to support placement of youth in residential facilities: 2 attorney III positions (labor grade 30, step 5).

II. The sum of \$210,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

8 Appropriations; Department of Health and Human Services; Facility Certification Travel Costs and Youth Visit Travel Costs.

I. The sum of \$266,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of paying for travel costs for facility oversight and certification in order to support implementing the provisions of this act. This appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. The sum of \$174,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of paying for travel costs for youth visits in order to support implementing the provisions of this act. This appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

9 Appropriation; Judicial Branch. The sum of \$376,145 for the fiscal year ending June 30, 2025, is hereby appropriated to the judicial branch for the purpose of funding new positions required to carry out the duties set out in this act. In addition to the appropriation and notwithstanding RSA 14:30-a, the judicial branch may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

10 Report. The department of health and human services shall provide an interim report on or before November 1, 2024, with an annual report thereafter, on the implementation of this act including, but not limited to, progress on the implementation of this act, reports from certified out-of-state residential facilities, and the progress on the reduction of placement of New Hampshire youth in out-of-state residential facilities, to the chairs of the house children and family law committee, the senate judiciary committee the oversight commission on children's services, established by RSA 21-V:10, the health and human services oversight committee established by RSA 126-A:13, and the office of the child advocate.

11 Effective Date.

I. Sections 5-10 of this act shall take effect July 1, 2024.

II. The remainder of this act shall take effect January 1, 2026.

2024-1313h

AMENDED ANALYSIS

This bill revises criteria for the out-of-home placement of children and increases oversight and certification criteria for out-of-state residential treatment programs beginning January 1, 2026.

The bill also makes appropriations to the department of health and human services and the judicial branch for this purpose and requires the department of health and human services to submit an annual report regarding implementation.

**Amendment to HB 1577-FN
(2024-1347h)**

Proposed by the Majority of the Committee on Finance-r

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

1 Electronic Digital Images of Ballots. RSA 656:42, IX is repealed and reenacted to read as follows:

IX. Any electronic digital image of a marked ballot made by a ballot counting device stored on a removable memory device shall be available for public inspection as provided in this section. This shall include the record of how the ballot counting device recorded the votes on each ballot.

(a) One or more voters, registered in New Hampshire, may examine the digital images of ballots created on an electronic ballot counting device that uses digital image technology.

(b) Notwithstanding any exemptions to RSA 91-A limiting access to ballot images, such images shall be available to voters registered in New Hampshire as provided in this paragraph.

(c) The purpose of examining such digital images is to allow for verifying the accuracy of the device and to check for evidence that the device may have programming errors, tampering or malicious programming installed and thus providing reassurance to all the voters of the integrity of the devices used to tabulate election votes.

(d) The town or city clerk shall provide a copy of the digital images of ballots found on the removable memory device that contains the digital ballot images to any voter registered in New Hampshire who requests such copy. Each town or city clerk may charge a reasonable fee to cover the cost of making a copy of the removable memory device that contains the digital ballot images to satisfy such request.

(e) Access to ballot images shall not be available to voters registered in New Hampshire until after all recounts and any subsequent appeals are completed. Access to ballot images shall be available to those persons involved in appeals of election recounts or audits.

(f) Any voters registered in New Hampshire that obtain a copy of a memory device containing digital that examine ballot images shall have standing to provide a report to the ballot law commission and request an investigation by the attorney general of discrepancies they find. Any request for an investigation and the results of any such investigation shall be made public.

(1) Such investigations shall not result in the overturning of an election unless directed by a court of competent jurisdiction.

(2) As a result of an investigation of the attorney general, the ballot law commission may disqualify that electronic ballot counting device for use in New Hampshire or may disqualify the entity that programmed the device as a vendor.

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

**Amendment to HB 1588-FN
(2024-1391h)**

Proposed by the Committee on Finance-r

Amend the bill by replacing all after section 4 with the following:

5 Appropriation; Department of Health and Human Services. The sum of \$3,000,000 is hereby appropriated to the department of health and human services for the biennium ending June 30, 2025, for the purposes of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2024-1391h

AMENDED ANALYSIS

This bill updates statutes relating to court jurisdiction of children in need of services to reflect that special education is offered to students up to the age of 22 years, if the student has not yet exited special education, based on receipt of a high school diploma, and makes an appropriation to the department of health and human services.

**Amendment to HB 1589-FN
(2024-1396h)**

Proposed by the Committee on Finance-r

Amend RSA 490-I:4-8 as inserted by section 1 of the bill by replacing it with the following:

490-I:4 Reimbursement Program Created.

I. There is established a statewide veterans court program which shall provide state matching funds as appropriated to support veterans courts in state superior court and circuit court districts as established herein.

II. The veterans court coordinator or designee shall be responsible for developing a process by which counties may receive an annual state reimbursement on a per case basis for operational costs of a veterans court. Subject to approval of the chief justice of the supreme court or designee, the coordinator shall:

(a) Determine approval requirements for reimbursements. Prior to providing reimbursements, the approval checklists shall be posted on the judicial branch website. The checklists shall be updated on the website as revisions are made.

(b) Establish and periodically update guidelines for operating veteran courts.

(c) Develop draft policies and procedures including a participant handbook, program outline, and implementation plan.

(d) Measure recidivism rates and other outcome measures.

(e) Evaluate compliance with relevant standards.

(f) Assist in creating veteran courts in counties seeking to implement or continue them.

(g) Assist counties in obtaining ongoing training.

490-I:5 Eligibility for Reimbursements.

I. For the purpose of providing reimbursements and subject to available state appropriations, counties and districts shall be eligible for an annual reimbursement of up to \$5,000 per case. Counties shall be reimbursed on a first-come, first-served basis. Reimbursements shall be prorated based on the amount of appropriation available. Any state veterans court program funds that are not expended by the end of the fiscal year shall lapse to the general fund.

II. To be eligible for reimbursement, a county operating a veterans court shall receive a recommendation for approval from the coordinator's office. Reimbursement for all cases shall be paid annually at the end of each fiscal year by the administrative office of the courts following receipt of recommendations by the coordinator and final approval of the chief justice of the supreme court. The coordinator shall determine how often approval shall be required and shall recommend subsequent reimbursements when the currently operating veterans court establishes compliance with the New Hampshire veterans court approval checklist as promulgated by the coordinator.

III. A county shall make a good faith effort to apply for federal funding to provide as match funds to supplement, but not supplant, state funds, as and where required as a condition of those funds. A county need only apply once.

IV. A county seeking to implement a veterans court may obtain a state reimbursement of up to \$5,000 per case for the costs associated with veterans court establishment, administration, and operation after satisfying the conditions in paragraph III.

V. To obtain reimbursement from the state, a county shall:

(a) Submit a budget for the total cost of the program to the coordinator for review;

(b) Obtain draft policies and procedures from the coordinator, including a participant handbook or program outline and implementation plan, which the county may amend and return to the coordinator for consideration and approval;

(c) Obtain and complete veterans court or veteran offender program training as approved by the coordinator; and

(d) Establish that the veterans court is cost effective.

(e) Based on the information provided in subparagraphs (a)-(d), the office shall recommend court programming for final approval of the chief justice of the supreme court.

VI. The judicial branch administrative office of the courts is authorized to expend from appropriated sums the amounts necessary to fund reimbursements approved by the chief justice of the supreme court.

490-I:6 Report. Beginning with a report due on or before January 1, 2026, the office shall prepare an annual report on the activities, expenditures, operation and outcome measures for the veterans court program. The report shall include the information provided by each county and shall be presented by state superior court district and on a statewide basis. The report shall be forwarded to the speaker of the house of representatives, the president of the senate, and the office of the legislative budget assistant to be posted on the website of the office of the legislative budget assistant. If the required report is not provided by January 30 in any year, the veterans court program shall be suspended until such report is provided.

490-I:7 Veterans Court Special Account. There is hereby established in the state treasury the veterans court special account. The funds may be comprised of public funds, gifts, grants, donations or any other source of funds, and shall be used for any relevant veterans court administrative purpose deemed appropriate by the chief justice of the superior court and the administrative judge of the circuit court. The account shall be nonlapsing and shall be continually appropriated to the administrative office of the courts.

