State of
New Hampshire

HOUSE RECORD

Second Year of the 168th General Court

Calendar and Journal of the 2024 Session

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

Vol. 46 **Concord, N.H.** **Thursday, May 23, 2024** **No. 14**

HOUSE JOURNAL NO. 13 (Cont'd)

Thursday, May 9, 2024

Rep. Osborne moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL NO. 14

Thursday, May 23, 2024

The House assembled at 9:00 a.m., and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Bob Stewart, Pastor of St. Paul's United Methodist Church in Manchester.

Good morning God. Good Morning New Hampshire House of Representatives. Good morning, Mister Speaker. Let us prepare our hearts for prayer. O God of us all, we give our thanks to You for this great State of New Hampshire. We give You thanks for the seeds of hope planted for our state and our country. When we as a nation walk in Your way, grant us grace to continue in Your will. When we as Your children fall short, we ask You to correct us and forgive us. As we draw near to Memorial Day may we pause for a moment to remember those who have served You, our state and our nation. Guide us O God, as we, the New Hampshire House of Representatives, begin our work today. Guide us to make the best decisions possible. Our decisions may affect those constituents we represent. Through the legislation we work on today may they be seeds of hope for a brighter future for us all. O God of Love, again I ask You bless each member and leader of this New Hampshire House of Representatives. Grant them Your peace and grace as they navigate through the business of this day. Give each member and leader a portion of Your wisdom as they execute the business of this day to the best of their abilities. O God of us all, as we plant the seeds for the great State of New Hampshire today, we ask if You would water and fertilize those seeds planted. In so doing, it will bring glory and praise to Your Holy name for You are the Alpha and the Omega in our lives. It is in our love for You, O God, we pray. Amen.

Representative Brian Cole, member from Manchester, led the Pledge of Allegiance.

The National Anthem was sung by Ella Smith, a senior at John Stark Regional High School.

LEAVES OF ABSENCE

Reps. Boehm, Buco, Hamer, Lloyd and O'Brien, the day, illness.
Reps. Belcher, McConkey, Maria Perez, Sanborn and Santonastaso, the day, important business.

INTRODUCTION OF GUESTS

Lucas Truong, student at Lincoln-Woodstock School, Page for the day.

Laura Lauter-Smith, Larry and Laura Smith, mother, uncle and aunt of the singer, guest of Rep. Cole. Kristen, Jeremy, and Christopher Sheppard, guests of Rep. Layon. Jacob Garside, guest of Rep. Elberger. Roman Sckaal, guest of Rep. Knab. Mark Fisher, guest of Rep. Preece. Karen Burnett Kury, guest of Rep. Burroughs. Eleana Colby, guest of Rep. Brennan. John Hall, son of Rep. Hall. Ellen Rockmore, Jean Brown, Kimberly Frost, Nancy Carter, and 4th grade students from Crossroads Academy, guests of Reps. Hakken-Phillips, Jim Murphy, and Muirhead.

COMMUNICATION

Mr. Speaker,
I have relocated my family to Weare, NH and as of today I will no longer reside in my district. I therefore must resign my position as State Representative of the Hillsborough 39th District effective upon receipt of this letter. Of course, I would like to thank the voters of Manchester Wards 6/8/9 and formerly the voters of Litchfield for entrusting me to fight for them in Concord. While I will miss the Queen City, my wife and I wish to raise our son Maverick in a more rural environment, which Manchester cannot, understandably, provide. I fully believe that Manchester's brightest days are ahead of it. Thank you for entrusting me with two chairmanships this term. I would like to say to my colleagues on Election Law that despite our acrimonious final meeting, we did manage to accomplish a lot and a committee known for its partisanship was unusually and thankfully congenial. This is largely due to the good faith effort of Rep. Lane who is a calming force on the committee. I believe we made significant progress on addressing the childcare crisis facing our state and I would like to thank Rep. Wallner for being a partner in finding solutions to ease the burden on New Hampshire's working families. Finally, I would like to thank my wife Sammi for being an amazing mother, wife, and business partner. Being 34 years old and still working means she has picked up my slack when I am in Concord, and I will be forever grateful to her. I wish you and the rest of the members well and go give the Senate hell in Committee of Conference!
Best,
Ross Berry

CONSENT CALENDAR

Rep. Osborne moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.
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, removed by Reps. Spillane, Hoell, Notter, Rochefort, Moffett, Tom Mannion, Cushman, McCarter, Wherry and Jonathan Smith.
SB 543, establishing the state environmental adaptation, resilience, and innovation council, removed by Reps. Vose, Notter, Plett, Carroll Brown, Doug Thomas, Osborne, Summers, Bernardy, Hobson and Ploszaj.
Consent Calendar was adopted.

SB 97-FN, relative to the use of animals in product testing. **REFER FOR INTERIM STUDY.**
Rep. Brian Cole for Commerce and Consumer Affairs. The committee has recommended that this bill be Referred for Interim Study. Additional work needs to be done to sort out what these labs are testing for. The legislation as written is not enforceable. Vote 17-1.

SB 137-FN, relative to nano brewery licenses and beverage manufacturers licenses. **OUGHT TO PASS WITH AMENDMENT.**
Rep. John Potucek for Commerce and Consumer Affairs. This bill, as amended, repeals the nano brewery license (RSA 178:12-a) and creates a four-tier beverage manufacturer license. This bill, as amended, repeals and reenacts RSA 178:29, III(a) to create and license the four new levels of beverage manufacturer: under 500 barrels per year, 501-2500 barrels per year, 2501-15,000 barrels per year, and more than 15,000 barrels per year. This bill also repeals RSA 178:8, VIII. Vote 18-0.

Amendment (1888h)

Amend RSA 178:12, XV as inserted by section 8 of the bill by replacing it with the following:

XV. No unopened container sold by a beverage manufacturer licensee shall be opened or consumed on the licensee's premises.

SB 173-FN, relative to surprise medical bills. **OUGHT TO PASS.**
Rep. Carry Spier for Commerce and Consumer Affairs. This bill requires health carriers to cover out-of-network emergency services and services provided at an in-network facility by out-of-network providers in the same manner as if the services were provided by an in-network provider or facility. The bill is the result of a three-year effort on the part of the Insurance Department to encourage carriers and providers to negotiate, rather than resort to costly time-consuming dispute handling. To help this process, third party arbitrators will be contracted to facilitate the negotiations. Vote 18-0.

SB 176-FN, relative to insurance coverage for pelvic floor therapy. **INEXPEDIENT TO LEGISLATE.**
Rep. John Hunt for Commerce and Consumer Affairs. As introduced, the bill requires individual and group health insurance providers to cover pelvic floor therapy. The Senate amendment was for the Commissioner of the Department of Insurance to provide written guidance on coverage of pelvic floor therapy to both health care providers and health carriers. The guidance has been completed, so the bill is unnecessary. Vote 18-0.

SB 177-FN, relative to health insurance coverage of prosthetics for children under 19 years of age. **OUGHT TO PASS.**
Rep. Anita Burroughs for Commerce and Consumer Affairs. This bill requires insurers to cover one activity-specific device per year and a daily limb for everyday activities. Without this activity-specific device, a child's ability to have an active, healthy lifestyle and compete in sports alongside their peers is limited. Vote 18-0.

SB 196, establishing a minimum amount of uninsured motorist coverage required for vehicles operating as part of transportation network companies in New Hampshire. **INEXPEDIENT TO LEGISLATE.**
Rep. Susan Porcelli for Commerce and Consumer Affairs. The sponsor of the bill requested a recommendation of Inexpedient to Legislate since the issue was resolved and the bill was no longer required. Vote 18-0.

SB 312, relative to third party liability in Medicaid. **OUGHT TO PASS.**
Rep. Tim McGough for Commerce and Consumer Affairs. This bill provides for health carrier acceptance of liability to third parties under state Medicaid procedures. This is a request of the Department of Health and Human Services in order to ensure state compliance with federal requirements. Vote 18-0.

SB 325, establishing a committee to study the issue of insurance appraiser licensing. **INEXPEDIENT TO LEGISLATE.**
Rep. John Hunt for Commerce and Consumer Affairs. The bill establishes a committee to study the issue of insurance appraiser licensing. The committee shall study the current unlicensed appraisal system and whether licensing of insurance appraisers would increase consumer protections for insured and claimants. The committee shall also review the status of the utilization of photographic or electronic application-based appraisal services. There seems to be little interest or need in creating this new license, so the committee voted to recommend Inexpedient to Legislate. Vote 18-0.

SB 332, limiting re-disclosure of consumer reports requested in connection with a credit transaction involving an extension of credit secured by real estate. **REFER FOR INTERIM STUDY.**
Rep. John Hunt for Commerce and Consumer Affairs. This bill provides that if a person requests a consumer report in connection with a transaction secured by real estate, the consumer reporting agency shall not release the report to a third party unless the consumer has a relationship with the third party or the consumer has consented to such release. The committee was concerned that there is federal intervention for opt in, since there is currently a way to opt out. The recommendation to the mortgage brokers, who were in support of this legislation, is that when they initiate a consumer report, they also inform the consumer on how to opt out. Vote 18-0.

SB 333, relative to access to financial services for minors in legal custody or guardianship and relative to the board of directors of mutual banks and mutual holding companies. **OUGHT TO PASS.**
Rep. Anita Burroughs for Commerce and Consumer Affairs. There are children over 16 who are not living with their parents and may be in legal custody or guardianship. They do not have access to a banking account, which makes it difficult for them to save earned money. It is important to enable them to start banking their money, which is vital to their well-being and independence. It would grant the Department of Health and Human Services flexibility in terms of rulemaking authority. This bill was created in collaboration with the banking industry and would impact fewer than 400 children. Vote 18-0.

SB 334, relative to providing for the issuance of bonds and other obligations by the business finance authority of the state of New Hampshire to finance student loans. **OUGHT TO PASS.**
Rep. John Hunt for Commerce and Consumer Affairs. This bill adds the Business Finance Authority (BFA) of the State of New Hampshire as an entity authorized to issue bonds and other obligations to finance student loans. Vote 18-0.

SB 353-FN, relative to insurance coverage for autism spectrum disorder and Down syndrome. **REFER FOR INTERIM STUDY.**
Rep. John Hunt for Commerce and Consumer Affairs. This bill clarifies insurance coverage for autism spectrum disorder and Down syndrome pursuant to RSA 417-E. Insurance companies already cover the cost for treatment that the bill was intended for. Unfortunately, the bill as written caused more confusion about autism and Down syndrome, so the committee wants to work on this bill this fall. Vote 18-0.

SB 354-FN, relative to insurance cost-sharing calculations. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Tim McGough for Commerce and Consumer Affairs. This bill, as amended, addresses concerns raised during the public hearing by patients with certain diseases who take expensive prescription medications and receive means-tested financial assistance to help pay for them. The amendment will ensure that a patient who has health insurance under their employer's fully insured plan and receives means-tested financial assistance from an independent charity patient assistance program can count the financial assistance toward their deductible or out-of-pocket maximum, except in cases where there is a generic alternative, biosimilar, or other covered alternative available. In order for the financial assistance to count toward the patient's cost sharing, the independent charity patient assistance program must offer the financial assistance to the patient

for the entire health insurance plan year. The bill, as amended, also protects people with high deductible health plans from any tax liability that might otherwise arise from accepting patient financial assistance. The committee feels that the bill, as amended, appropriately responds to the concerns raised. Vote 18-0.

Amendment (1803h)

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

1 New Section; Accident and Health Insurance; Applying Patient Assistance for Prescription Drugs to Cost Sharing. Amend RSA 415:18 by inserting after section 415:18-ee the following new section:

415:18-ff Applying Patient Assistance for Prescription Drugs to Cost Sharing.

I. In this section:

(a) "Cost-sharing" means any coinsurance, copayment, deductible or out-of-pocket maximum.

(b) "Independent charity patient assistance program" means a program that meets the standards set out by the United States Department of Health and Human Services Office of Inspector General at 70 FR 70623 and 79 FR 31120.

II. Each insurer that issues or renews any policy of group accident or health insurance which provides coverage for prescription drugs, or which contracts with an entity providing such prescription drug coverage, including but not limited to pharmacy benefit manager companies, shall apply any amounts paid at the time of a claim on behalf of an enrollee by an independent charity patient assistance program to the enrollee's cost sharing requirements, except in the case of a covered prescription drug for which there is a generic alternative, biosimilar, or other covered alternative available.

III. The requirement in paragraph II shall apply when an independent charity patient assistance program funded directly or indirectly by a pharmaceutical manufacturer offers the assistance to the enrollee for the full plan year.

IV. If the assistance payment is not processed in coordination with the enrollee's health insurance coverage at the point of sale, then an insurer or its contracted entity providing prescription drug coverage may require a pharmacy processing an assistance payment from an independent charity patient assistance program on behalf of an enrollee to disclose to the enrollee's insurer:

(a) The name of the enrollee on whose behalf a payment was made;

(b) The name of the covered prescription drug for which the payment was made;

(c) The amount of the payment that was provided; and

(d) Any other terms and conditions that are attached to the assistance program under which payment was made.

V. For a health care contract that meets the definition of a "high deductible plan" set forth in 26 U.S.C. section 223(c)(2) or a catastrophic health plan, as defined under the Patient Protection and Affordable Care Act of 2009, a carrier shall be exempt from the provisions of this section until an enrollee's deductible has been satisfied for the year.

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

AMENDED ANALYSIS

This bill requires an insurer to apply any amount paid by an independent charity patient assistance program to the enrollee's cost sharing requirements, except in the case of a covered prescription drug for which there is a generic, biosimilar, or other covered alternative.

SB 365, relative to the sale or use of lithium-ion batteries for electric bicycles, scooters, or personal electric mobility devices. **REFER FOR INTERIM STUDY.**

Rep. Keith Ammon for Commerce and Consumer Affairs. This bill attempts to address safety concerns around lithium-ion batteries used in electric bicycles, scooters, and personal electric mobility devices. The bill aims only to allow the sale of these batteries and devices if they are certified by a nationally recognized testing laboratory. However, the Commerce Committee unanimously voted to recommend the bill be Referred for Interim Study. This decision was made due to insufficient evidence that the bill, as written, would effectively prevent fires caused by certified or non-certified batteries. The committee noted that data on the correlation between fires and non-certified batteries was lacking. Furthermore, questions were raised about the enforcement of the proposed regulations. In its current form, the bill needs to provide better guidance on the specific testing laboratories and standards required for compliance. As a result, the committee determined that the bill requires further study to identify better avenues of enforcement, appropriate testing laboratories, and evidence-based standards. Vote 18-0.

SB 366-FN, relative to restricting the purchase of real property on or around military installations. **INEXPEDIENT TO LEGISLATE.**

Rep. Carry Spier for Commerce and Consumer Affairs. Contrary to its title, this bill actually restricts the purchase or lease or control of any property by any entity from the Peoples Republic of China for any purpose within a 10-mile radius of any listed facility. In addition to miliary bases, the listed facilities include restaurants, health care facilities, banks, agriculture, electricity distribution (such as power lines) and almost any

type of business that can be named. At the hearing, the committee learned that this bill would significantly impact the logging industry because China is a major customer and rents facilities to store wood prior to transport. The agriculture industry depends on the research performed at Syngenta, located in Hill, headquartered in Switzerland, and owned by China. The elimination of these long-time New Hampshire facilities would reduce revenues and cause the loss of jobs. After the incidents with the Chinese spy balloons and the Fufeng Group purchase of 370 acres for corn milling near Grand Forks Air Force Base, ND, the federal government instituted a rule that any Chinese company wishing to purchase land within 100 miles of a military base would require permission from the US government. As recently as the last month, the US shut down MineOne (a Chinese crypto mining company) which was located near Warren Air Force Base in Wyoming. This bill would conflict with the rules and jurisdiction set down by the federal government with respect to military bases. Because the bill is so broad, it was discussed in committee that its implementation would be both problematic to enforce and could cause people of Chinese descent or those from China currently living here to become targets much as they were in other parts of the country during the COVID pandemic. But there is another side to US relations with China. Two-way trade between China and the US totals around $320 billion per year. As of last month, China held about $3.59 trillion US dollars (on which they pay interest) helping to make dollars one of our greatest exports. These are significant factors ensuring the US dollar remains the strongest currency in the world. Vote 17-1.

SB 399-FN, relative to insurance coverage for blood testing associated with elevated lead levels. **OUGHT TO PASS.**
Rep. Anita Burroughs for Commerce and Consumer Affairs. Significant damage to the neurological and nervous systems is caused by lead poisoning. New Hampshire has some of the oldest housing stock in the country and over 30,000 children live in homes with lead-based paint. This is a public health crisis that can cause developmental delays, disabilities, and other cognitive adverse effects. This bill requires that all costs associated with blood lead testing required under RSA 130-A:5-a be covered without copay or coinsurance. The current process covers the initial test for blood lead levels but does not cover any follow up testing that may be required. This bill ensures that follow up tests will be covered. Vote 18-0.

SB 423, relative to mandatory disclosure of insurance policy limits. **INEXPEDIENT TO LEGISLATE.**
Rep. Carry Spier for Commerce and Consumer Affairs. This bill would allow any "claimant" to request and receive an automobile owner's insurance policy limits as opposed to filing a lawsuit as currently required. The bill would be added to RSA 264 regarding Accidents and Financial Responsibility. During the hearing the committee heard from legal counsel on both sides of the benefits and problems regarding this bill. But "claimant" is never defined either in the bill or in RSA 264. Therefore, anyone would be allowed to request such information about anyone else. Such information could then be used for any purpose, not just the intended purpose of the bill. The bill contains no protections for the policy holder and forces the insurance company to act in a way that may not be in the best interest of their client. As written, this bill is open to a myriad of unintended consequences and invasion of privacy. It is important to note that while New Hampshire requires proof of financial responsibility, it does not require automobile insurance. This means that looking to other states regarding their laws on this issue may not result in a workable solution. Vote 18-0.

SB 433, establishing a commission to study the marketing of e-cigarettes and e-liquid in this state, including the legality of available products, appropriate wholesale and retail compliance and tax collection system of the same. **OUGHT TO PASS WITH AMENDMENT.**
Rep. John Potucek for Commerce and Consumer Affairs. This bill, as amended, establishes a four-person commission to study the marketing of e-cigarettes and e-liquids in this state, including the legality of available products, appropriate wholesale and retail compliance and tax collection system of the same. The committee shall focus on the sales, marketing, enforcement, and tax collection mechanisms of e-cigarettes and e-liquids pursuant to retail tobacco licensing as per RSA 178:19-a. This bill also repeals RSA 178:32, relative to the committee to study the marketing of e-cigarettes and e-liquids, effective November 1, 2024. Vote 18-0.

Amendment (1711h)

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

AN ACT establishing a committee to study the marketing of e-cigarettes and e-liquid in this state, including the legality of available products, appropriate wholesale and retail compliance and tax collection system of the same.

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

1 New Section; Liquor Licenses and Fees; Committee to Study the Marketing of E-cigarettes and E-liquid. Amend RSA 178 by inserting after section 31 the following new section:

178:32 Committee to Study the Marketing of E-cigarettes and E-liquid.

I. There is established a committee to study the marketing of e-cigarettes and e-liquid in this state, including the legality of available products, appropriate wholesale and retail compliance and tax collection system of the same.

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

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

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

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

IV. The committee shall study the marketing of e-cigarettes and e-liquid in this state, including the legality of available products, appropriate wholesale and retail compliance and tax collection systems for such products. The committee shall focus on the sales, marketing, enforcement, and tax collection mechanisms of e-cigarettes and e-liquid pursuant to retail tobacco licensing set forth in RSA 178:19-a. The committee shall consult with the Department of Revenue Administration and the Liquor Commission as well as stakeholders in the private sector.

V. The members of the committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VI. The committee shall report 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.

2 Repeal. RSA 178:32, relative to the committee to study the marketing of e-cigarettes and e-liquid, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2024.

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

AMENDED ANALYSIS

This bill establishes a committee to study the marketing of e-cigarettes and e-liquid in this state, including the legality of available products, appropriate wholesale and retail compliance and tax collection system of the same.

SB 477, relative to establishing a commission to review and make recommendations regarding technology-based start-up business support from the state of New Hampshire. **REFER FOR INTERIM STUDY.**
Rep. Jane Beaulieu for Commerce and Consumer Affairs. The Commerce Committee supports establishing a commission to review and make recommendations regarding technology based start up business support from the State of NH. Refer for Interim Study will give the committee time to join with the New Hampshire Business and Economic Affairs Department along with the Tech-Alliance to establish a strong working relationship. Vote 18-0.

SB 502-FN, relative to the scanning of non-drivers' identification cards by real estate brokers. **OUGHT TO PASS WITH AMENDMENT.**
Rep. John Hunt for Commerce and Consumer Affairs. This bill clarifies that licensed real estate brokers may scan, record, retain, or store electronic information collected with a license holder's consent for a period lasting until the closing date or upon the license holder's request. The amendment corrected the title that stated "non-drivers" rather than the correct "drivers." Vote 18-0.

Amendment (1896h)

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

AN ACT relative to the scanning of drivers' licenses by real estate brokers.

SB 515, relative to consumer guarantee contracts. **OUGHT TO PASS.**
Rep. Brian Cole for Commerce and Consumer Affairs. This bill revises RSA 415-C to include the obligor's name, address, and phone number on consumer guarantee contracts. Administrators and sellers shall be updated yearly. Vote 18-0.

SB 555-FN, relative to receipt of pharmaceutical rebates by insurers and pharmacy benefits managers. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Tim McGough for Commerce and Consumer Affairs. This bill, as amended, makes permanent the law that enables insurance companies to offer consumers choice in health plans that apply prescription drug rebates in different ways. Under the bill, as amended, insurance companies will continue to use rebates to either lower health insurance premiums for everyone, or lower out-of-pocket costs for a limited number of patients at the point of sale, or some combination of the two. This law was slated to sunset on June 30th. Many insurers in New Hampshire are using the rebates to help lower premiums for all consumers by tens of millions of dollars every year, while at least one is using the rebates to reduce out of pocket costs. The committee rejected the idea that state government should intervene in the competitive marketplace and mandate all insurers to use

at least 50% of rebates to offset out-of-pocket costs. It is estimated that less than 3% of prescriptions would be eligible for out-of-pocket cost reductions. Moreover, the bill as passed by the Senate exempts the State Employee and Retiree Health Plan and Medicaid because the mandate would have cost the state at least $50 million per year. The committee felt that businesses and individuals paying premiums also deserve the right to choose a health plan that best meets their financial needs, and this amendment will allow them to do so. The Insurance Department will use its existing authority to require enhanced reporting on rebates so they can collect and analyze the appropriate data. Vote 18-0.

Amendment (1794h)

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

1 Repeal. 2020, 15:2, relative to the prospective repeal of RSA 415-A:7, is repealed.

2 Effective Date. This act shall take effect June 30, 2024.

AMENDED ANALYSIS

This bill removes the prospective repeal of RSA 415-A:7, relative to insurer cost sharing of pharmaceutical rebates.

SB 556-FN, prohibiting health carriers from establishing payment or reimbursement provisions based solely on a participating provider's licensure. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carry Spier for Commerce and Consumer Affairs. Advanced practice registered nurses (APRNs) are nurses who have met advanced educational and clinical practice requirements, and often provide services in community-based settings. APRNs' services range from primary and preventive care to mental health to birthing to anesthesia. For those procedures approved by hospitals or insurance providers which are performed at the same level as a physician, this bill, as amended, would allow APRNs to negotiate payment at a rate equal to that of a physician. In areas of the state suffering from a significant shortage of doctors, this bill would encourage APRNs to step in and fill the gap while providing the same level of care for approved services. The representatives for the health insurance companies and the Insurance Department support this bill. Vote 18-0.

Amendment (1785h)

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

AN ACT prohibiting health carriers from establishing payment or reimbursement provisions based solely on a participating advanced practice registered nurse's licensure.

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Managed Care Law; Provider Contract Standards. Amend RSA 420-J:8, VIII by inserting after subparagraph (e) the following new subparagraph:

(f) A health carrier shall not establish payment or reimbursement provisions based solely on a participating advanced practice registered nurse's licensure.

AMENDED ANALYSIS

This bill prohibits health carriers from establishing payment or reimbursement provisions based solely on a participating advanced practice registered nurse's licensure.

SB 557, relative to prohibiting discriminatory actions related to participation in the federal 340B Drug Pricing Program. **OUGHT TO PASS.**

Rep. Tim McGough for Commerce and Consumer Affairs. This bill prohibits a health insurance issuer, pharmacy benefit manager, or other third-party payer from discriminating against an entity participating in the federal 340B Drug Pricing Program based on the entity's participation in the program. The 340B Drug Pricing Program ensures covered entities are able to provide a savings to the patients they serve and re-invest savings into access to needed healthcare services. This bill will protect the 340B Drug Pricing Program in New Hampshire in lieu of federal action. Vote 18-0.

SB 561-FN, relative to prior authorizations for health care. **OUGHT TO PASS.**

Rep. Tim McGough for Commerce and Consumer Affairs. This bill establishes criteria for prior authorization required by insurers offering managed care health benefit plans. The committee heard extensive testimony from interested parties and the Department of Insurance about the cumbersome process of the prior authorization system and the negative impacts this system is having on patient care. This bill is the first step in the process of reforming and improving prior authorizations and managed care and improving patient outcomes and maintaining best value for services utilized. Vote 18-0.

SB 315-FN-L, relative to law enforcement agency reporting on information concerning bias crimes. **OUGHT TO PASS.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee, after hearing testimony from the sponsor and others, agreed that allowing the State Police to work with and share information with the Attorney General's office relating to bias crime reporting, will result in better informing the legislature and the public. Vote 20-0.

SB 321-FN, relative to the release of a defendant pending trial. **REFER FOR INTERIM STUDY.**
Rep. Alissandra Murray for Criminal Justice and Public Safety. The committee agreed that interim study was the proper motion for this bill as the House has already passed legislation addressing these concerns. We will wait to see the outcome of that legislation before taking further action on the issue. Vote 20-0.