490-I:8 Appropriation. The sum of \$163,000 for the fiscal year ending June 30, 2025, is hereby appropriated to the administrative office of the courts and deposited in the veterans court special account. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. For each biennium thereafter, appropriations of state general funds shall be made through the judicial branch biennial operating budget. If federal funds are available from the veterans court special account, those funds shall be spent prior to state general funds.

Amend the bill by replacing section 2 with the following:

2 Application of Receipts; Veterans Court Special Account Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (394) the following new subparagraph:

(395) Moneys deposited in the veterans court special account fund as established in RSA 490-I:7.

Amendment to HB 1593-FN

(2024-1161h)

Proposed by the Majority of the Committee on Finance - r

Amend the bill by replacing section 1 with the following:

1 Department of Health and Human Services; Individuals with Developmental Disabilities; Funding for Recreational Services.

I. Recreational activities typically provide an opportunity for individuals with developmental disabilities to participate in their community in preferred settings, where individuals are able to work on skill development to aid health, wellness, socialization, and safety goals. However, the department of health and human services has received clarification from the Centers for Medicare and Medicaid Services that supports and services that are recreational in nature are not reimbursable services under the Medicaid program.

II. In order to ensure that costs to access recreational services are covered, and that individuals with developmental disabilities are able to participate in recreational activities within their communities, the sum of \$500,000 is appropriated to the department of health and human services for the biennium ending June 30, 2025. This appropriation is in addition to any other funds appropriated to the department of health and human services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Any unexpended funds shall lapse to the general fund on June 30, 2025.

III. In order to be eligible to receive funds for recreational services under this section, an individual shall have graduated or exited the school system and be receiving services under the 1915(c) developmental disabilities or acquired brain disorder waiver and shall be requesting payment for an activity or service that cannot be covered by the New Hampshire Medicaid State Plan or a 1915(c) Home and Community Based Waiver.

IV. The department of health and human services shall contract with one or more organizations, such as an area agency as defined in RSA 171-A, to assist in administering these funds. With the approval of the governor, the department may utilize a sole source procurement method to implement recreational services as quickly as possible.

V. Payment for recreational services shall be limited to \$600 per individual.

VI. The department of health and human services shall include language in the contracts designated in subparagraph IV to prioritize services previously included in individualized budgets.

VII. The department shall issue an interim report to the fiscal committee on or before April 1, 2025. The report shall include data on utilization, including the number of individuals seeking services in accordance with

paragraphs I, II and III, the number of individuals provided services, the types of specific services provided, the total cost of the services provided, and other relevant information necessary to enable the legislature to assess the program.

VIII. The department shall issue a final report to the fiscal committee on or before September 30, 2025. The final report shall include all the information listed in paragraph VII.

**Amendment to HB 1595-FN
(2024-1178h)**

Proposed by the Majority of the Committee on Finance-r

Amend the bill by replacing section 2 with the following:

2 New Paragraphs; Child Support Guidelines; Definition of Parenting Time and Parenting Time Factor. Amend RSA 458-C:2 by inserting after paragraph XI the following new paragraphs:

XII. "Parenting time" is a period of time when a parent has physical responsibility for the children. When "parenting time" is calculated, the number of days or overnights or portions thereof (as defined in the parenting schedule pursuant to RSA 461-A:4 or otherwise specified by the court), shall total 100% of the time.

XIII. "Parenting time factor" (PTF) is the fraction of full residency costs incurred by a parent with parenting time, and is calculated to 3 decimal places of accuracy as 1.5 multiplied by the fraction of 365 days of parenting time by that parent with a maximum allowed value of 1.000. For example, for parenting time of 260 overnights, the parenting time fraction is $260/365 = .712$. The PTF is 1.5 multiplied by .712 which equals 1.068 which exceeds one and is therefore capped at 1.000.

Amend the bill by deleting section 5 and renumbering the original sections 6 and 7 to read as 5 and 6, respectively.

Amend the bill by replacing section 6 with the following:

6 Effective Date. This act shall take effect July 1, 2025.

**Amendment to HB 1598-FN-A
(2024-1308h)**

Proposed by the Committee on Finance-r

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

1 Reporting; Management of Social Security and Veteran's Benefits for Children in Placement Through the Department of Health and Human Services; Appropriation.

I. The department of health and human services shall provide a report relative to management of social security and veterans' benefits for children in placement to the speaker of the house of representatives, the president of the senate, the chairpersons of the house children and family law committee, the house finance committee, the senate judiciary committee, the senate finance committee, the house clerk, the senate clerk, the governor, and the state library. This report shall contain a budget proposal for the biennium ending June 30, 2027 for the purposes of implementing and managing social security payments and veteran's benefits for children in placement through the department of health and human services, and shall be submitted on or before December 31, 2024. To assist in the preparation of this report, and to assist the department with implementation of the report's recommendations, including the budget proposal for the biennium ending June 30, 2027, the department shall hire a consultant with knowledge of other states' efforts to manage such payments and benefits for children in placement.

II. There is hereby appropriated to the department of health and human services the sum of \$150,000 for the biennium ending June 30, 2025, for the purpose of hiring the consultant required by paragraph I. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2024-1308h

AMENDED ANALYSIS

This bill requires the department of health and human services to prepare a report for the legislature and governor regarding budget requirements associated with management of social security and veterans benefits for children in placement through the department. The bill makes an appropriation to the department to hire a consultant to assist with the report and its implementation.

**Amendment to HB 1633-FN-A
(2024- 1393h)**

Proposed by the Majority of the Committee on Finance-r

Amend subparagraph I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Selling, distributing, or transferring cannabis to minors and other individuals under the age of 21 shall remain illegal, except in the case of qualifying patients enrolled in the therapeutic cannabis program.

Amend subparagraph II(i) as inserted by section 1 of the bill by replacing it with the following:

(i) Reducing influence of lobbying and donations by:

(1) Ensuring that licensing will increase responsibly to balance the need for more cannabis retail outlets in underserved communities; and

(2) Ensuring that laws and administrative rules do not pick favorites, but rather create a transparent administrative process for applications and selection criteria; and

(3) Directing the secretary of state to promulgate rules restricting lobbying by cannabis retail outlets. Amend the bill by replacing section 2 with the following:

2 New Subparagraph; Application of Receipts; Cannabis Fund. Amend RSA 6:12, I(b) by inserting after subparagraph 394 the following new subparagraph:

(395) Moneys deposited in the cannabis fund established in RSA 318-F:26.

Amend the bill by deleting section 3 and renumbering the original sections 4 through 34 to read as 3 through 33, respectively.

Amend RSA 318-F:1 as inserted by section 5 of the bill by replacing it with the following:

318-F:1 Definitions. In this chapter:

I. "Alternative treatment center" means an entity as defined in RSA 126-X:1, I.

II. "Cannabis" or "marijuana" means all parts of the plant of the genus cannabis containing over 0.3 percent THC on a dry weight basis, whether growing or not, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, or its resin, including cannabis concentrate. "Cannabis" shall not include seeds of plants from the genus cannabis, hemp as defined by RSA 439-A, fiber produced from the stalks, oil, or cake made from the seeds of the plant seeds of the plant or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

III. "Cannabis accessories" or "cannabis paraphernalia" means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body. "Cannabis accessories" and "cannabis paraphernalia" does not include products that are not designed or marketed for use related to cannabis, or products designed or intended for cannabis, but used for non-cannabis purposes.

IV. "Cannabis concentrate" or "concentrate" means the resin extracted from any part of a cannabis plant and every compound, manufacture, salt, derivative, mixture, or preparation from such resin, including, but not limited to, hashish. Cannabis concentrate shall not include cannabis products made from cannabis concentrate such as, but not limited to, edible products, topical products, and tinctures.

V. "Cannabis cultivation facility" or "cultivation facility" means a person licensed by the state of New Hampshire to cultivate, prepare, and package cannabis, and sell cannabis to cannabis retail outlets, to cannabis product manufacturing facilities, to limited manufacturers, to alternative treatment centers, and to other cannabis cultivation facilities, but not to consumers unless the facility also holds another type of license allowing for direct sales. A cannabis cultivation facility shall not produce cannabis concentrates, tinctures, extracts, or other cannabis products through the use of any chemical extraction process, unless the facility also holds another type of license allowing for production of cannabis concentrates, tinctures, extracts, or other cannabis products.