SB 425, relative to bail commissioner fees. **REFER FOR INTERIM STUDY.**
Rep. Terry Roy for Criminal Justice and Public Safety. The committee, having heard testimony from the sponsor, agreed that HB 318, which passed this committee and the House, addressed this and all other issues related to bail. Therefore, this bill is redundant and appropriate for interim study in the event that more work is needed. Vote 20-0.

SB 504-FN, relative to land in current use. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Terry Roy for Criminal Justice and Public Safety. The committee, having heard from the sponsor and members of law enforcement, agrees that allowing land owners the ability to assist local law enforcement without losing their tax exemptions for current use is appropriate. Additionally, the bill was amended to include HB 318. HB 318 was an omnibus bail bill passed by this committee, the Finance Committee, and the full House twice. This is the position of the House with regard to bail, and it would be appropriate to pass it yet one more time to remind the other body that it is. Vote 17-0.

Amendment (1988h)

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

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

Amend the bill by replacing all after section 2 with the following:

3 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.

4 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.***

5 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.

6 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~~].

7 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.

8 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.

9 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.

10 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.

11 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.

12 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.

13 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.

14 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.***

15 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.

16 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 that 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.

17 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.

18 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.

19 Effective Date.

I. Sections 11 and 18 of this act shall take effect July 1, 2024.

II. Sections 7, 8, 9, and 10 of this act shall take effect July 1, 2025.

III. The remainder of this act shall take effect January 2, 2025.

AMENDED ANALYSIS

This bill:

I. Provides that the owner of land in current use and designated as open space may post that such land is restricted to use for public recreation only.

II. Expands grounds for criminal trespass to include violation of open space land posted for recreational use only and when associated with a violation of the controlled drug act or human trafficking.

III. Establishes magistrates and provides them duties and requirements.

IV. Makes various amendments governing the standards applicable to and the administration of bail.

V. Establishes an electronic monitoring program for certain criminal defendants and provides various appropriations to allow for the development and implementation of such a program.

VI. Makes amendments to the amount of the bail commissioner's fee and makes other amendments to the duties and educational requirements for bail commissioners.

VII. Establishes a judicial training coordinator and establishes training requirements for judges and certain judicial employees.

VIII. Makes additional appropriations to the judicial branch.

SB 378, relative to the performance-based school accountability system task force. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, creates a task force to develop and review the performance-based accountability system (PBAS) that serves to demonstrate that a school is providing the opportunity for an adequate education. In accordance with law, the Commissioner of the Department of Education has the responsibility and shall review the PBAS and make recommendations to the Legislative Oversight Committee. This legislation has been developed with support of the department and directs the department to appoint a task force after consultation with professional education organizations and stakeholder groups with relevant assessment and accountability expertise to review, make findings, and present recommendations for future legislation no later than June 30, 2026. As amended, the task force has specific and clearly defined duties such as, but not limited to identifying performance criteria and measurements, establishing goals and the relative weights assigned to goals, and ensuring that PBAS performance criteria are aligned with academic standards and with the scope and sequence of skill and knowledge development at various learning levels. Vote 18-1.

Amendment (1898h)

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

1 Adequate Public Education; Performance-Based Accountability System. RSA 193-E:3-c is repealed and reenacted to read as follows:

193-E:3-c Development, Implementation, and Review of the Performance-Based Accountability System.

I. There is hereby established a task force to develop and review the performance-based accountability system (PBAS) that will serve to demonstrate that a school is providing the opportunity for an adequate education as defined in RSA 193-E:2-a.

II. The task force shall be composed of no fewer than 10 and no more than 15 members and shall consist of:

(a) Six or more individuals who hold a current New Hampshire certification of superintendent, assistant superintendent, or curriculum administrator. There shall be at least one representative of each of the 5 New Hampshire School Administrators Association administrative regions and one statewide at large representative.

(b) Two individuals who hold a current New Hampshire certification of principal.

(c) Two individuals who hold a current New Hampshire experienced educator license as classroom teachers, one elementary and one secondary, who are familiar with performance-based accountability and work in the role of classroom teacher in a school.

(d) Other educational experts whose understanding of performance-based accountability and expertise will be of benefit to the task force's duties.

III. The department of education shall:

(a) Appoint task force members after consultation with professional education organizations and stakeholder groups with relevant assessment and accountability expertise.

(b) Advise, facilitate, and provide technical support to the task force as needed.

(c) Set the schedule and call meetings of the task force as needed to meet the deliverables of this section.

(d) Support the chairperson in posting notice and minutes of task force meetings as needed to meet the deliverables of this section.

(e) Solicit public comment and host listening sessions relative to PBAS proposals in collaboration with the task force.

IV. The task force shall have the following duties:

(a) Elect a chairperson.

(b) Define the performance-based accountability system to be used by schools that will ensure that the opportunity for an adequate education as defined in RSA 193-E:2-a is provided.

(c) Identify performance criteria and measurements.

(d) Establish performance goals and the relative weights assigned to those goals.

(e) Ensure that PBAS performance criteria are aligned with academic standards and with the scope and sequence of skill and knowledge development at various learning levels.

(f) Develop a process of continuous review and improvement to the PBAS.

(g) Review and make recommendations of the applicability and application of the PBAS for chartered public schools established pursuant to RSA 194-B and alternative schools.

(h) Advise the department on the initial and ongoing implementation of PBAS, including developing deadlines and data collection and reporting methodologies.

V. The department may provide stipends, mileage, and expense reimbursement to members of the task force established in this section, as well as make expenditures of other costs associated with administration of the task force as determined to be appropriate by the department.

VI. Any unexpended funds for the biennium ending June 30, 2025, and each biennium thereafter in accounts 06-56-560040-3043-612 and 06-56-567010-7064-612, shall not lapse and shall be made available to the department of education for the purpose of providing reimbursements of expenses related to this section.

VII. The task force shall develop a performance-based scoring system, which shall be based on data and indicators which are already provided to the department and/or performance measures that schools are already required to provide the department under other state or federal laws. In establishing the performance-based system, the task force may consider one or more of the following data and indicators:

(a) Performance on state assessments pursuant to RSA 193-C.

(b) Indicators identified in RSA 193-E:3, I.

(c) College and career readiness indicators aligned to the New Hampshire consolidated state plan, as required by the Elementary and Secondary Education Act, 20 U.S.C. section 6301 et seq. as amended.

(d) Other metrics as determined by the task force.

VIII. The task force shall provide a report of its findings and make recommendations for future legislation for the performance-based accountability system to the state board of education and the legislative oversight committee established in RSA 193-C:8-a no later than June 30, 2026.

2 Performance-Based School Accountability System; Verification Process. Amend RSA 193-E:3-d to read as follows:

193-E:3-d Performance-Based School Accountability System; Verification Process. Prior to the submission of the final report pursuant to [~~RSA 193-E:3-c, IV,~~] ***RSA 193-E:3-c, VIII,*** the department shall undertake a process to verify and test the integrity, accuracy, and validity of the performance-based accountability system utilizing the best available data from one school from each of the counties in the state. The commissioner shall ensure, to the greatest extent possible, that the verification process utilizes the best available data from a balance of elementary and secondary schools representing diverse socioeconomic conditions throughout the state. The commissioner shall work with school officials and faculty from the selected schools to implement the performance-based school accountability program and to develop a data collection system which will allow schools to easily report results to the department for analysis and reporting. The commissioner shall review and make recommendations regarding the performance-based accountability system to ensure that the system adequately measures the goals and indicators associated with student academic achievement and growth.

3 Effective Date. This act shall take effect June 30, 2024.

SB 534-FN, relative to campaign finance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Connie Lane for Election Law. This bipartisan bill revises many provisions in the campaign finance statutes that have been identified by the Secretary of State and the Attorney General as confusing, contradictory, or unclear. It simplifies the existing statutes by consolidating the definitions and types of political committees and conforms reporting dates for all political committees and candidates. The amendment incorporates provisions from HB 1091, which recently passed by voice vote by the House, into SB 534. Vote 20-0.

Amendment (1856h)

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

1 Definitions; Candidate and Political Committee. RSA 664:2, II and III are repealed and reenacted to read as follows:

II. "Candidate" means an individual who seeks election to any public office or party position to be voted at a primary, general, or special election, whether or not the public office or party position has been specifically identified at such time and whether or not such individual is nominated or elected. An individual shall be considered a candidate seeking election, or re-election, if the individual has:

(a) Taken the action necessary to qualify for election, such as filing as a candidate;

(b) Taken the action or authorized any other person to obtain nominating petitions to qualify for election, or election to office; or

(c) Received contributions or made expenditures, or given consent to any other person to receive contributions or make expenditures, with the purpose to bring about the individual's nomination for election, or election, to office at any time during the election cycle.

III. "Political committee" means an organization that receives contributions or makes expenditures for the purpose of promoting the success or defeat of a political party, candidate, candidates, measure, or measures, including but not limited to the following:

(a) Candidate committee created by a candidate running for office under RSA 664:3 V;

(b) Political advocacy organization to promote issues and ideas that may influence voters' choices on the ballot as further defined in RSA 664:2, XXII;

(c) Political committee of a political party as further defined in RSA 664:2, V;

(d) The committee of a segregated fund established by any organization with a separate legal existence the purpose of which is to promote the success or defeat of a political party, candidate, candidates, measure, or measures.

2 Definitions; Political Advertising, Communication, Contribution, and Expenditure. RSA 664:2, VI - IX are repealed and reenacted to read as follows:

VI. "Political advertising" means any communication or expenditure by means of any medium or in any format, that expressly advocates, or is the functional equivalent of the express advocacy for the success or defeat of any party, candidate, candidates, measure, or measures.

VII. "Communication" means imparting, exchanging, or sending, of information by any medium or in any format, including, but not be limited to: publication in any newspaper or other periodical, Internet, social media, or other digital method; broadcasting on radio, television, or over any public address system; transmission by telephone, text message, email, or facsimile; placement on any billboards, trucks or mobile billboards, outdoor facilities, window displays, posters, cards, pamphlets, leaflets, flyers, or other circulars, or in any direct mailing, digital or otherwise.

VIII. "Contribution" means anything of value received for the purpose of promoting the success or defeat of a candidate, candidates, measure, measures, or political party, including but not limited to a payment, gift, subscription, assessment, contract, payment for services, dues advance, forbearance, loan to a candidate or political committee, personal or professional services for less than full consideration, or the use of anything of value. Contributions may be used by candidates for expenses incurred by a candidate for child care.

IX.(a) "Expenditure" means any of the following that promotes the success or defeat of a political party, candidate, candidates, measure, or measures: the purchase, payment, contribution, subscription distribution, loan, advance, deposit, or gift of money or anything of value; the making of a legally binding commitment to make a purchase, payment, contribution, subscription distribution, loan, advance, deposit, or gift of money or anything of value in the future; or the transfer of funds by a political committee to another political committee or to a candidate. "Expenditure" includes, but is not limited to disbursement of funds for:

(1) Communications:

(a) That contain express advocacy or its functional equivalent supporting or opposing the election of a candidate, candidates, measure, or measures; or

(b) That promote the success or defeat of a party, candidate, candidates, measure, or measures regardless of whether the communication or activities contain express advocacy or its functional equivalent.

(2) Partisan voter activity, partisan voter registration activity, partisan get-out-the-vote activity, or other partisan campaign-related activities.

(3) Research, design, production, polling, data analytics, mailing or social media list acquisition or other activities conducted in preparation for or conjunction with communications or activities described in this paragraph.

(4) Childcare expenses incurred by a candidate if the expenses are a direct result of the candidate's activities.

(5) An independent expenditure, as defined in paragraph XI.

(b) "Expenditure" does not include:

(1) The candidate's expenses for non-campaign travel and subsistence;

(2) Activity designed to encourage individuals to register to vote or to vote, if that activity or communication does not mention a clearly identified candidate;

(3) Any communication by any membership organization or corporation to its members or stockholders, if the primary purpose of that membership organization or corporation is not for the purpose of promoting the success or defeat of a candidate or candidates and measure or measures; or

(4) Any communication by any political committee member that is not made for the purpose of promoting the success or defeat of a candidate or candidates or measure or measures.

(5) Payment for incidental items, such as auto expenses and child care that the candidate chooses to pay for with personal funds.

3 Definitions; Independent Expenditures; Full Name; Person. RSA 664:2, XI-XIII is repealed and reenacted to read as follows:

XI. "Independent expenditure" means the disbursement of funds for an expenditure made by a political committee or person made without cooperation or consultation with any political committee, political party, candidate, or agent of such candidate, and which are not made in concert with, or at the request or suggestion of any political party, candidate, or agent of such candidate.

XII. "Full name" means the full legal name of a person making the identity of the contributor apparent by unambiguous reference.

XIII. "Person's post office address" means:

(a) If an individual, the address used by the individual for voter registration purposes; and

(b) If a person that is not an individual, the primary business location of the person, both of which shall include a street and post office box, if any, city, state, and zip code.

(c) "Person's post office address" shall not mean:

(1) An individual's business address.

(2) An individual's vacation home address or rental property address when the home or rental property is owned, but not occupied by the contributor.

(3) Any address not that of the contributor.