VI. "Cannabis distributor" means any person licensed to receive, warehouse, and distribute cannabis products between cannabis establishments. A license as a cannabis distributor shall not be required for entities otherwise licensed under this chapter to receive, warehouse, or distribute cannabis.

VII. "Cannabis establishment" means any licensed New Hampshire cannabis cultivation facility, a cannabis testing facility, a cannabis distributor, cannabis limited product manufacturing facility, a cannabis product manufacturing facility, a cannabis retail outlet, a cannabis transporter, or any other type of cannabis business authorized and licensed by the commission.

VIII. "Cannabis flower" or "flower" means the pistillate reproductive organs of a mature cannabis plant, whether processed or unprocessed, including the flowers and buds of the plant. "Cannabis flower" does not include non-flower portions of the plant or whole mature cannabis plants.

IX. "Cannabis limited product manufacturing facility," "limited product manufacturing facility," or "limited manufacturer" means a person licensed to purchase cannabis, to manufacture, prepare, and package cannabis products, and sell cannabis and cannabis products to other limited manufacturers, to cannabis product manufacturing facilities, to alternative treatment centers, and to cannabis retail outlets, but not to consumers. A limited product manufacturing facility may not perform volatile extractions.

X. "Cannabis product manufacturing facility," "product manufacturing facility," or "cannabis product manufacturer" means a person licensed to purchase cannabis, to manufacture, prepare, and package cannabis products, and sell cannabis and cannabis products to other cannabis product manufacturing facilities, to limited manufacturers, to alternative treatment centers, and to cannabis retail outlets, but not to consumers.

XI. “Cannabis products” means any product that contains cannabis, including cannabis concentrate and products that contain cannabis and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, topical products, and tinctures. This term shall not include cannabis in its plant or flower form.

XII. “Cannabis retail outlet” or “cannabis outlet” means a person licensed to purchase cannabis from cannabis cultivation facilities, to purchase cannabis products from cannabis product manufacturing facilities and limited manufacturers, and to sell, transfer, and deliver cannabis and cannabis products to consumers, qualifying patients, and designated caregivers. Online pre-ordering is allowed, but consumers must purchase and pick up cannabis and cannabis products at the cannabis retail outlet’s licensed premise.

XIII. “Cannabis testing facility” or “testing facility” means a person licensed to test cannabis and cannabis products for potency and contaminants.

XIV. “Cannabis transporter” means a person licensed to transport cannabis and cannabis products between cannabis establishments.

XV. “Canopy” or “canopy space” means the surface area utilized to produce mature plants calculated in square feet and measured using the outside boundaries of any area that includes mature marijuana plants, including all the space within the boundaries. The square footage of canopy space is measured horizontally starting from the outermost point of the furthest mature flowering plant in a designated growing space and continuing around the outside of all mature flowering plants located within the designated growing space. If growing spaces are stacked vertically, each level of space shall be measured and included as part of the total canopy space measurement.

XVI. “Commission” means the New Hampshire liquor commission.

XVII. “Consumer” means a person 21 years of age or older who purchases cannabis or cannabis products for personal use by a person 21 years of age or older, but not for resale. “Consumer” does not include:

(a) A qualifying patient, designated caregiver, or visiting qualifying patient purchasing cannabis from an alternative treatment center pursuant to RSA 126-X; or

(b) A qualifying patient or designated caregiver purchasing cannabis from a cannabis retail outlet in his or her capacity as a qualifying patient or designated caregiver, and without paying the agency fee pursuant to RSA 318-F:25, (I)(a).

XVIII. “Controlling interest” means, any of the following:

(a) A direct or indirect financial or voting interest of 10 percent or greater in the applicant, licensee, or cannabis retail outlet;

(b) A direct or indirect financial or voting interest of 10 percent or greater in any business with managerial control over the applicant, licensee, or cannabis retail outlet; and

(c) Managerial control over the applicant, licensee, or cannabis retail outlet.

XIX. “Cultivation” or “cultivate” means the planting, propagation, growing, harvesting, drying, curing, grading, trimming, or other processing of cannabis for use or sale. “Cultivation” or “cultivate” does not include manufacturing, testing, or cannabis extraction.

XX. “Department” means the department of health and human services.

XXI. “Designated caregiver” means “designated caregiver” as defined in RSA 126-X:1, VI.

XXII. “Documentation” means all records, in any form, including electronic records.

XXIII. “Flowering” means, with respect to a cannabis plant, the gametophytic or reproductive state of a female cannabis plant during which the plant is in a light cycle intended to produce flowers, trichomes, and cannabinoids characteristic of cannabis.

XXIV. “Hemp” means the plant *Cannabis sativa* L. and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration (THC) of not more than 0.3 percent on a dry weight basis.

XXV. “Immature cannabis plant” means a cannabis plant that is not a mature cannabis plant or a seedling.

XXVI. “Manufacturing” or “manufacture” means the production, blending, infusing, compounding or other preparation of cannabis and cannabis products, including, but not limited to, cannabis extraction or preparation by means of chemical synthesis. “Manufacturing” or “manufacture” does not include cultivation or testing.

XXVII. “Mature cannabis plant” or “mature plant” means a cannabis plant that has flowered and has buds that may be observed by visual examination.

XXVIII. “Municipality” means a city, town, or an unincorporated place.

XXVIII-a. “Operational control model” means the operational control exercised by the state as designated in this chapter such as:

(a) “State run stores” wherein the state operates retail outlets for direct purchase and sale of cannabis and cannabis products;

(b) “Franchise model” wherein the state adopts a franchisor-franchisee relationship with private businesses licensed by the liquor commission;

(c) “Agency store model” wherein the state requires agreement and compliance from private businesses granted limited licensed by the liquor commission beyond the traditional health and safety regulatory role of government; or

(d) “Free market operation” wherein the liquor commission exercises traditional health and safety regulatory role of government with private businesses licensed by the liquor commission.

XXIX. “Person” means a natural person or a business entity.

XXX. “Possession limit” means:

(a) Four ounces of cannabis in plant form;

(b) Ten grams of cannabis concentrate, which includes, but is not limited to, pre-filled cartridges of cannabis extracts intended for vaporization, but excludes products, such as edible products, topical products, and tinctures; and

(c) Cannabis products other than cannabis concentrate containing no more than 2,000 milligrams of THC.

XXXI. “Premises” means and includes all parts of the contiguous real estate occupied by a licensee over which the licensee has direct or indirect control or interest and which the licensee uses in the operation of the licensed business, and which have been approved by the commission as proper places in which to exercise the licensee’s privilege.

XXXII. “Public place” means a place to which the general public has access, and does not include private land, including land in current use, where cannabis use is allowed by the property owner or tenant pursuant to 318-F:21, IV(d).

XXXIII. “Qualifying patient” means “qualifying patient” as defined in RSA 126-X:1, X.

XXXIV. “Resident” means a natural person who:

(a) Is domiciled in New Hampshire; and

(b) Maintains a place of abode in New Hampshire, unless the individual was homeless and residing in New Hampshire for at least 51 percent of the time.

XXXV. “Seedling” means a cannabis plant that has no flowers and is less than 12 inches in height and less than 12 inches in diameter.

XXXVI. “THC” means tetrahydrocannabinol.

XXXVII. “Therapeutic grade cannabis product” means a cannabis product that exceeds any potency or serving size limitations created by this chapter and is manufactured by a licensed alternative treatment center. Therapeutic grade cannabis products sold by an alternative treatment center to a cannabis retail outlet shall meet the requirements of RSA 126-X and rules issued pursuant to RSA 126-X. Cannabis retail outlets may only sell therapeutic grade cannabis products to qualifying patients and designated caregivers. The commission has jurisdiction over therapeutic grade cannabis products after they are transferred to a cannabis establishment licensed under this chapter.

XXXVIII. “Volatile extraction” means:

(a) Extractions using any solvent identified as volatile or hazardous by the commission; and

(b) Any method of extraction identified as potentially hazardous by the commission.

Amend RSA 318-F:2, I(a) as inserted by section 5 of the bill by replacing it with the following:

(a) Possessing, consuming, using, displaying, obtaining, purchasing, processing, producing, or transporting an amount of cannabis that does not exceed the possession limit, except that no adult other than one who is acting in his or her capacity as a staffer of a cannabis product manufacturer licensed pursuant to RSA 318-F or an alternative treatment center licensed pursuant to RSA 126-X may perform volatile extractions.

Amend RSA 318-F:3 as inserted by section 5 of the bill by replacing it with the following:

318-F:3 Smoking Cannabis in Public Prohibited; Penalty.

No person shall smoke or vaporize cannabis in any public place.

I. First offense: Any person who violates this section shall be guilty of a violation for the first offense and shall be fined not more than \$100, and shall forfeit all cannabis and cannabis products on their person.

II. Second offense: Any person who violates this section a second time within 5 years of the first conviction under section I shall be guilty of a violation and shall be fined not more than \$500, and shall forfeit all cannabis and cannabis products on their person.

III. Subsequent offense: Any person who violates this section a third or more times, when having 2 prior convictions within 5 years of the third or subsequent offense, shall be guilty of a class B misdemeanor.

Amend RSA 318-F:4, IV as inserted by section 5 of the bill by replacing it with the following:

IV. In this section, “driving or attempting to drive” or “operating or attempting to operate” shall not include the physical presence of a person or persons in a vehicle when it is parked, docked, or otherwise in a stationary position that does not create a hazard to others. Idling to provide heat, cooling, power generation, or other stationary use does not constitute “driving or attempting to drive” or “operating or attempting to operate” for the purposes of this section.

Amend RSA 318-F:7 as inserted by section 5 of the bill by replacing it with the following:

318-F:7 Enforcement Authority.

I. The commission shall have the primary responsibility for enforcing this chapter. Enforcement of chapter 318-B shall not be included in the responsibilities of the commission. Local, county, and state law enforcement officers shall also have jurisdiction to enforce this chapter. Such authority may be delegated to agents working under their authority.

II. The commission shall appoint liquor investigators whose primary function shall be the proper prosecution of this chapter. The liquor investigators shall have statewide jurisdiction, with reference to enforcement of all laws either in cooperation with, or independently of, the officers of any county or town. The commission shall have the primary responsibility for the enforcement of all cannabis laws upon premises where cannabis and cannabis products are lawfully sold, stored, distributed, or manufactured. Any person violating the provisions of any law may be prosecuted by the commission or any of its investigators as provided in this section, or by county or city attorneys, or by sheriffs or their deputies, or by police officials of towns or New Hampshire state police.

III. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all investigations and hearings before it. All hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such investigation or hearing, the commission shall not be bound by the technical rules of evidence. The commission may subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever. A summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.

IV. If any false statement is knowingly made in any statement under oath which may be required by the provisions of this title or by the commission, the person making the same shall be deemed guilty of perjury. The making of any such false statement in any such application or in any such accompanying statements, whether made with or without the knowledge or consent of the applicant, shall, in the discretion of the commission, constitute sufficient cause for the revocation of the license.

V. The commission shall adopt by rule under RSA 541-A a formal enforcement policy for licensees under its jurisdiction. This policy shall specify the disciplinary action, to include, but not limited to, a schedule of fines as are authorized by this chapter for violations of statutory requirements, which the commission shall take for violations of various laws under its jurisdiction. The enforcement policy shall also specify mitigating and aggravating factors which the commission shall consider in determining penalties for specific actions. Such enforcement policy shall authorize:

(a) Cannabis cultivation facilities to continue to cultivate, prepare, and package, but not purchase, transfer, or sell cannabis and cannabis products during a suspension or a license revocation, until such time as there is a final determination that the license be revoked for which no appeal is available; and

(b) Authorize cannabis product manufacturing facilities, limited manufacturers, cannabis testing facilities, and cannabis retail outlets to possess existing cannabis inventory, but not acquire additional cannabis, or dispense, transfer, or sell cannabis during a suspension or a license revocation until such time as there is a final determination that the license be revoked for which no appeal is available.

VI.(a) In applying its enforcement policy, the liquor commission shall establish and enforce specific terminate penalties for specific offenses. The commission shall not apply penalties such as license suspensions for indefinite periods of time.

(b) In addition to RSA 541-A:30, III, the commission may suspend, for a period designated in rules, without a hearing, any license issued under the provisions of this title, if a risk to public health, safety, or welfare constitutes an emergency requiring such suspension. Any such suspension shall notify such persons designated in rules within 24 hours.

Amend RSA 318-F:8, II as inserted by section 5 of the bill by replacing it with the following:

II. No later than 90 days after the effective date of this chapter, the advisory board shall be appointed. The board shall consist of 21 members, and shall consist of: the chair of the commission or designee; a certified public health official appointed by the chair of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery in RSA 12-J; a medical provider with cannabis experience or a medical professional as nominated by the president of the New Hampshire Medical Society, the New Hampshire Board of Nursing, or the American Nurses Association; the commissioner of the department of health and human services or designee; a member of the Higher Education Council who represents an institution of higher learning, appointed by that council; a mental health professional appointed by the executive director of NAMI (National Alliance on Mental Illness) New Hampshire; one expert in cannabis cultivation; one expert in cannabis retailing; one expert in cannabis product manufacturing; one expert in cannabis testing; one board member or officer of an alternative treatment center; 2 registered therapeutic cannabis patients; one individual who represents cannabis consumers; the president of the New Hampshire association of chiefs of police or designee; a prevention specialist who is currently certified by the New Hampshire prevention certification board; a state senator, appointed by the senate president; 2 state representatives, appointed by the speaker of the house, one cannabis financial services expert; and one attorney with primary focus on cannabis industry practice. Except as otherwise specified, members shall be appointed by the governor.

Amend RSA 318-F:8, VI as inserted by section 5 of the bill by replacing it with the following:

VI. The cannabis advisory board shall:

(a) Advise the commission on rules to ensure the thorough and efficient implementation of this chapter.

(b) Advise the commission on whether additional cannabis retail outlets and cannabis cultivation canopy should be licensed, and, if so, how many.

(c) Advise the commission on what additional types of cannabis establishments, if any, the commission should license along with recommendations on their licensure and regulation.

(d) Advise the commission and legislature on issues relating to maintaining and expanding affordable access to a diversity of cannabis and cannabis products for qualifying patients registered under RSA 126-X and the integration of the therapeutic cannabis program and the regulatory system created by this chapter.

(e) Advise the commission on whether it should establish a state reference laboratory, or whether an agreement with another state's reference laboratory is possible.

(f) Consider all matters submitted to it by the commission.

(g) Hold a hearing to solicit public input no less frequently than once every 6 months, including input on the availability of reasonably priced therapeutic cannabis.

(h) Review any new science-based evidence of public health issues on the use of cannabis.

(i) Advise the commission on spending and recommend any modifications to ensure the thorough and efficient implementation of this chapter.

Amend RSA 318-F:9 as inserted by section 5 of the bill by replacing it with the following:

318-F:9 Regulation of Cannabis.

I. Not later than 18 months after the effective date of this section, the commission shall adopt rules, pursuant to RSA 541-A, for the issuance of cultivation facility licenses. Not later than 20 months after the effective date of this section, the commission shall adopt rules, pursuant to RSA 541-A, for the licensure and regulation of all other cannabis establishments. The rules shall include the following:

(a) Procedures including:

(1) Procedures for issuance, transfer, denial, approval, renewal, suspension, and revocation of a license for an agency retail cannabis outlet. The rules shall require an approved agency agreement for a retail cannabis outlet prior to applying for a license.

(2) Procedures for the application, issuance, transfer, denial, approval, renewal, suspension, and revocation of a license for cannabis establishments other than agency retail outlets.

(b) A schedule of reasonable application, licensing, and annual renewal fees, provided:

(1) That the non-refundable portion of application fees shall not exceed \$1,000, with this upper limit adjusted annually for inflation;

(2) The application, licensing, and annual renewal fees for the smallest tier of cultivation facilities may not exceed \$250;

(3) The non-refundable portion of application fees for a limited manufacturer may not exceed \$100;

(4) All licensing and annual renewal fees, other than cultivation facilities, shall not exceed \$10,000;

(5) That cultivation facility licensing fees be tiered based on the size of the facilities, with a maximum fee of \$7,500; and

(6) That the licensing and annual renewal fees for a limited manufacturer may not exceed \$2,500.