4 Definitions; Push-Polling. RSA 664:2, XVII is repealed and reenacted to read as follows:

XVII. "Push-polling" means:

(a) Communications with voters promoting the success or defeat of any candidate, candidates, measure, or measures for public office or measure by any means, including but not limited to telephone, text, via the Internet, through social media, or digitally; and

(b) Asking questions related to opposing candidates for public office which state, imply, or convey information about the candidate's character, status, or political stance or record; and

(c) Conducting such communication in a manner which is likely to be construed by the voter to be a survey or poll to gather statistical data for entities or organizations which are acting independent of any particular political party, candidate, measure, or interest group as part of a series of like communication that consist of more than 2,000 communications in presidential, gubernatorial, United States senatorial, or United States congressional elections; or conducting such communications as part of a series of like communications that consist of more than 500 connected calls that last less than 2 minutes in executive council, state senate, city, town, school district, or village district elections; or conducting such calling as part of a series of like telephone calls that consist of more than 200 connected calls that last less than 2 minutes in state representative elections; and

(d) Conducting such communication for purposes other than bona fide survey and opinion research.

5 Definitions; Receipts. RSA 664:2, XIX is repealed and reenacted to read as follows:

XIX. "Receipts" shall mean the receipt of money or anything of value or the receipt of a legally binding commitment to receive money or thing of value in the future for the purpose of promoting the success or defeat of a political party, candidate, candidates, measure, or measures. Receipts shall not include amounts received by a political committee in commercial transactions in the ordinary course of any trade or business conducted by the political committee or in the form of investments in the political committee or amounts received by the political committee from payors who, at the time of payment, prohibited, in writing, the use of the payment as an expenditure.

6 Definitions; Political Advocacy Organization RSA 664:2, XXII is repealed and reenacted to read as follows:

XXII. "Political advocacy organization" means any entity that makes expenditures of $1,000 or more an election cycle for communication that is functionally equivalent to express advocacy such that, when taken as a whole, such communication is likely to be interpreted, all or in part, by a reasonable person as promoting the success or defeat of a candidate or candidates, of a measure or measures, or political party, taking into account whether the communication involved mentions a candidacy, a political party, or takes a position on a candidate's character, qualifications, or fitness for office. For the purposes of this chapter, a contribution from a political advocacy organization to a candidate or other political committee is communication that is functionally equivalent to express advocacy.

7 New Paragraphs; Definitions; Election Cycle; Person; Individual; Organization. Amend RSA 664:2 by inserting after paragraph XXII the following new paragraphs:

XXIII. "Election cycle" means the period of time beginning on the twenty-second day after a state general election through 21 days after the next state general election. For special elections, the election cycle shall be the period of time from when a vacancy is created through 21 days after the special election.

XXIV. "Person" is an individual, collection of individuals, business organization, club, or any other entity created under the law.

XXV. “Individual” means a human being.

XXVI. “Organization” includes: a group of 2 or more individuals, business entities formed under state law, except those entities qualified under section 501(c)(3) of the United States Internal Revenue Code of 1986, or any other association of individuals or entities formed under state law that is not registered as a business entity.

8 Registration of Political Committees. RSA 664:3 is repealed and reenacted to read as follows:

664:3 Registration of Political Committees.

I.(a) Any political committee, except the political committee of a political party, shall register with the secretary of state as provided in this section. Registration shall be made through the secretary of state’s online campaign finance system. A political committee may register at any time during the election cycle, but the committee’s registration shall be received by the secretary of state not later than 48 hours after the committee meets at least one of the criteria under RSA 664:2, III. The registration shall be accompanied by an itemized statement of the receipts and expenditures, if any, made by the political committee in the current election cycle prior to registration. Such itemization shall be made pursuant to the manner set forth in RSA 664:6. The registration shall also be accompanied by an administration fee of $50, unless exempt pursuant to subparagraph (c), which shall be deposited by the secretary of state into the general fund.

(b) Each political committee shall designate a treasurer who is a citizen of this state and who is authorized to receive all process and other legal documents on behalf of the political committee, and through whom may be obtained access to all books and records of the political committee. The political committee shall file with the secretary of state a statement of the purpose of the committee and shall indicate whether the committee will be making independent expenditures. The registration shall also include a statement of the name, address, occupation, and principal place of business of its chairperson and treasurer and the names and address of other officers. The committee shall file an amendment to its registration within 14 days of any change in the officers or purpose of the committee.

(c) The political committee of a candidate or a political committee of a political party that registers under this chapter shall not be required to pay the $50 administration fee provided in subparagraph (a).

II. No member of a political committee which is required to register under RSA 664:3, I, shall do any act directly or indirectly on behalf of the committee to promote the success or defeat of a political party, a measure, or a candidate, unless the requirements of RSA 664:3, I are met.

III. All political committees’ registrations under this chapter shall be valid from the date of registration through 21 days after the primary or general election, whichever is appropriate, unless terminated sooner, in writing, by the chairperson and the treasurer of the political committee. However, any political committee which has a continuing obligation to report as required under RSA 664:6 shall have its registration automatically renewed according to RSA 664:6, V.

IV. Any political committee that is exempt from taxation under sections 501(c)(4), 501(c)(5), or 501(c)(6) of the United States Internal Revenue Code of 1986 may disclose, but shall not be required to disclose in its itemized statement of receipts, the identity of its donors. Any political committee affected by this section who chooses not to disclose the identity of its donors shall place the following disclosure on all communications to voters: “This organization has an exemption under federal law and is not required, and chooses not, to disclose its donors.”

V. For purposes of filing campaign finance reports pursuant to RSA 664:6 and RSA 664:7, a candidate for office may choose to file as a candidate or, if such candidate creates a candidate committee, as a political committee.

9 Prohibited Political Contributions. RSA 664:4 is repealed and reenacted to read as follows:

664:4 Prohibited Political Contributions.

No contribution, whether tangible or intangible, shall be made to a candidate, a political committee, or political party, or on behalf of a candidate or political committee or political party, directly or indirectly, for the purpose of promoting the success or defeat of any candidate, measure, or political party during any state election cycle:

I. By any partnership as such or by any partner acting in behalf of such partnership.

II. By any labor union or group of labor unions, or by any officer, director, executive, agent, or employee acting on behalf of such union or group of unions, or by any organization representing or affiliated with any such union or group of unions, or by any officer, director, executive, agent, or employee acting on behalf of such organization.

III. By any person:

(a) If made anonymously or under a name not that of the donor.

(b) If made in the guise of a loan.

(c) If concealed in any other manner.

(d) In excess of the limits established in paragraph IV or V.

IV. By an individual or corporation in excess of the following amounts per election cycle:

Contributed to:	Maximum amount of contributions:
Candidate or political committee of a candidate	$15,000
Any other political committee or political party	$30,000

V. By any candidate or political committee in excess of the following amounts:

Contributed to:	Maximum amount of contributions:
Candidate or political committee of a candidate	Unlimited
Any other political committee or political party	Unlimited

VI. A partnership or labor organization may establish its own political committee, which may make contributions to a measure, candidate, political committee, or political party, so long as the funds used by the political committee are separate from the other partnership or labor organization funds.

10 Prohibited Coercion of Political Contributions. Amend RSA 664:4-a to read as follows:

664:4-a Prohibited Coercion of Political Contributions.

I. No person shall knowingly coerce, or attempt to coerce, any classified state employee to give or withhold a contribution to any political campaign or political committee, or to any candidate, party or cause, for the purpose of promoting the success or defeat of any candidate***, measure,*** or political party.

II. No business organization, and no officer, director, executive, agent or employee acting in behalf of the business organization, and no enterprise representing or affiliated with one or more business organizations, and no officer, director, executive, agent or employee acting in behalf of such enterprise, shall knowingly coerce, or attempt to coerce, any employee of the business organization or of the enterprise, or any contractor or subcontractor or any employee of the contractor or subcontractor doing business with the business organization, to make a contribution to any political campaign or political committee, or to any candidate, party or cause, for the purpose of promoting the success or defeat of any candidate ***, measure,*** or political party:

(a) By means of the denial or deprivation, or the threat of the denial or deprivation, of any employment, position, or work in or for the business organization or enterprise.

(b) By means of the denial or deprivation, or threat of the denial or deprivation, of the loss of any compensation, payment, or benefit from such employment, position, or work.

(c) By means of the discharge, promotion, degradation, or change in any manner in the official rank or compensation of any employee, or by means of the promise or threat to do so, for giving or withholding a contribution.

11 Surplus Campaign Contributions and Deficits. Amend RSA 664:4-b to read as follows:

664:4-b Surplus Campaign Contributions ***and Deficits***.

Surplus campaign contributions ***and deficits at the end of an election cycle shall be reported as the opening balance in the next election cycle's first statement. Surplus contributions*** may be used [~~after a general or special election~~] for fund raising activities and any other politically related activity sponsored by the candidate, or for donations to charitable organizations. Such surplus campaign contributions, however, shall not be used for personal purposes ***or other prohibited expenditures under RSA 664:5. All expenditures shall be reported according to RSA 664:6 through RSA 664:9. Special election cycle surpluses and deficits shall continue to be reported according to RSA 664:6 until a zero balance is reported.***

12 Prohibited Political Expenditures. Amend RSA 664:5 to read as follows:

664:5 Prohibited Political Expenditures.

No expenditure or use of a contribution, tangible or intangible, shall be made for the purpose of promoting the success or defeat of any political party, measure, or candidate:

I. By a political committee[~~, except the political committee of a political party,~~]***, except the political committee of a political party,*** unless the political committee meets the requirements of RSA 664:3, I.

II. [~~By a political committee which is organized to support a candidate in any election, or to such candidate or the candidate's fiscal agent unless the committee secures and files the written consent of the candidate or the candidate's fiscal agent with the secretary of state in accordance with RSA 664:3, III.~~

~~III.~~] By any person, candidate, or political committee, for political advertising in ***any format, including but not limited to*** newspaper, periodical, or on a radio or television broadcast, or on a billboard, if at a rate more or less than the applicable rates to be filed with the secretary of state.

~~[IV, V. [Repealed.]]~~

[~~VI.~~] ***III.*** By any foreign national, as defined in 52 U.S.C. section 30121(b) and 11 C.F.R. section 110.20(a)(3)[~~, for any purpose, including for the use of telephones, facsimile machines, vehicles, and computers, for electioneering. For the purposes of this paragraph, "electioneering" means to act in any way specifically designed to influence the vote of a voter on any question or office~~].

13 Reporting by Political Committee. RSA 664:6 is repealed and reenacted to read as follows:

664:6 Reporting by Political Committees.

I. Any political committee whose receipts or expenditures exceed $1,000 in an election cycle, shall file with the secretary of state an itemized statement, in the form prescribed by the secretary of state, signed by its chairman and treasurer. The $1,000 threshold shall not apply to political committees renewed under RSA

664:6, V; these political committees shall continue to file until a zero balance is reported. The statement shall detail the full name and postal address of each contributor in alphabetical order, the amount of the contribution, the date it was received, and the aggregate total for each election cycle. For contributors who, in the aggregate, donate $50 or less in an election cycle, their personal identifying information shall not be publicly available in the secretary of state's campaign finance system, and their personal identifying information shall be exempt from disclosure under RSA 91-A. Any receipts from a contributor with aggregate receipts of $50 or under shall appear on the statements as unitemized receipts. Any receipt that exceeds a contributor's aggregate total of $200 for each election cycle shall be reported with the contributor's occupation, the name of the contributor's employer, and the city or town of the contributor's principal place of business, if any. The statement shall also show each expenditure with the full name and postal address of the payee or promisee of payment, the date paid or obligated, whichever occurred first, and the specific nature and amount of each expenditure. Statements shall cover the period beginning the day after the last day covered in the prior statement period up to and including the Sunday before the statement is due***, except for the statement in subparagraph II(i) below which shall be inclusive through the Tuesday before the statement is due***.

II. Statements shall be filed not later than 5 PM according to the following schedule:

(a) First Wednesday in June after the state general election;

(b) First Wednesday in December one year after the state general election;

(c) Wednesday 12 weeks before primary election;

(d) Wednesday 3 weeks before primary election;

(e) Wednesday before primary election;

(f) Second Wednesday after the primary election;

(g) Wednesday 3 weeks before general election;

(h) Wednesday before general election;

(i) Fourth Wednesday after the general election.

[~~II.~~] ***III.*** Any political committee whose receipts or expenditures do not exceed $1,000 for an election cycle need not file. However, when a committee's accumulated receipts or expenditures for an election cycle exceed $1,000***,*** the ***political*** committee shall file a statement, inclusive of all receipts and expenditures for the election cycle, at the next reporting deadline, and shall continue to file at each reporting deadline.