(c) Qualifications and disqualifications for licensure that are directly and demonstrably related to the operation of a cannabis establishment, and which may not disqualify applicants solely for having a prior history of criminal convictions for cannabis offenses prior to the effective date of this chapter.

(d) Procedures to revoke the license of any cannabis retail outlet that is not operational within the latter of 20 months of receiving its license or 2 months after the commissioner authorizes retail sales to begin. However, the cannabis retail outlet shall be granted one or more 6-month extensions if:

(1) The cannabis retail outlet demonstrates it is making substantial progress towards becoming operational and the delay is not due to its failure to act in good faith and with reasonable diligence; or

(2) The delay is due to a lack of sufficient cannabis or cannabis products because of delays in cultivation facilities becoming operational.

(e) Regulations governing the selection and licensure of cultivation facilities, including:

(1) A cap on the total licensed canopy and a cap on the number of cultivation facilities based on anticipated demand. The cap must be reassessed at least once every year. It must be high enough to ensure a competitive market, and it must account for some facilities having crop failures, cannabis that fails testing, and demand from visiting states;

(2) Providing that each alternative treatment center will be issued at least one cultivation facility license, provided it applies and meets all qualifications and requirements of licensure;

(3) Procedures to revoke the license for any cultivation facility that is not operational within 20 months of receiving its license, and to accept applications for a new licensee. However, the licensee shall be granted one or more 6-month extensions if the cultivation facility demonstrates it is making substantial progress towards becoming operational and the delay is not due to its failure to act in good faith and with reasonable diligence;

(4) Procedures to accept applications for cultivation facilities within 3 months of a license being revoked, surrendered, or not renewed; and

(5) Regulations creating at least 2 tiers of cultivation facilities, based on the size of the facility or the number of plants cultivated and providing:

(A) That outdoor cultivation facilities must be allowed to cultivate 3 times the square footage of canopy as indoor cultivation facilities of the same tier;

(B) The largest tier must be no larger than 5,000 square feet of canopy for indoor cultivation, or no larger than 15,000 square feet of canopy for outdoor cultivation; provided that the square footage of each level of vertical shelving or other levels shall count toward the total canopy;

(C) That security regulations and licensing fees shall vary based on the size of the cultivation facility and that regulatory burdens shall be no more onerous than is reasonably necessary; and

(D) That cultivation facilities may move up to a higher tier at least once per year if they meet the security requirements and pay the associated fee, except that the commission may suspend this provision in the event of an oversupply.

(f) Record keeping requirements for cannabis establishments, including requirements for implementation and compliance with the distribution tracking system required by this chapter.

(g) Requirements for the transportation and distribution of cannabis and cannabis products between cannabis establishments, including approved packaging and documentation that shall accompany any cannabis and cannabis products being transported, warehoused, or distributed by cannabis establishments.

(h) A schedule of civil fines as are authorized in this chapter for violations of chapter requirements, provided that, not later than 18 months after the effective date of this chapter the commission shall report to the chairpersons of the house and senate ways and means committees its proposal for a fine schedule and for legislation needed to implement the schedule.

(i) Procedures for hearings on penalties, including civil fines and suspensions and revocations of a cannabis establishment license.

(j) Reasonable security requirements for each type of cannabis establishment, which may be varied based on the size of the cannabis establishment.

(k) Health and safety rules, including but not limited to the packaging and preparing of cannabis and cannabis products, restricting the use of pesticides and other chemicals used during cultivation and processing that may be dangerous to cannabis consumers, and sanitation requirements.

(l) Restrictions on the logos, signage, marketing, and display of cannabis and cannabis products, including but not limited to:

(1) A prohibition on mass-market campaigns that have a high likelihood of reaching minors;

(2) A prohibition on marketing to minors, including marketing specifically related to social media;

(3) Restrictions to prevent cannabis from being marketed to minors, and

(4) A prohibition on cannabis products that are named, packaged, marketed, or designed in a way that mimics or is likely to cause confusion with commercially available, trademarked non-cannabis products, including relating to their logos, the sound of the product or brand, packaging, taste, appearance, and commercial impression.

(m) Restrictions on where a cannabis cultivation facility may be located, consistent with the provisions of this chapter, provided that nothing shall prohibit a cannabis cultivation facility from being located at a facility that, at the time of application, is a location licensed to engage in cultivation as alternative treatment center under RSA 126-X.

(n) Establishing a voluntary process whereby a cannabis establishment may request approval of packaging, labeling, signage, a logo, marketing, or advertising to confirm it conforms with the commission's interpretation of its rules. The commission shall respond within 30 days with approval or denial, with an explanation accompanying any denial. A fee of no greater than \$250 may be charged for each review.

(o) Packaging, product manufacturing, and labeling requirements for cannabis and cannabis products, including:

(1) Mandating the disclosure of the THC content of each product;

(2) Requirements to ensure cannabis products and cannabis and cannabis products' packaging are not designed to appeal to or be attractive to minors, including providing that they cannot be in the shape of cartoons, toys, animals, or people;

(3) Establishing the maximum amount of THC that may be included in each serving of edible or drinkable cannabis product as 5 milligrams; and the maximum amount of THC that may be included in each package of edible or drinkable cannabis product as 100 milligrams;

(4) Prohibiting flavors and designs of cannabis-infused beverages, oils, and edibles that closely resemble or imitate candy flavors that are marketed specifically to minors;

(5) Prohibiting statements on the label or packaging that are false or misleading;

(6) Prohibiting any written statements on the label or packaging that are illegible;

(7) Prohibiting packaging or labeling that contains subliminal or similarly deceptive advertising techniques;

(8) Prohibiting packaging or labeling that features a depiction of athletes that is deceptive and misleading in that it implies that consuming cannabis or cannabis products is conducive to athletic skill or physical prowess, or that consuming cannabis does not hinder the athlete's performance;

(9) Prohibiting packaging or labeling that features illustrations, subject matter, or other attributes that are consistent with products marketed toward children and youths;

(10) Prohibiting packaging or labeling that features a depiction of consumption of cannabis or cannabis products while seated in, about to enter, operating, or about to operate an automobile or other machinery;

(11) Prohibiting packaging or labeling that encourages excessive consumption;

(12) Prohibiting packaging or labeling that does not indicate in a manner that is sufficiently clear that the product contains cannabis or cannabis products or that might result in confusion regarding whether the product is a cannabis or cannabis products;

(13) Prohibiting packaging or labeling that is offered for sale under the name, identity, or characteristics of another food or beverage or mimics another food or beverage or the characteristics of another food or beverage;

(14) Requiring packaging that is designed or constructed to be significantly difficult for children under 5 years of age to open, and not difficult for adults to use properly; and

(15) Require packaging include warnings, including but not limited to, those described in RSA 318-F:17.

(p) Health and safety rules and standards for the cultivation of cannabis and the manufacture of cannabis products, including:

(1) Prohibitions on additives to products that are toxic, misleading to consumers, or designed to make the product more appealing to children;

(2) Safety standards regulating the manufacture of cannabis extracts and concentrated cannabis products; and

(3) A prohibition on the inclusion of nicotine, alcohol, and other additives to products that are designed to make the product more addictive or more intoxicating.

(q) Standards for the operation of testing laboratories, including requirements for equipment and qualifications for personnel.

(r) Requirements for the testing of cannabis and cannabis products, including but not limited to:

(1) Requirements to ensure at a minimum that cannabis and cannabis products sold for human consumption do not contain contaminants that are injurious to health and to ensure correct labeling;

(2) That testing shall include, but not be limited to, analysis for residual solvents, poisons, or toxins; harmful chemicals; dangerous molds or mildew; filth; dangerous pesticides and fungicides; heavy metals; and harmful microbials, such as *E. coli* or salmonella;

(3) Threshold levels for each contaminant listed in subparagraph (2);

(4) Providing that in the event that test results indicate the presence of quantities of any substance determined to be injurious to health, such cannabis and cannabis products shall be immediately quarantined and immediate notification to the commission shall be made. The contaminated product shall be documented and properly destroyed;

(5) That testing shall also verify THC and other cannabinoid potency representations for correct labeling;

(6) That the commission shall determine an acceptable variance for potency representations and procedures to address potency misrepresentations;

(7) Potency limits for cannabis products, after consultation with and approval of the cannabis advisory board including a public hearing specifically related to the topic of potency;

(8) Allowances for remediation of cannabis and cannabis products whose test results are in excess of established thresholds;

(9) Minimum testing requirements for an effective cannabis and cannabis product quality assurance program for cannabis cultivation facilities, limited manufacturers, and cannabis product manufacturing facilities; and

(10) That the commission shall determine the protocols and frequency of cannabis testing by a cannabis testing facility.

(s) Reasonable health and safety restrictions on cannabis accessories that may be manufactured or sold in New Hampshire, including a prohibition on any vaporization device that includes toxic or addictive additives. The commission may prohibit types of vaporizers that are particularly likely to be utilized by minors without detection, but may not completely ban or unreasonably restrict the manufacture or sale of vaporization devices.

(t) Restrictions on where a cannabis establishment may be located, consistent with the provisions of this chapter; provided that nothing shall prohibit a cannabis establishment from being located at a facility that, at the time of application, is a location licensed to engage in activity as alternative treatment center under RSA 126-X.

(u) Rules governing changes in ownership and changes in location for cannabis establishments, provided that until a cannabis establishment has been fully operational for at least 12 months, no more than 35 percent of the original ownership interest can be transferred. The commission may grant exceptions for good cause, such as the death of an individual owner.

(v) Procedures and notices relating to all recalls of any products.

(w) A requirement that any label, and for certain products where appropriate, include a standard, recognizable symbol that a product contains cannabis or THC.

(x) A prohibition on the manufacture and sale of cannabis infused alcoholic beverages.

II. Privacy Protections.

(a) In order to ensure that individual privacy is protected, the commission shall not require a consumer to provide a cannabis retail outlet or any other cannabis establishment that sells direct to consumers with personal information other than government-issued identification to determine the consumer's age, and a cannabis establishment shall not be required to acquire and record personal information about consumers.

(b) In order to ensure that individual privacy is protected, no cannabis establishment may record or store a consumer's name, address, purchases, or contact information unless the consumer consents in writing. No cannabis establishment may make granting permission for the collection or storage of the above information a condition of a consumer purchasing cannabis from the establishment.

III. Not later than 18 months after the effective date of this chapter, the commission, in consultation with the department, shall develop an informational handout, which cannabis retail outlets shall make available to all consumers, and which shall include information detailed in RSA 318-F:17.

IV. The commission shall require all cannabis establishments to utilize an electronic inventory tracking system, including use of a universal product code, for tracking the transfer of cannabis and cannabis products between licensed cannabis establishments and the sale of cannabis and cannabis products to consumers. The system shall ensure an accurate accounting of the production, processing, and sale of cannabis and cannabis products and shall enable separate tracking of cannabis flowers, immature plants, and other parts of cannabis sold from cannabis cultivation facilities. The system must allow for the tracking of lab testing results for all cannabis and must be capable of swiftly identifying all products involved in a product recall. The commission may develop and maintain a system that satisfies the requirements of this section, or it may select a vendor to develop and maintain a system.

V. No later than 3 months after the after the effective date of this chapter and quarterly thereafter, the commission shall report to the house commerce and consumer affairs committee and the joint fiscal committee on the commission's progress in establishing procedures for the legalization, regulation, and taxation of cannabis, and the licensing and regulation of cannabis establishments.

VI. No later than 15 months after the effective date of this chapter, and every year thereafter, the commission shall reevaluate the fines and penalties established in RSA 318-F, and shall report in writing on its findings and recommendations to the chairpersons of the house of representatives and senate ways and means committees.

VII. The commission shall also have the authority to regulate synthetic cannabinoids and intoxicating products derived from hemp.

VIII. No later than 36 months after the effective date of this section, after receiving input from the cannabis advisory board, the commission shall make written recommendations to the general court regarding the regulation of hemp including:

(a) What hemp products the commission would regulate;

(b) How the products would be regulated, including whether licensure would be required and whether hemp processors and manufacturers should be licensed and regulated by the commission;

(c) Any license fees or other charges that would be assessed on hemp products and license fees assessed on hemp processors and manufacturers;

(d) The resources required to regulate hemp processors, product manufacturers, hemp products, and the retail sale of intoxicating hemp products; and

(e) The regulations governing the production and the sale of intoxicating ingestible or smokable products containing hemp-derived cannabinoids may not be less restrictive than the provisions of RSA 318-F or administrative rules enacted pursuant to RSA 541-A. For purposes of this section, "intoxicating ingestible or smokable products containing hemp-derived cannabinoids" means any product that is intended to be consumed by humans or animals through inhalation or ingestion containing tetrahydrocannabinol and tetrahydrocannabinolic acids that are artificially or natural derived from hemp where inhalation or ingestion is reasonably likely to result in alternations of perception, cognition, or behavior.

IX. No later than December 1, 2024, the commission, jointly with the department, shall develop draft legislation to:

(a) Transfer regulatory authority of the therapeutic cannabis program authorized under RSA 126-X, in whole or in part, to the commission; and

(b) Regulate cannabis retail outlets' sale of cannabis and cannabis products to qualifying patients and designated caregivers.

318-F:9-a Operational Control of Cannabis.

I. Not later than 12 months after the effective date of this section, the commission shall develop draft legislation and adopt rules subject to the rulemaking process pursuant to RSA 541-A for franchising cannabis retail outlets which keeps all operational control distinct from regulatory control. The rules shall include the following:

(a) Procedures for the application, issuance, transfer, approval, denial, renewal, suspension, and revocation of an agency store agreement for cannabis retail outlets.

(1) The commission shall decide within 60 days of receipt of a complete application and provide the decision to the agency store. The commission shall extend the time period for the decision upon written agreement of the applicant.

(2) Notwithstanding any rules created by the commission, any transfer or sale of cannabis agency store is subject to approval of the commission.

(3) No vendor that provides cannabis inventory tracking in New Hampshire and no individual with a threshold financial interest in a vendor that provides cannabis inventory tracking in New Hampshire may hold a threshold financial interest in a cannabis agency store.

(b) Rules governing the selection of cannabis retail outlets to include, but not limited to:

(1) Prohibiting the licensure of more than 15 cannabis retail outlets.

(2) Providing that a major criteria in assessing the relative merits of each application will incorporate the successful operation of an alternative treatment center registered under RSA 126-X and may convert to a cannabis retail outlet for sales permitted under this chapter and RSA 126-X.

(3) Determining whether to increase the number of cannabis agency stores no less than every 2 years, and, if so, by how many.

(4) Ensuring an equitable distribution of cannabis retail outlets based on geography and population, including:

(A) Providing for no more than the greater of one cannabis agency store per municipality or no more than one cannabis agency store per 15,000 residents of a municipality.

(B) Increasing access to legal cannabis in New Hampshire for people throughout the state.

(5) Providing that no cannabis agency store may be located within 1,000 feet of a pre-existing cannabis agency store unless the municipality where the establishment seeks to operate has established a smaller distance limitation or waived the restriction.

(6) Procedures to revoke the agency agreement of any agency store which has not applied for a license within a designated timeframe, or an agency store operator who is not compliant with the license application process.

(7) Procedures to accept applications for agency stores within 3 months of an agency store being revoked, surrendered, or not renewed.

(c) Restrictions on the logos, signage, marketing, and display of cannabis and cannabis products, including but not limited to:

(1) A prohibition on mass-market campaigns that have a high likelihood of reaching minors;

(2) A prohibition on marketing to minors, including marketing specifically related to social media;

(3) Restrictions to prevent cannabis from being marketed to minors;

(4) A prohibition on the sale of cannabis products that are named, packaged, marketed, or designed in a way that mimics or is likely to cause confusion with commercially available, trademarked non-cannabis products, including relating to their logos, the sound of the product or brand, packaging, taste, appearance, and commercial impression;

(5) A prohibition on giveaways of cannabis, cannabis products, or cannabis accessories, including samples;

(6) A prohibition on neon signs;

(7) A prohibition on signage, cannabis retail outlet logos, and advertisements that include slang for cannabis, images of cannabis or cannabis paraphernalia, or images that encourage over-consumption;

(8) A requirement that each cannabis retail outlet include in its name "[City or Town] Cannabis Outlet" or "New Hampshire Cannabis Outlet." The commission may require approval of any retail outlet name to ensure it does not encourage overconsumption, appeal to minors, or otherwise violate reasonable restrictions on naming; and

(9) The commission may develop rules around the finish and quality of exterior of buildings and lot, which may include limits on colors and fonts for signage and logos. The commission may design a standard logo all outlets must use, with the only variation being their outlet name.