[~~III.~~] ***IV.*** Any political committee whose independent expenditures, in aggregate, exceed $1,000 shall file an itemized statement with the secretary of state which shall be received by the secretary of state not later than 48 hours after such expenditures are made, and thereafter each time a further $1,000 is expended. Such itemized statements shall cover the period during which independent expenditures totaling $1,000 were made. Each statement shall include a certification by the chairman of the political committee that the independent expenditure meets the definition in RSA 664:2, XI. Each statement shall contain the date of each independent expenditure; the name and address of the person to whom the expenditure was made; the name of the candidate on whose behalf or against whom each independent expenditure was made; the amount of each expenditure; the purpose of each expenditure, and the aggregate amount of all previous independent expenditures. If the independent expenditure is made in support of or in opposition to more than one candidate, the statement made under this paragraph shall allocate the way in which the expenditure was made among the candidates on a reasonable basis. For the purposes of this paragraph, "reasonable basis" means a statement that reflects the benefit, or the burden reasonably expected to be derived or suffered by each candidate. The filing requirements of this paragraph shall be in addition to all other filing requirements under this section, and shall not be limited to the filing periods during which expenditures must otherwise be reported.

[~~IV.~~] ***V.*** Any political committee not subject to a registration fee under RSA 664:3 which has any outstanding debt, obligation, or surplus following the election cycle shall have its registration automatically renewed for the next election cycle. All other registered political committees will be conditionally renewed pending receipt by the secretary of state of the registration fee required under RSA 664:3. Political committees that report a zero balance and notify the secretary of state that they are filing their final statement will expire. Statements shall continue to be filed according to [~~RSA 664:6, I~~] ***this section*** until a zero balance is reported.

[~~V.~~] ***VI.*** Any national political party committee of a party as defined in RSA 652:11 may make contributions or expenditures on behalf of state candidates without complying with the requirements of paragraphs I through [~~IV~~] ***V***, provided that the total contribution or expenditure made in behalf of a candidate or political committee in this state whether directly or indirectly does not exceed the limit for personal contributions in RSA 664:4.

[~~VI.~~] ***VII.*** The provisions of this section shall apply to a political committee for an individual candidate who is seeking a federal office whose holder is chosen by the voters of this state only. Such a committee which is required by federal law to file with the federal government reports relative to receipts and expenditures in support of such one candidate may choose to voluntarily file with the secretary of state copies of reports made to the federal government in accordance with the timetable established by federal laws for such reports.

[~~VII.~~] ***VIII.*** Any political committee that is exempt from taxation under sections 501(c)(4), 501(c)(5), or 501(c)(6) of the United States Internal Revenue Code of 1986 may disclose, but shall not be required to disclose in its itemized statement of receipts, the identity of its donors. Any political committee affected by

this section who chooses not to disclose the identity of its donors shall place the following disclosure on all communications to voters: "This organization has an exemption under the federal law and is not required, and chooses not, to disclose its donors."

14 Registering and Reporting by Candidates. Amend RSA 664:7 to read as follows:

664:7 ***Registering and*** Reporting by Candidates. ***Prior to filing any campaign finance statements, each*** [~~Each~~] candidate at the primary or general election for governor, councilor, state senator, ***state*** representative [~~to general court~~], or county officer ***shall register with the secretary of state through the secretary of state's online campaign finance system. Additionally, any candidate***, who has ***receipts or*** expenditures exceeding $1,000 ***in an election cycle***, shall file statements ***as required in RSA 664:9-a through RSA 664:9-c*** before and after an election in like manner and detail as prescribed in RSA 664:6, ***I-VI*** [~~II, II-a, III, IV, and V, excepting, however, the expenditures of political committees of the party to which the candidate belongs in elections other than primaries~~].

15 Reporting by Candidates for Speaker of the House of Representatives. Amend RSA 664:7-b to read as follows:

664:7-b Reporting by Candidates for Speaker of the House of Representatives.

I. Each candidate seeking election to the office of speaker of the house of representatives shall:

(a) ***Have filed all statements required under RSA 664 that are then due relating to the candidates most recent election for state representative.***

(b) File statements before and after [~~such~~] ***the*** election ***for speaker of the house of representatives*** in like manner and detail prescribed in RSA 664:6, [~~II, II-a, and III~~] ***I-III***, except that the date of the respective election, rather than the date of the primary or general election, shall determine the dates of such statements; and

[~~(b)~~] ***(c)*** Register as a political committee, pursuant to RSA 664:3, on the date that such [~~person~~] ***individual*** becomes a candidate for speaker of the house of representatives, notwithstanding the definition of the term "political committee" in RSA 664:2, III.

II. In this section, and notwithstanding RSA 664:2, II, the term "candidate" means [~~a person~~] ***an individual*** who seeks nomination for election, or election, to the office of the speaker of the house of representatives, and for purposes of this section, a person shall be deemed to seek nomination for election, or election if such [~~person~~] ***individual***:

(a) Has received gifts or contributions for such purposes; or

(b) Has given [~~his or her~~] consent to another person to receive gifts or contributions or make expenditures on behalf of such person and if such other person has received such gifts or contributions for such purposes.

III. No candidate shall be entitled to the office of speaker of the house of representatives until the sworn itemized statements~~,~~ [~~required to be filed by the candidate or on the candidate's behalf~~] ***except for the final statement required to be filed after the election,*** have been filed as required by this section.

16 Prohibition. Amend RSA 664:9 to read as follows:

664:9 Prohibition. No candidate shall be entitled to the nomination or election until the sworn itemized statements required to be filed by him or in his behalf have been filed as required by [~~RSA 664:6 and 664:7~~] ***this chapter***.

17 Itemized Statements Filed by Facsimile Transmission; Mandatory Use of Online Campaign Finance System. RSA 646:9-a and RSA 664:9-b are repealed and reenacted to read as follows:

664:9-a Mandatory Use of Online Campaign Finance System. Except as set forth in subparagraph IV, the online campaign finance system of the secretary of state for filing reports required under this chapter shall be mandatory as of the dates set forth in this section.

I. As of November 27, 2024, candidates and political committees of candidates for the election of governor, executive council, and state senate shall file all reports required under this chapter pursuant to the online campaign finance system prescribed by the secretary of state.

II. As of November 25, 2026, candidates and political committees of candidates for the election of state house of representatives, county commissioner, and all other offices shall file all reports required under this chapter pursuant to the online campaign finance system prescribed by the secretary of state.

III. As of November 27, 2024, all political committees, other than political committees of candidates in RSA 664:9-a II, shall file all reports required under this chapter pursuant to the online campaign finance system prescribed by the secretary of state.

IV. Any political committee of a candidate or candidate may apply to the secretary of state on a form under oath prescribed by the secretary of state asking for a waiver of the requirements of RSA 664:9-a stating the following:

(a) The candidate has less than $3,000 in receipts or expenditures; and

(b) The candidate does not possess a computer or the skills to file statements pursuant to the online campaign finance system prescribed by the secretary of state.

V. The secretary of state shall have the discretion to waive the requirements of RSA 664:9-a I-III for the election cycle during which the waiver is requested and shall notify the applicant in writing within 10 days of receiving the waiver whether the request is granted. The requirements of RSA:9-c and RSA:9-d cannot be waived and shall be followed if the waiver application is approved.

664:9-b Reports of Receipts and Expenditures Filed Electronically. Until the provisions of RSA 664:9-a take effect, a political committee of a candidate or a candidate may file the reports required under this chapter using the online campaign finance system of the secretary of state at any time during an election cycle. Statements filed via the online campaign finance system shall be publicly available on the secretary of state's website.

18 New Sections; Legibility Required. Amend RSA 664 by inserting after section 9-b the following new sections:

664:9-c Reports of Receipts and Expenditures Filed by Other Methods. Until the provisions of RSA 664:9-a take effect, a political committee of a candidate or a candidate may file the reports required under this chapter as an email attachment sent to elections@sos.nh.gov or a paper copy, provided that:

I. The font size of the document as printed is not less than an 8-point font.

II. Email attachments are to be in portable document format archive (PDFA), or other acceptable format as determined by the secretary of state.

III. The report is mailed electronically or otherwise delivered to the secretary of state on or before the date and time that the report is due.

IV. Reports filed after June 24, 2026 shall be in a format that meets the web content accessibility guidelines of the rules and regulations issued by the United States Department of Justice under Article II of the Americans with Disabilities Act, 42 U.S.C. section 126.

664:9-d Reports; Legibility Required. A political committee of a candidate or a candidate who files a report pursuant to RSA 664:9-c shall be responsible for ensuring the report is legible. The political committee of a candidate or a candidate shall file an amended copy of such candidate's report within one week after being notified by the secretary of state or attorney general's office that such report is non-compliant. Non-compliant reports shall not be accepted by the secretary of state as filed and shall not be published to the online campaign finance system, pursuant to 664:11, until a legible amendment is received.

19 Public Inspection, Treasurers. Amend RSA 664:11-13 to read as follows:

664:11 Public Inspection. All statements[~~, assents,~~] and registrations filed by [~~state committees,~~] candidates[~~;~~] and political committees shall be open to public inspection. [~~The~~] ***Such statements and registrations shall be published on the website of the*** secretary of state[~~ shall publish on the Internet information on all contributions reported under this chapter, including the name of the contributor, the contributor's home state, and the date of the contribution~~].

664:12 [~~Fiscal Agent~~] ***Treasurer***.

As part of the declaration of candidacies filed by candidates for governor, councilor, state senator***, state representative,*** and county officer [~~and other primary candidacies~~], every such candidate shall designate some [~~person~~] ***individual***, who may be the candidate [~~himself~~], as [~~his financial agent~~] ***the treasurer*** for the purpose of the primary and general election campaign. If [~~his~~] candidacy for such office is established by a primary petition or nomination petitions, there shall be filed together with such petitions the name of the [~~fiscal agent~~] ***treasurer*** for such candidate. A candidate who is nominated by write-in vote at the primary shall, prior to making any campaign expenditures, file with the secretary of state the name of [~~his fiscal agent~~] ***the treasurer***. [~~All~~] ***The treasurer shall approve all*** sums expended or contracted for payment in the [~~primary or general election campaign in behalf of such candidate shall be reported by the candidate or his political committee or both to his fiscal agent, and the candidate or his fiscal agent shall make or approve all disbursements in behalf of his candidate subsequent to his designation as fiscal agent~~] ***election cycle*** and join with the candidate in making and filing the statements required by this chapter.

664:13 Committee Treasurer.

If [~~a political committee has no treasurer, or if~~] the treasurer fails to make a report, it shall be the duty of each member of said committee who received or pays out any money on behalf of said committee to make such a report or to cause the same to be made. No member of such committee shall make or permit any unlawful expenditure or act by said committee, in whole or in part, or consent thereto, or aid, abet or conspire to make or permit the same.

20 Signature, Identification, and Lack of Authorization. RSA 664:14 is repealed and reenacted to read as follows:

664:14 Signature, Identification and Lack of Authorization.

I. All political advertising shall comply with this section.

II. All political advertising shall be signed at the beginning or the end. The signature shall state, "Paid for by (name of the candidate or political committee), (address of the candidate or political committee), (name of the treasurer) treasurer or (name of chairman) chairman". Political advertising in the form of signs or placards may contain an Internet address in lieu of the signature requirements of this section, if the Internet address is printed or written in a size of type or lettering large enough to be clearly legible and the website

immediately and prominently displays all of the information required by this section through the election cycle. In the case of political advertising or communication made on behalf of a political committee registered with the secretary of state pursuant to RSA 664:3, the name and address on the advertisement shall match the name and address registered with the secretary of state.

III. Political advertising to promote the success or defeat of a measure by a business organization, labor union, or other enterprise or organization shall be signed. The name of the enterprise or organization shall be indicated, and the chairman or treasurer of the enterprise or organization shall sign his or her name and the address of the signer. Nothing in this section shall be construed to permit contributions which are prohibited under RSA 664:4.

IV. For the purposes of this section, political advertising shall include any communication, including, but not limited to, yard signs, leaflets, and mailed or e-mailed messages, which expressly advocate the success or defeat of a warrant article to be voted on at a town, school district, or village district election. Nothing in this section shall be construed to apply to communications at a town, school, or village district meeting, at which communications shall be governed by the moderator.

V. Nothing in this section shall be construed to apply to a lone individual who independently authors, produces, and distributes political advertising.

VI.(a) In the case of printed or written communications, including material distributed by email, social media, or through other digital formats, the signature and address of the signer shall be printed or written in a size of type or lettering large enough to be clearly legible.

(b) All political advertising via video or oral media shall identify the name of the candidate or political committee paying for the political advertisement. Such identification shall be made both aurally and visually whenever possible in the format of the political advertisement. The visual presentation shall be clearly legible and shall use letters equal to or greater than 12 percent of the vertical picture height and shall air for not less than 4 seconds at the conclusion of the broadcast.

VII. Notwithstanding any other provision of this section, buttons or any printed or written political advertising which is attached to or displayed on any clothing or motor vehicle need not be signed.

VIII. Notwithstanding any other provision of this section, any political advertisement in support of or in opposition to a candidate by a candidate or political committee shall comply with this paragraph. If the political advertisement is not authorized by the candidate or political committee of the candidate, the political advertisement shall so state and shall identify the sponsor of the political advertisement. All such political advertising shall include the statement: "This advertisement has been paid for by (name of sponsor) and has not been authorized by any candidate." Such statement shall be made both aurally and visually if disseminated via video media, including but not limited to television, social media, YouTube, or cable. The visual presentation on television shall be clearly legible and shall use letters equal to or greater than 12 percent of the vertical picture height and shall be broadcast for not less than 4 seconds at the conclusion of the advertisement.

IX. Any advertising that is not a political advertisement because it does not advocate the success or defeat of a party, measure, or candidate, but which mentions or depicts a candidate shall include the statement: "This advertisement has been paid for by (name of sponsor) and has not been authorized by any candidate."

X. Physical political advertisements purchased prior to January 1, 2025 may use the term fiscal agent in place of treasurer as required in this chapter.

21 Prerecorded Political Messages. RSA 644:14-a, I-II is repealed and reenacted to read as follows:

I. In this section, "prerecorded political message" means a prerecorded audio message delivered by a candidate***,*** political committee, or any person when the content of the message expressly advocates or is the functional equivalent of express advocacy, candidate, promoting the success or defeat of any political party, candidate, or measure at any election, or contains information about any candidate, measure, or party.

II. No person shall deliver or knowingly cause to be delivered a prerecorded political message unless the message contains, or a live operator provides, within the first 30 seconds of the message, the following information:

(a) The name of the candidate, measure, or of any organization or organizations the person is calling on behalf of.

(b) The name of the person or organization paying for the delivery of the message and the name of the treasurer, if applicable.

22 Approval of Candidate or Treasurer. Amend RSA 664:15 to read as follows:

664:15 Approval of Candidate or [~~Fiscal Agent~~] ***Treasurer***.

A person or business organization publishing a newspaper or periodical or selling billboard space or operating a radio or television station or public address system shall not publish, print, or broadcast any political advertising by or on behalf of a candidate in an election unless the same shall be signed by or authorized in writing by the candidate or [~~his fiscal agent~~] ***treasurer***.

23 Complaints. Amend RSA 664:18, II to read as follows:

II. Following ***an*** investigation ***under RSA 554:18, I***, the attorney general ***determines that a provision of this chapter has been violated, the attorney general*** is empowered[~~, if he determines that a provision of this chapter has been violated,~~] to:

(a) Issue an order requiring the violator to cease and desist from [~~his or her~~] ***the*** violation. If the attorney general's order is not obeyed, the attorney general or designee may petition the superior court of the county in which the violation occurred for an order of enforcement.

(b) Prosecute to final judgment through [~~his~~] ***a*** designee if sufficient cause for such prosecution is found.

24 Subpoena Power. Amend RSA 664:20 to read as follows:

664:20 Subpoena Power.

In the exercise of [~~his~~] ***the*** powers and duties ***of the attorney general*** under this chapter, the attorney general is authorized to require the appearance of individuals and to secure testimony and evidence by use of a subpoena duces tecum.

25 Penalty; Cross Reference Removed. Amend RSA 664:21, IX to read as follows:

IX. Any individual, ***political*** committee, or organization responsible for reporting under RSA 664:6[~~, 664:6-a,~~] and 664:7 that files a report with illegible material content shall receive a written warning for a first offense and shall be charged a civil penalty of $1,000 per offense for any subsequent offenses.

26 Repeal. The following are repealed:

I. RSA 664:3-a, relative to registration of political advocacy organizations.

II. RSA 664:6-a, relative to reporting by political advocacy organizations.

III. RSA 664:10, relative to social activities.

27 Effective Date.

I. Sections 18-19 and 27 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect November 27, 2024.

SB 302, adding an additional exemption from the regulation of physicians and surgeons. **OUGHT TO PASS.** Rep. Peter Schmidt for Executive Departments and Administration. This bill is intended to alleviate a predicament presently making life difficult for a growing number of New Hampshire citizens who see out of state physicians, usually specialists. Under current statutes, a physician licensed in another state must also be licensed in New Hampshire in order to treat a patient in New Hampshire, even when telemedicine is involved. This is necessitating New Hampshire citizens to get themselves across the border, even in a borderline parking lot, so as not to jeopardize their physician's legal status when being treated. This bill would exempt such physicians with established New Hampshire patient relationships from the present mandatory license requirement. Vote 20-0.

SB 318-FN, relative to adoption of the social work licensure compact. **OUGHT TO PASS WITH AMENDMENT.** Rep. Tony Lekas for Executive Departments and Administration. This bill is identical to HB 1190 which has passed both the House and Senate. This content was completely replaced by the committee amendment. HB 1271 changed a number of licensing boards to advisory boards and made other changes to the licensing boards. Concerns were raised about changing some boards to advisory and the House voted HB 1271 be referred for interim study. The amendment to SB 318 contains the changes to some of the boards that were in HB 1271. It does not include those sections that raised the greatest concerns. It also includes changes to those sections from the proposed amendment to HB 1271. Those boards are the manufactured housing installations standards board and the board of examiners of nursing home administrators. In addition, it combines the advisory board of massage therapists with the advisory board of reflexology, structural integration, and Asian bodywork therapy into the new advisory board of massage therapists, reflexologists, structural integrators, and Asian bodywork therapist. This was done at the request of those two boards. Vote 20-0.

Amendment (1780h)

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

AN ACT converting the manufactured housing installations standards board and the board of examiners of nursing home administrators into advisory boards, and creating a new advisory board named the advisory board of massage therapists, reflexologists, structural integrators, and Asian bodywork therapists.

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

1 Definition; Board. Amend RSA 205-D:1, II to read as follows:

II. "Board" means the installation standards ***advisory*** board.

2 New Paragraph; Definition; Executive Director. Amend RSA 205-D:1 by inserting after paragraph IV the following new paragraph:

IV-a. "Executive director" means the executive director of the office of professional licensure and certification.

3 Manufactured Housing Installation Standards; Advisory Board Established. Amend RSA 205-D:2 to read as follows:

205-D:2 ***Advisory*** Board Established; Members; Terms; Chairperson.

I. There is hereby created an installation standards ***advisory*** board consisting of [~~9~~] ***3*** members appointed by the [~~governor and council~~] ***office of professional licensure and certification in consultation with the board*** as follows:

(a) One installer of manufactured housing [~~, nominated by the New Hampshire Manufactured Housing Association~~].

(b) One structural engineer or architect licensed in this state for a minimum of 5 years [~~, nominated by the board of professional engineers established under RSA 310-A:3~~].

(c) One dealer or retailer [~~, nominated by the New Hampshire Manufactured Housing Association~~.

~~(d) Two owners or operators of a manufactured housing park with 100 or fewer lots, nominated by the New Hampshire Manufactured Housing Association.~~

~~(e) One owner or operator of a manufactured housing park with more than 100 lots, nominated by the New Hampshire Manufactured Housing Association.~~

~~(f) One member of a cooperative manufactured housing park, nominated by the Mobile/Manufactured Homeowner and Tenants Association of New Hampshire.~~

~~(g) One municipal building code official, nominated by the New Hampshire Building Officials Association.~~

~~(h) One municipal fire chief, nominated by the New Hampshire Association of Fire Chiefs.~~]

II. Each member shall serve a [~~3-year~~] ***4-year*** term and until a successor is appointed and qualified ***and shall serve no more than 2 consecutive full terms***. [~~If there is a vacancy on the board, the provisions of RSA 21:33-a and RSA 21:34 shall apply.~~]

III. ***The responsibility for implementation of this chapter shall be transferred to the office of professional licensure and certification. The office of professional licensure and certification shall consult with the advisory board established when implementing this chapter. Rules in effect upon the effective date of this section shall remain in effect until repealed by the office of professional licensure and certification or until the rules expire, whichever occurs first.*** [~~The board shall biennially elect a chairperson and vice-chairperson. Five members of the board shall constitute a quorum.~~

~~IV. Members of the board shall receive $25 for each day they are engaged in the duties of their office and shall be reimbursed for all actual travel, incidental, and clerical expenses incurred in carrying out the provisions of this chapter.~~

~~V. The board shall hold meetings as deemed necessary by the board or the chairperson.~~

~~VI. [Repealed.]~~]

4 Manufactured Housing Installation Standards; Duties of the Advisory Board. Amend the heading and introductory paragraph in RSA 205-D:3 to read as follows:

205-D:3 Duties of the ***Advisory*** Board.

The duties of the ***office of professional licensure and certification, in consultation with the advisory*** board***,*** shall be to:

I. Assure compliance with the Federal Manufactured Housing Construction and Safety Standard, including compliance with the standard as amended by the Manufactured Housing Improvement Act of 2000, Public Law 106-569.

II. Establish uniform manufactured housing installation standards in order to protect the quality, durability, safety, and affordability of manufactured housing in this state.

III. ***Adopt rules to*** adequately license and train manufactured housing installers in order to ensure the proper performance of the house and protect the safety and welfare of the public.

IV. Ensure compliance with state installation standards by conducting appropriate inspections of the installation of manufactured housing.

V. Provide a fair and effective recourse for consumers relative to installation standards; and provide a dispute resolution program for timely resolution of disputes between manufacturers, retailers, and installers of manufactured houses regarding responsibility, and for the issuance of appropriate orders, for the correction or repair of defects in manufactured houses that are reported during the one year period beginning on the date of installation.

5 Manufactured Housing Installation Standards; Installation Standards. Amend RSA 205-D:4, III to read as follows:

III. Installers shall have the option of installing manufactured housing in accordance with one of the following standards:

(a) New Hampshire installation standards as developed by the ***executive director, in consultation with the advisory*** board.

(b) A design prepared by a registered professional engineer or architect for the site.

(c) The manufacturer's installation instructions, provided that such instructions meet or exceed the New Hampshire installation standards as developed by the ***executive director, in consultation with the advisory*** board.

6 Manufactured Housing Installation Standards; Inspectors. Amend RSA 205-D:5 to read as follows:

205-D:5 Inspectors.

I. The local enforcement agency, or if there is no local enforcement agency, the [~~board or the board's designee~~] ***executive director or the executive director's designee***, shall:

(a) Conduct appropriate inspections to ensure compliance throughout the state with installation practices consistent with the provisions of this chapter and rules promulgated hereunder.

(b) Enter any premises on which an installation is being or has been completed subject to regulation under this chapter for the purpose of making such inspection as is necessary to carry out his or her duties under this chapter. Inspections shall be done prior to occupancy of the manufactured house.

(c) Order the correction of any violation of this chapter, or rule adopted under this chapter.

(d) Order any installer to discontinue installation until the violations are corrected.

(e) Approve the continuation of work on the installation upon being satisfied that violations have been corrected.

(f) Issue a certificate of compliance upon satisfaction that a manufactured house has been installed in compliance with this chapter and the rules promulgated under this chapter.

II. Whenever a local enforcement agency, or if there is no local enforcement agency, the [~~board or the board's designee~~] ***executive director of the office of professional licensure and certification or the executive director's designee*** orders the correction of a violation under subparagraph I(c), he or she shall immediately notify the [~~board~~] ***executive director.***

III. A certificate of compliance shall be required for occupancy.

IV. Any installer aggrieved under the provisions of this section may file a complaint [~~in accordance with RSA 205-D:6~~].

7 Manufactured Housing Installation Standards; License Required. Amend RSA 205-D:7 to read as follows:

205-D:7 License Required. No person shall install any manufactured house subject to the provisions of this chapter without first obtaining a license from the [~~board~~] ***executive director of the office of professional licensure and certification*** as required by this chapter.

8 Manufactured Housing Installation Standards; Qualifications for License. Amend RSA 205-D:8 to read as follows:

205-D:8 Qualifications for License.

The [~~board~~] ***executive director*** shall issue a license to any applicant who at a minimum:

I. Has attained the age of 18;

II. Has 2 years experience as a manufactured housing installer or [~~proves to the board's satisfaction~~] equivalent installation experience ***as determined by rules adopted by the executive director pursuant to RSA 541-A***;

III. Has successfully completed 6 hours of training on installation standards; and

IV. Complies with the requirements of RSA 205-D:10.

9 Manufactured Housing Installation Standards; Bond Required. Amend RSA 205-D:9, I to read as follows:

I. The [~~board~~] ***executive director*** shall not issue a license to any person unless the person or his or her employer on his or her behalf has posted a surety bond or letter of credit to be held by the state treasurer in an amount to be determined by the [~~board~~] ***executive director***. No surety bond or letter of credit shall be accepted unless it is with a surety company authorized to do business in this state. The surety may cancel the bond or letter of credit at any time upon giving 30 days' written notice to the board.

10 Manufactured Housing Installation Standards; Application for License. Amend RSA 205-D:10 to read as follows:

205-D:10 Application for License.

I. Applications for licenses shall be made on forms adopted by the [~~board~~] ***executive director***.

II. Applications for licensure shall be accompanied by proof of the surety bond required by this chapter, and payment of the license fee.

[~~III. The board may require each applicant to provide additional information about the applicant's background and trustworthiness as is reasonably necessary.~~]

11 Manufactured Housing Installation Standards; Expiration and Renewal. Amend RSA 205-D:11 to read as follows:

205-D:11 Expiration and Renewal.

I. [~~All licenses issued by the board shall expire on the last day of the month of the licensee's birth in the third year following the year of issuance, but may be renewed during the following month, retroactive to the first day of the month. Upon failure to pay the renewal fee within the required period, a licensee may renew his or her license by submitting the required fee plus $10 before the last day of the second month following the month of his or her birth.~~

~~II.~~] Persons licensed as installers are eligible for renewal of their licenses if they:

(a) Are not in violation of this chapter;

(b) Meet any requirements for continuing education established by the [~~board~~] ***executive director*** in rules adopted pursuant to RSA 541-A; and

(c) Submit evidence that a surety bond required under RSA 205-D:9 is in force.