(d) Restrictions on the hours of sale when a cannabis retail outlet may sell cannabis and cannabis products, provided the regulations shall not allow cannabis retail outlets to begin sales before 6:00 a.m. or to sell cannabis or cannabis products after 11:45 p.m.

(e) Annual mandatory training and continuing education required or recommended for licensees, which shall include, but not be limited to, training on checking photo identification and for false identification.

II. Privacy Protections.

(a) In order to ensure that individual privacy is protected, an agency store shall not require a consumer to provide a cannabis retail outlet with personal information other than government-issued identification to determine the consumer's age, and a cannabis establishment shall not be required to acquire and record personal information about consumers.

(b) In order to ensure that individual privacy is protected, no agency store may record or store a consumer's name, address, purchases, or contact information unless the consumer consents in writing. No agency store may make granting permission for the collection or storage of the above information a condition of a consumer purchasing cannabis from the outlet.

III. The agency agreement may prohibit or restrict lobbying in a manner consistent with the First Amendment.

IV. As conditions of the agency store agreement, the commission shall:

(a) Restrict lobbying by agency stores.

(b) Maintain an accessible website for the public to identify the location, status, and online presence of agency stores.

Amend RSA 318-F:11 as inserted by section 5 of the bill by replacing it with the following:

318-F:11 Entry to Cannabis Retail Outlets Limited.

Entry to cannabis retail outlets shall be restricted to people:

I. Twenty-one years of age or older;

II. Qualifying patients; and

III. First responders and other government employees in performance of their official duties.

Amend RSA 318-F:13, I-II as inserted by section 5 of the bill by replacing it with the following:

I. The voters of every municipality shall vote on whether to allow cannabis retail outlets in their municipality at the first municipal election after July 1, 2024, unless the municipality elects to include this question at the November 2024 biennial election. The wording of the question shall be substantially as follows: "Shall we allow the operation of cannabis retail outlets within this city or town?" The recount of any local option vote, the procedures for holding such a recount, the declaration of the results of such a recount, and the procedure for an appeal from such a recount shall be as provided in RSA 660:13-15. A municipality may not prohibit transportation through the municipality by cannabis establishments located in other jurisdictions.

II. A municipality where a vote to allow cannabis retail outlets fails shall propose the question to voters again in a subsequent municipal election upon a petition. The petition shall be of not less than 5 percent of the legal voters within the city or town filed with the secretary of state within the timeframe regulating other ballot measures for municipal elections. The same requirements established in paragraph I shall apply to that subsequent municipal election.

Amend RSA 318-F:14 as inserted by section 5 of the bill by deleting RSA 318-F:14, VII.

Amend RSA 318-F:18, I(d) as inserted by section 5 of the bill by replacing it with the following:

(d) Packaging, processing, transporting, displaying, or possessing cannabis or cannabis products; manufacturing cannabis products without performing volatile extractions; delivering or transferring cannabis or cannabis products to a cannabis testing facility; selling cannabis or cannabis products to a cannabis retail outlet, alternative treatment center, limited manufacturer, or a cannabis product manufacturing facility; purchasing or obtaining cannabis from a cannabis cultivation facility; or purchasing or obtaining cannabis or cannabis products from a cannabis product manufacturing facility or limited manufacturer, if the person or business entity conducting the activities described in this paragraph has obtained a current, valid license to operate a limited manufacturer or is acting in his or her capacity as an owner, employee, or agent of a licensed limited manufacturer.

Amend RSA 318-F:18, I(h) as inserted by section 5 of the bill by replacing it with the following:

(h) Obtaining or purchasing cannabis from a cannabis cultivation facility; delivering or transferring cannabis to a cannabis testing facility; selling or distributing therapeutic grade cannabis products to a cannabis retail outlet; or obtaining or purchasing cannabis or cannabis products from a cannabis product manufacturing facility or limited manufacturer if the person or business entity conducting the activities described in this paragraph possesses a valid license to operate an alternative treatment center or is acting in his or her capacity as an owner, employee, or agent of a licensed alternative treatment center.

Amend RSA 318-F:18, II as inserted by section 5 of the bill by replacing it with the following:

II. No sales to consumers may begin until the liquor commissioner certifies there is a sufficient supply of cannabis and cannabis products to begin sales.

Amend RSA 318-F:21, II as inserted by section 5 of the bill by replacing it with the following:

II. Nothing in this chapter shall be construed to permit the transfer of cannabis, with or without remuneration, to a person under the age of 21, or to allow a person under the age of 21 to purchase, possess, use, transport, or consume cannabis except in the case of qualifying patients.

Amend RSA 318-F:24 as inserted by section 5 of the bill by replacing it with the following:

318-F:24 Data Collection Related to Cannabis Legalization and Regulation. No later than 2 years after the effective date of this chapter, and every 2 years thereafter, the department of health and human services shall, where appropriate, enter into memorandums of understanding with the department of safety, the department of justice, the department of education, the commission, and any other agency determined by the department of health and human services to possess relevant data, to collect data, and produce and publish a report that includes baseline data and the most current data regarding health and welfare outcomes before and after cannabis legalization and regulation for adult use. All data in the report shall be non-identifiable and respectful of personal privacy.

Amend the introductory paragraph of RSA 318-F:25, I as inserted by section 5 of the bill by replacing it with the following:

I. An agency fee of 10 percent shall be levied on the monthly total gross revenue derived from the sale of cannabis and cannabis products from a cannabis retail outlets, provided:

Amend RSA 318-F:26, V(b) as inserted by section 5 of the bill by replacing it with the following:

(b) The remaining funds shall be deposited in the general fund.

Amend RSA 318-F as inserted by section 5 of the bill by deleting RSA 318-F:27 and 318-F:28.

Amend RSA 651:5-b, I(b) as inserted by section 13 of the bill by replacing it with the following:

(b) “Possession limit” means the current “possession limit” as defined in RSA 318-F:1.

Amend the bill by replacing all after section 27 with the following:

28 New Paragraph; Rulemaking; Liquor Commission. Amend RSA 176:14 by inserting after paragraph IX the following new paragraph:

IX-a. Cannabis licenses, including:

(a) Procedures for the application for, issuance, transfer, approval, denial, renewal, suspension, and revocation of a license for cannabis establishments.

(b) License operations for each cannabis establishment license type.

(c) Collection of additional fees as required by statute.

29 Appropriations.

I.(a) The following classified position is established in the department of health and human services to support the department in completing the new responsibilities relative to collecting, analyzing, and reporting of data required by RSA 318-F:24: one operations research analyst position (labor grade 30, step 1).

(b) The sum of \$109,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the department of health and human services for the purpose of funding the position established in paragraph I(a). The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum of \$8,000,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the liquor and cannabis commission for deposit into the cannabis fund established in RSA 318-F:26 for the administration of RSA 318-F. Said appropriation shall be a charge against the liquor fund.

30 Contingent Severability of Operational Control. If the operational control in RSA 318-F:9-a is not implemented by June 30, 2026, operational control provided in that section shall become null and void and all references to operational control requirements shall be waived.

31 Repeal. RSA 318-B:1, X-a(g), relative to separation gins and sifters used or intended for use with cannabis, is repealed.

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

**Amendment to HB 1647-FN-A
(2024-1134h)**

Proposed by the Committee on Finance-r

Amend the bill by replacing section 4 with the following:

4 Appropriation; Retirement System; Group II Change. The sum of \$53,600,000 for the biennium ending June 30, 2025, is hereby appropriated to the retirement system for deposit in the state annuity accumulation fund for payment against the cost of the amendment to the group II calculation of service and disability retirement benefits by this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

**Amendment to HB 1649-FN
(2024-1086h)**

Proposed by the Majority of the Committee on Finance-r

Amend the introductory paragraph of RSA 149-M:64, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Product Ban. On January 1, 2027, the following PFAS-added consumer products shall be prohibited from being offered for final sale or use or distributed for promotional purposes in the state:

**Amendment to HB 1656-FN-LOCAL
(2024-1211h)**

Proposed by the Majority of the Committee on Finance-r

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

1 Cost of an Opportunity for an Adequate Education; Differentiated Aid; Special Education. RSA 198:40-a, II(d) is repealed and reenacted to read as follows:

(d)(1) An additional \$2,642 for each pupil in the ADMR who is receiving special education services with a category A disability, \$5,285 for each pupil in the ADMR who is receiving special education services with a category B disability, and \$7,927 for each pupil in the ADMR who is receiving special education services with a category C disability.