12 Manufactured Housing Installation Standards; Warranty Seal. Amend RSA 205-D:17 to read as follows:

205-D:17 Warranty Seal. In order to keep record of and verify the proper installation of manufactured homes, no manufactured house may be installed in this state until the manufacturer or an installer licensed by the [~~board~~] ***executive director*** has obtained a warranty seal from the [~~board~~] ***executive director*** and attached the seal to the manufactured house.

13 Manufactured Housing Installation Standards; Rulemaking Authority. Amend RSA 205-D:20 to read as follows:

205-D:20 Rulemaking Authority.

The ***executive director, with the advice of the advisory*** board***,*** shall be authorized, pursuant to RSA 541-A, to adopt rules relative to:

I. The establishment of uniform manufactured housing installation standards.

[~~II. The design and content of all forms and applications required under this chapter.~~

~~III. The application procedure for a license to practice under this chapter.~~

~~IV.~~] ***II.*** The qualifications of license applicants set under this chapter.

[~~V.~~] ***III.*** How an applicant shall be trained, including the minimum education requirements and training standards.

[~~VI. How a license to practice under this chapter shall be renewed, including any requirements for continuing education.~~

~~VII. The establishment of fees required under this chapter.~~]

[~~VIII.~~] ***IV.*** Ethical and professional standards required to be met by each holder of a license to practice under this chapter and how disciplinary actions by the board shall be implemented for violations of these standards.

[~~IX. [Repealed.]~~

~~X. Procedures for the conduct of hearings consistent with the requirements of due process.~~

~~XI. The establishment of a program for the timely resolution of disputes between manufacturers, retailers, and installers of manufactured housing regarding responsibility, for the issuance of appropriate orders, and for the correction or repair of defects in manufactured houses that are reported during the one year period following the date of installation.~~]

[~~XII.~~] ***V.*** The establishment of bond and letter of credit requirements under RSA 205-D:9.

14 Repeal. The following are repealed:

I. RSA 205-D:12, relative to fees.

II. RSA 205-D:15, relative to penalty.

III. RSA 205-D:19, relative to federal funds and other funding sources.

15 Nursing Home Administrators; Definitions. Amend RSA 151-A:1, I to read as follows:

I. "Board" means the ***advisory*** board of examiners of nursing home administrators of the state of New Hampshire.

16 Nursing Home Administrators; Advisory Board of Examiners. Amend RSA 151-A:3 to read as follows:

151-A:3 ***Advisory*** Board of Examiners of Nursing Home Administrators.

I. ***To provide state supervision over regulatory bodies comprised of active market participants, the responsibility for implementation of this chapter shall be transferred to the executive director of the office of professional licensure and certification effective July 1, 2024. The executive director shall consult with the advisory board established when implementing this chapter. Rules in effect upon the effective date of this section shall remain in effect until repealed by the executive director of the office of professional licensure and certification or until the rules expire, whichever occurs first.***

II. There shall be [~~a~~] ***an advisory*** board of examiners of nursing home administrators, which [~~board~~] shall be composed of [~~9~~] ***3*** members[~~,~~] ***appointed by the executive director of the office of professional licensure and certification, who are*** [~~as follows: Four members shall be~~] nursing home administrators duly licensed and registered under this chapter***.*** [~~; four members shall be selected from other professions and institutions concerned with the care of chronically ill and infirm aged patients; and one member representative of the public at large; provided, however, that no more than 2 of the members of the board shall be officials or full time employees of state or local governments; and, provided further, that less than a majority of the board shall be representatives of a single profession or institutional category. All members of the board shall be citizens of the United States or shall have declared their intent to become citizens of the United States, and shall be residents of this state. The noninstitutional members shall have no direct financial interest in any nursing home.~~]

[~~II.~~] ***III.*** [~~Terms of Office. Three members of the initial board shall be appointed for a one-year term of office; 3 members of the initial board shall be appointed for a 2-year term of office; and 3 members of the initial board shall be appointed for a 3-year term of office. Thereafter,~~] The term of office for each member of the board shall be 3 years. No member shall serve more than 2 consecutive full terms.

[~~III. Nominations and Appointments.~~

~~(a) Appointments to the board shall be made by the governor after consultation with the associations and societies appropriate to the disciplines and professions representative of the vacancies to be filled.~~

~~(b) Each member of the board, before beginning the member's term of office, shall receive a certificate of appointment, and shall file the constitutional oath of office.~~

~~(c) The governor may remove any examiner for misconduct, incapacity, incompetence, or neglect of duty after the examiner so charged has been served with a written statement of charges and has been given an opportunity to be heard.~~

~~(d) [Repealed.]~~

~~(e) The public member shall be a resident of the state of New Hampshire who is not, and never has been, a nursing home administrator, or the spouse of any such person. The public member shall not have, and shall never have had, a material financial interest in either the provision of nursing home administration services or an activity directly related to nursing home administration, including the representation of the board or its predecessor or the profession for a fee at any time during the 5 years preceding the date of appointment.~~

~~IV. [Repealed.]~~

~~V. [Repealed.]~~

~~VI. [Repealed.]~~]

17 Nursing Home Administrators; Functions and Duties of the Advisory Board. Amend RSA 151-A:4 to read as follows:

151-A:4 Functions and Duties of the ***Advisory*** Board.

I. It shall be the function and duty of the ***office of professional licensure and certification, in consultation with the*** board***,*** to:

(a) Develop, impose, and enforce standards which must be met by individuals in order to receive a license as a nursing home administrator, which standards shall be designed to insure that nursing home administrators will be individuals who are of good character and are otherwise suitable, and who, by training or experience in the field of institutional administration, are qualified to serve as nursing home administrators; ***and***

(b) Develop and apply appropriate techniques, including examinations and investigations, for determining whether an individual meets such standards[~~;~~]**.**

[~~(c) Issue licenses and registrations to qualified individuals and invoke disciplinary actions for violations of the provisions of licensure or practice under this chapter. The disciplinary actions may include revocation or suspension of a license or registration, imposition of a fine, or reprimand or censure of the licensee. All disciplinary proceedings by the board shall meet due process requirements for notice and hearings as provided in RSA 541-A.~~

~~(d) Establish and carry out procedures designed to insure that individuals licensed as nursing home administrators will, during any period that they serve as such, comply with the requirements of such standards;~~

~~(e) [Repealed.]~~

~~(f) Conduct a continuing study and investigation of nursing homes and administrators of nursing homes within the state with a view to the improvement of the standards imposed for the licensing of such administrators and of procedures and methods for the enforcement of such standards with respect to administrators of nursing homes who have been licensed as such.~~]

II. [Repealed.]

III. [Repealed.]

18 Nursing Home Administrators; Rulemaking. Amend RSA 151-A:4-a to read as follows:

151-A:4-a Rulemaking.

The ***executive director, in consultation with the*** board***,*** shall adopt rules pursuant to RSA 541-A as may be necessary for the proper performance of its duties, and to take such other actions as may be necessary to enable the state:

I. To meet the requirements set forth in section 1908 of the Social Security Act and other federal requirements.

[~~II. To establish and collect fees for examination of applicants, for temporary and emergency permits, and for transcribing and transferring records and other services.~~

~~III.~~] ***II.*** To establish a schedule of fines.

[~~IV.~~] ***III.*** To establish criteria for disciplinary actions.

[~~V.~~] ***IV.*** To establish standards and criteria for licensing, application and examination of applicants, and criteria for granting waivers of experience pursuant to RSA 151-A:5, II.

[~~VI.~~] ***V.*** To establish criteria for review and approval of educational requirements, including formal educational requirements for licensure or renewal and practical training requirements.

[~~VII. [Repealed.]~~]

19 Nursing Home Administrators; Qualifications for Admission to Examination. Amend RSA 151-A:5 to read as follows:

151-A:5 Qualifications for Admission to Examination.

The [~~board~~] ***executive director*** shall admit to examination for licensure as a nursing home administrator any candidate who pays [~~a licensing~~] ***the required*** fee and submits evidence of good moral character and suitability prescribed by the ***executive director, in consultation with the*** board***,*** and evidence that the candidate is at least 21 years old and has completed preliminary education satisfactory to the [~~board~~] ***executive director***; provided:

I. That no applicant for licensure as a nursing home administrator shall be admitted to such licensing examination, nor shall such applicant be entitled to or be granted a license as a nursing home administrator unless such applicant shall submit written evidence [~~, on forms provided for such purpose by the board,~~] that the applicant has successfully completed a bachelor of science or bachelor of arts degree from an accredited school.

II. That no applicant for licensure as a nursing home administrator shall be admitted to such licensing examination, nor shall such applicant be entitled to or be granted a license as a nursing home administrator unless the applicant submits evidence [~~satisfactory to the board~~] that such applicant possesses such training or experience in the field of institutional administration as is required by the rules of the ***executive director, in consultation with the*** board, or has been granted a waiver by the ***executive director, in consultation with the*** board based on conditions established by rule.

20 Nursing Home Administrators; Examinations. Amend RSA 151-A:6 to read as follows:

151-A:6 Examinations.

[~~I.~~] The ***executive director, in consultation with the*** board***,*** shall determine the subjects of examination for applicants for licensure as nursing home administrators, and the scope, content and format of such examinations which in any examination shall be the same for all candidates; provided, however, that such examinations shall include examination of the applicant to demonstrate the applicant's proficiency in the rules of the department of health and human services pertaining to health and safety.

[~~II. Examinations shall be held at least 2 times each year, at such times and places as the board shall designate.~~]

21 Nursing Home Administrators; Criminal History Record Checks. Amend RSA 151-A:6-a to read as follows:

151-A:6-a Criminal History Record Checks.

I. Every applicant for initial or reciprocity licensure or reinstatement shall submit to the [~~board~~] ***office of professional licensure and certification*** a criminal history record release form, as provided by the New Hampshire division of state police, which authorizes the release of his or her criminal history record, if any, to the [~~board~~] ***office of professional licensure and certification***.

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

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

[~~IV. The board shall review the criminal record information prior to making a licensing decision and shall maintain the confidentiality of all criminal history records received pursuant to this section.~~

~~V.~~] ***IV.*** The applicant shall bear the cost of a criminal history record check.

22 Nursing Home Administrators; Licenses. Amend RSA 151-A:7 to read as follows:

151-A:7 Licenses.

I. An applicant for a license as a nursing home administrator who has:

(a) Successfully complied with the requirements of RSA 151-A:5 and the standards provided for therein; and

(b) Passed the examination provided for in RSA 151-A:6 shall be issued a license [~~on a form provided for that purpose by the board, certifying that such applicant has met the requirements of the laws and rules entitling the applicant to serve, act, practice and otherwise hold such applicant out as a duly licensed nursing home administrator~~].

II. Under emergency conditions the ***office of professional licensure and certification*** [~~secretary of the board in the secretary's discretion subject to the confirmation of the board~~] may issue a non-renewable temporary emergency permit to a person of good character and suitability to act in the capacity of an administrator under the supervision of a licensed administrator pending [~~action by the board until~~] the next examination or not to exceed 6 months.

[~~II-a. If the board is satisfied that a candidate for licensure under the reciprocity provisions of RSA 151-A:9 meets all the requirements and needs only sit for the state examination, the board may, if an urgent need is demonstrated, provide the candidate with a temporary permit to work as an administrator in a nursing home within the state of New Hampshire. This temporary permit shall only be valid for a period of 6 months and shall not be renewable or reissued to the same candidate.~~]

III. If the [~~board~~] ***office of professional licensure and certification*** finds that programs of training and instruction conducted within the state are not sufficient in number or content to enable nursing home administrators to meet requirements established pursuant to this chapter, the [~~board~~] ***office*** may request the department of health and human services to institute and conduct or arrange with others to conduct one or more such programs, and shall make provision for their accessibility to residents of this state. The department of health and human services may approve programs conducted within and without this state as sufficient to meet education and training requirements established pursuant to this chapter. For purposes of this paragraph, the department of health and human services shall have the authority to receive and disburse state funds allocated for this purpose and federal funds received pursuant to section 1908(e)(1) of the Social Security Act.

23 Repeal. The following are repealed:

I. RSA 151-A:1, II, relative to definition of "secretary".

II. RSA 151-A:6, II, relative to examinations of nursing home administrators.

III. RSA 151-A:8, I, II, III, IV, and V, relative to registration.

IV. RSA 151-A:9, relative to reciprocity.

V. RSA 151-A:10, relative to injunctions.

VI. RSA 151-A:12, relative to restoration of licenses and registrations.

VII. RSA 151-A:13, relative to separability clause.

24 Massage Therapists and Massage Establishments; Regulation of Massage Therapists and Massage Establishments. Amend RSA 328-B:1 to read as follows:

328-B:1 Regulation of Massage Therapists and Massage Establishments. The general court, to protect the health, safety, and welfare of the people of the state of New Hampshire, establishes a regulatory program for massage therapists, including establishing basic qualifications for licensure of massage therapists***, reflexologists, structural integrators, or Asian bodywork therapists. To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the advisory boards previously established in RSA 328-B and RSA 328-H shall be combined to provide consultation to the executive director under one advisory board***.