(2) For this subparagraph, “category A disability” applies to pupils receiving special education services inside regular class 80 percent or more of the day; “category B disability” applies to pupils receiving special education services inside regular class less than 40 percent of the day and inside regular class 40 percent through 79 percent of the day; and “category C disability” applies to pupils receiving special education services in separate schools, residential facilities, or homebound/hospital placements. Categories A, B, and C apply to pupils ages 5 in kindergarten through 21, inclusive. Any pupil receiving special education services identified by the department that was not identified in the department’s data collection efforts to determine categories A, B, and C, shall default to category A.

2 Effective Date. This act shall take effect July 1, 2024.

**Amendment to HB 1656-FN-LOCAL
(2024-1327h)**

Proposed by the Minority of the Committee on Finance-r

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

1 Cost of an Opportunity for an Adequate Education; Differentiated Aid; Special Education. RSA 198:40-a, II(d) is repealed and reenacted to read as follows:

(d)(1) An additional \$3,408 for each pupil in the ADMR who is receiving special education services with a category A disability, \$6,817 for each pupil in the ADMR who is receiving special education services with a category B disability, and \$10,224 for each pupil in the ADMR who is receiving special education services with a category C disability.

(2) For this subparagraph, “category A disability” applies to pupils receiving special education services inside regular class 80 percent or more of the day; “category B disability” applies to pupils receiving special education services inside regular class less than 40 percent of the day and inside regular class 40 percent through 79 percent of the day; and “category C disability” applies to pupils receiving special education services in separate schools, residential facilities, or homebound/hospital placements. Categories A, B, and C apply to pupils ages 5 in kindergarten through 21, inclusive. Any pupil receiving special education services identified by the department that was not identified in the department’s data collection efforts to determine categories A, B, and C, shall default to category A.

2 Effective Date. This act shall take effect July 1, 2024.

**Amendment to HB 1669-FN
(2024-1274h)**

Proposed by the Committee on Finance-r

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

1 New Paragraph; State Immunization Registry; Data Sharing. Amend RSA 141-C:20-f by inserting after paragraph I the following new paragraph:

I-a. Prior to entering into an agreement to share personally identifiable information with any other organization, including but not limited to, other state immunization information systems, the department shall ensure that withdrawals under paragraph III-a will be honored by that organization. This paragraph shall not apply to personally identified information extracted from the state immunization information system by health care providers who care for their patients.

2 Department of Health and Human Services; Division of Public Health Services, State Immunization Registry; Data Sharing; Classified Position Established; Appropriation.

I. A systems development specialist IV (Labor Grade 26, Step 3) position is established in the department of health and human services to support the department’s division of public health services to complete development, testing, implementation, and ongoing maintenance and quality assurance activities as a result of statutory changes made in this act.

II. The sum of \$107,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the position established in paragraph I, including related office and travel expenses. In addition to the appropriation and notwithstanding RSA 14:30-a, the

department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

III. Additionally, the non-lapsing sum of \$80,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the required one-time enhancement to the New Hampshire immunization information system (NHIIS) as a result of this act. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

3 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

2024-1274h

AMENDED ANALYSIS

The bill prohibits the department of health and human services from sharing data from the state immunization registry with other organizations unless the department can assure withdrawals from the registry will be honored by the organization. The bill also establishes a position in the department of health and human services to assist in implementation and makes appropriations to the department therefor.

Amendment to SB 324

(2024-1310h)

Proposed by the Committee on Ways and Means—c

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

1 Bingo and Lucky 7; Application Fee; Application of Funds. Amend RSA 287-E:19, II to read as follows:

II. Applications for renewal shall be received by the commission 15 days prior to expiration, unless such requirement is waived by the commission for good cause shown. ***At least 45 days prior to the expiration of an annual license issued in accordance with this chapter, the commission shall notify the licensee of the pending expiration.***

2 Suspension; Revocation. Amend RSA 287-E:25 to read as follows:

287-E:25 Suspension; Revocation. The commission shall suspend or revoke the license of any licensee and/or impose an administrative fine upon the licensee upon a finding that the licensee has violated any provision of this subdivision. Any licensee whose license is revoked shall not be eligible for licensure for a period of up to one year from the date of revocation. ***The commission shall conduct such suspensions and revocations in accordance with RSA 541-A:30.***

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

Amendment to SB 497-FN

(2024-1294h)

Proposed by the Committee on Ways and Means—c

Amend RSA 167:64, V as inserted by section 3 of the bill by replacing it with the following:

V. There is hereby established in the department of health and human services the disproportionate share hospital fund, which shall be kept separate and distinct from all other funds. All disproportionate share hospital revenue received by the department shall be credited to the fund. The moneys in the fund shall be nonlapsing and continually appropriated to the department for the purpose of redistributing disproportionate share hospital funds between and among hospitals for compliance with the federally required disproportionate share hospital examinations.

Amendment to SB 572

(2024- 1397h)

Proposed by the Committee on Children and Family Law—c

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

AN ACT relative to establishing a committee to study the sharing of confidential records among members of a multidisciplinary child protection team.

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

2 Committee to Study the Sharing of Confidential Records Among Members of a Multidisciplinary Child Protection Team. There is hereby established a committee to study the sharing of confidential records among members of a multidisciplinary child protection team.

I. The members of the committee shall be one member of the senate, appointed by the president of the senate, and 4 members of the house of representatives, appointed by the speaker of the house of represen-

tatives, one from the children and family law committee, one from the health, human services and elderly affairs committee, and 2 members from any house committee; at least one of whom shall be a member of the minority party.

II. The committee shall seek testimony from various persons and agencies in order to accomplish its purpose. These shall include, but not be limited to:

- (a) The director of the division for children, youth and families (DCYF), or designee.
- (b) A representative of the DCYF legal department, appointed by the department.
- (c) The child advocate, or designee.
- (d) A representative of the attorney general's office, appointed by the attorney general.
- (e) A member of the judiciary, appointed by the judicial branch.
- (f) A representative of the New Hampshire Association of Chiefs of Police, appointed by the association.

(g) A representative of the New Hampshire Hospital Association, with an expertise in HIPAA, appointed by the association.

- (h) One detective who handles crimes against children, from a city, appointed by the governor.
- (i) A victim witness advocate, appointed by the governor.
- (j) A board-certified child abuse pediatrician, appointed by the governor.
- (k) A contracted CAPP examiner, appointed by the governor.
- (l) A licensed therapist, appointed by the governor.

III. The committee shall study:

(a) The relevant laws of confidentiality in medical/mental health practice, law enforcement and child protection, and examine the interpretation of the relevant laws and the barriers to communication and the sharing of documents.

(b) Best practices around the sharing of information from the relevant practice areas to facilitate investigations of child physical and sexual abuse.

(c) Methods to streamline and improve communication amongst the relevant fields.

(d) Determine necessary rulemaking for DHHS to undertake.

(e) Discuss releases and/or memorandums of understanding currently in place between and among medical providers, child protective services, and law enforcement, regarding information sharing; identify barriers to sharing information in a timely manner; and investigate the creation of additional forms or fact sheets that would facilitate the sharing of information, such as a "HIPAA Fact Sheet" for use by law enforcement and CPSWs to streamline the release of documents from medical providers.

(f) Investigate how other states handle the sharing of information for child protection investigations, such as Massachusetts's 51-B laws.

(g) Review RSA 169-C adjudication and disposition timelines and the impact on more complex or shared investigations cases, such as physical abuse cases.

IV. The committee may solicit input from any person or entity the committee deems relevant to its study.

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

VI. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. A majority of the members of the committee shall constitute a quorum.

VII. The committee shall submit a report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2024.

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

2024-1397h

AMENDED ANALYSIS

This bill establishes a legislative committee to study the sharing of confidential records among members of a multidisciplinary child protection team.