25 Massage Therapists and Massage Establishments; Definitions. Amend RSA 328-B:2 II to read as follows:

II. "Advisory board" means the advisory board of massage therapists***, reflexologists, structural integrators, and Asian bodywork therapists***.

26 Massage Therapists and Massage Establishments; Advisory Board of Massage Therapists, Reflexologists, Structural Integrators, and Asian Bodywork Therapists. Amend RSA 328-B:5 to read as follows:

328-B:5 Advisory Board of Massage Therapists***, Reflexologists, Structural Integrators, and Asian Bodywork Therapists***.

The executive director shall establish the advisory board of massage therapists***, reflexologists, structural integrators, and Asian bodywork therapists***. The board shall consist of [~~3~~] ***2*** massage therapists***, one reflexologist, one structural integrator, and one Asian bodywork therapist,*** who are licensees in the state of New Hampshire. The members shall be appointed for 3 years, staggered so that the term of one member expires each year, and they shall hold office until successors are appointed, and shall serve on the board without any compensation. In no event shall a member serve more than 2 full consecutive terms. The board shall[~~:~~] ***advise the executive director regarding the implementation of this chapter and RSA 328-H.***

[~~I. Review the qualifications of applicants for licenses.~~

~~II. Review the qualifications of individuals desiring to conduct massage workshops or seminars who are not licensed in this state.~~

~~III. Review the continuing education programs for licensees.~~

~~IV. Advise the executive director regarding the implementation of this chapter.~~]

27 Massage Therapists, Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Definitions. Amend RSA 328-H:2, II to read as follows:

II. "Board" means the advisory board of ***massage therapists,*** [~~reflexology~~] ***reflexologists***, structural [~~integration~~***] integrators***, and Asian bodywork [~~therapy~~] ***therapists established in RSA 328-B:5***.

28 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Powers and Duties of the Executive Director; Rulemaking. Amend RSA 328-H:5, VII to read as follows:

VII. Establish and appoint an advisory board of ***massage therapists,*** [~~reflexology~~] ***reflexologists***, structural [~~integration~~] ***integrators***, and Asian bodywork [~~therapy~~] ***therapists***, as provided in ***RSA 328-B:5 and*** RSA 328-H:6.

29 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Powers and Duties of the Executive Director; Rulemaking. Amend RSA 328-H:5, VIII to read as follows:

VIII. Pursuant to RSA 541-A, adopt rules relative to:

[~~(a) Late fees and reinstated license fees.~~

~~(b)~~] ***(a)*** The contents of license application forms.

[~~(c)~~] ***(b)*** The qualifications required for practitioners which shall include certification from national certifying agencies, provided that the certifying agencies has been approved by the executive director or as otherwise set forth in this chapter.

[~~(d) Procedures for licensing to include new, renewal, reinstated, and lapsed licenses.~~]

[~~(e)~~] ***(c)*** The form, content, deadlines, and retention of sworn reports required from licensees.

[~~(f)~~] ***(d)*** Exemptions from licensure under RSA 328-H:13.

[~~(g)~~] ***(e)*** Waiver provisions as necessary to implement this chapter.

[~~(h) Procedures for denial, suspension, revocation, and reinstatement of a license.~~

~~(i)~~] ***(f)*** A schedule of administrative fines which may be imposed under RSA 328-H:15 for violation of this chapter or the rules adopted pursuant to it.

[~~(j) Procedures for investigations and hearings held under this chapter.~~

~~(k) Procedures for criminal background checks.~~

~~(l) Disciplinary actions including penalties, sanctions, supplemental training requirements, and treatment and counseling requirements for licensees involved in violations of this chapter, which may include revocation of license, suspension of license, conditional license, administrative fines, and written reprimand.~~]

30 Reflexologists; Structural Integrators; and Asian Bodywork Therapists. RSA 328-H:6 is repealed and reenacted to read as follows:

328-H:6 Advisory Board of Massage Therapists, Reflexologists, Structural Integrators, and Asian Bodywork Therapists.

The executive director shall establish the advisory board of massage therapists, reflexologists, structural integrators, and Asian bodywork therapists, as set forth in RSA 328-B:5, which shall advise on the implementation of this chapter.

31 Repeals; Massage Therapists and Massage Establishments. The following are repealed:

I. RSA 328-B:4, VII(h), relative to procedures for temporary permits.

II. RSA 328-B:4, VII(k)-(l), relative to administrative fines.

III. RSA 328-B:5-a, relative to temporary licenses for massage therapists.

IV. RSA 328-B:6, relative to license issuance.

V. RSA 328-B:7, relative to license renewal.

VI. RSA 328-B:11-a, relative to administrative fines.

VII. RSA 328-B:15, relative to injunctive relief.

32 Reflexologists, Structural integrators, and Asian Bodywork Therapists; Renewal of Practitioner License; Reinstatement. Amend RSA 328-H:9, II to read as follows:

II. All licenses issued pursuant to this chapter shall be renewed biennially [~~on or before June 30~~] ***pursuant to RSA 310:8*** upon approval by the executive director of the renewal application and submission of the required renewal fee.

33 Cross Reference Removed; Reflexology; Powers and Duties of the Executive Director. Amend RSA 328-H:5, VIII(i) to read as follows:

(i) A schedule of administrative fines which may be imposed under [~~RSA 328-H:15 for violation of this chapter or the~~] rules adopted [~~pursuant to it~~] ***under RSA 541-A and in accordance with RSA 310:12***.

34 Repeal; Reflexologists, Structural integrators, and Asian Bodywork Therapists. The following are repealed:

I. RSA 328-H:15, relative to administrative fines.

II. RSA 328-H:16, relative to injunctive relief.

35 Included Boards; Advisory Board of Massage Therapists, Reflexologists, Structural Integrators, and Asian Bodywork Therapists. Amend RSA 310:2, II(c) to read as follows:

(c) Advisory board of massage therapists***, reflexologists, structural integrators, and Asian bodywork therapists*** under RSA 328-B.

36 Included Boards; Advisory Board of Massage Therapists, Reflexologists, Structural Integrators, and Asian Bodywork Therapists. Amend RSA 310:2, II(g) to read as follows:

(g) Advisory board of ***massage therapists,*** [~~reflexology~~] reflexologists, structural [~~integration~~] ***integrators***, and Asian bodywork [~~therapy~~] ***therapists*** under RSA 328-H.

37 Included Boards; Advisory Board of Examiners of Nursing Home Administrators. Amend RSA 310:2, II(o) to read as follows:

(o) ***Advisory*** board of examiners of nursing home administrators under RSA 151-A.

38 Included Boards; Installation Standards Advisory Board. Amend RSA 310:2, II(rr) to read as follows:

(rr) Installation standards ***advisory*** board under RSA 205-D.

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

SB 371-FN, relative to the licensing of resident physicians. **OUGHT TO PASS WITH AMENDMENT.** Rep. Matthew Simon for Executive Departments and Administration. In its original form, this bill sought to create an exemption for the two-year licensing requirements for resident physicians. The committee unanimously agreed that the licensing requirement did not create sufficient hardship to the licensees to justify this exemption. The committee then moved an amendment to replace the bill and update statutory language pertaining to the licensing and regulation of physicians. This updated language to RSA 329 will bring this statutory section into alignment with the work the committee has been doing over the last few years to restructure the responsibilities of the licensing boards and OPLC. The amendment was originally part of a bill to merge the board of podiatry with the medical board. When that bill was found inexpedient to legislate, this bill was chosen to make the necessary adjustments. Vote 20-0.

Amendment (1671h)

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

AN ACT relative to the licensing and regulation of physicians.

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

1 Physicians and Surgeons; Examining Board; Board; Duties. Amend RSA 329:2, II(a) to read as follows:

(a) [~~Evaluate~~] ***Establish criteria for*** persons [~~who~~] ***to*** apply for the authority to practice medicine in New Hampshire [~~and license to those who are found qualified~~] under the standards of this chapter.

2 Physicians and Surgeons; Examining Board; Board; Duties. Amend RSA 329:2, II(d) to read as follows:

(d) Assess[~~, compromise, and collect~~] civil penalties against persons engaged in the unauthorized practice of medicine or other violations of this chapter.

3 Physicians and Surgeons; Examining Board; Rulemaking Authority. Amend RSA 329:9, XV to read as follows:

XV. [~~Procedural and~~] Substantive requirements for assessing[~~, compromising and collecting~~] administrative fines against licensees as authorized under [~~RSA 329:17, VII(g)~~] ***RSA 310:12*** and against licensees and nonlicensees as authorized by RSA 329:2, II(d).

4 Physicians and Surgeons; Examinations and Licenses; Criminal History Record Checks. Amend RSA 329:11-a, I-IV to read as follows:

I. Every applicant for initial permanent licensure or reinstatement shall submit to the [~~board of medicine~~] ***office of professional licensure and certification*** a criminal history record release form, as provided by the New Hampshire division of state police, which authorizes the release of his or her criminal history record, if any, to the [~~board~~] ***office***.

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

III. The [~~board~~] ***office*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the [~~board~~] ***office***.

IV. The [~~board~~] ***office*** shall review the criminal record information prior to making a licensing decision and shall maintain the confidentiality of all criminal history records received pursuant to this section.

5 Physicians and Surgeons; Examinations and Licenses; Qualifications of Licensees. Amend RSA 329:12, I(a) through the introductory subparagraph of (d) to read as follows:

(a) Pay a fee established by the [~~board~~] ***office of professional licensure and certification***.

(b) Submit an application [~~in a form prescribed by the board~~] which shall be verified by oath.

(c) Submit a complete set of fingerprints and a criminal history record release form pursuant to RSA 329:11-a.

(d) Demonstrate to the reasonable satisfaction of the [~~board~~] ***office*** that the applicant:

6 Physicians and Surgeons; Examinations and Licenses; Qualifications of Licensees; Waiver of Examination Requirement. Amend RSA 329:12, II to read as follows:

II. The [~~board may~~] ***office shall*** waive the examination requirement for any applicant who has satisfactorily passed all examinations and requirements to become board certified by the American Board of Medical Specialties (ABMS) or by the American Osteopathic Association (AOA).

7 Physicians and Surgeons; Examinations and Licenses; Action on License Applications. Amend RSA 329:14 to read as follows:

329:14 Action on License Applications.

I. The [~~board~~] ***office of professional licensure and certification*** shall make [~~no final decision concerning the qualifications of a new or reinstatement applicant until it has received the results of all required examinations, criminal history record checks, and all third-party certifications required to be submitted with the license application, and the time periods specified by RSA 541-A:29 shall be calculated from the date the last of the required documents is received by the board~~] ***decisions on applications in accordance with RSA 310:4, II(c)***.

II. No application shall be granted unless the [~~board~~] ***office*** finds that the applicant possesses the necessary educational, character and other professional qualifications to practice medicine, and that no circumstances exist which would be grounds for disciplinary action against a licensed physician pursuant to RSA 329:17, I***, or other applicable statute***.

III. The [~~board~~] ***office*** shall grant an unrestricted permanent license to persons it finds to have the necessary professional qualifications. The [~~board~~] ***office*** may also, ***in consultation with the board,*** by consent or after notice and the opportunity to be heard, resolve issues concerning professional qualifications or circumstances that would be grounds for non-disciplinary remedial action against a licensed physician by granting a temporary license, or a temporary or permanent license with restrictions.

IV. [Repealed.]

V.(a) The [~~board~~] ***office*** shall issue special training licenses to persons of good professional character who are enrolled in a regular residency or graduate fellowship training program accredited by the Council on Graduate Medical Education, and who possess such further education and training as the board may require by rule.

(b) Persons holding training licenses shall be subject to the disciplinary provisions of RSA 329:17 and such additional professional character and competency requirements as the board may require by rule.

(c) Training licenses shall be confined to activities performed in the course of the qualifying residency or graduate fellowship training program, shall expire automatically upon the licensee's separation from the residency or graduate fellowship training program for any reason, and may be issued on a restricted or conditional basis.

VI. The [~~board~~] ***office*** may issue special licenses containing conditions, limitations, or restrictions, including licenses limited to specific periods of time in accordance with rules adopted under RSA 329:9, VIII.

VII. The [~~board~~] ***office*** may issue courtesy licenses authorizing the practice of medicine under limited conditions as defined by the board by rule. Courtesy licenses shall not exceed 100 days and shall be limited in location. All applicants shall hold an active[~~, unrestricted license in another state and~~] ***license in good standing from another jurisdiction that has substantially similar licensing requirements to New Hampshire's licensing requirements. Applicants shall also*** meet the same character qualifications as other licensees.

VIII. The [~~board~~] ***office*** may issue licenses authorizing the practice of medicine limited to administrative medicine for physicians whose practice does not include the provision of clinical services to patients.

8 Physicians and Surgeons; Renewal of Licenses; Renewal. Amend RSA 329:16-a to read as follows:

329:16-a Renewal. Every person licensed to practice under this chapter, except as provided in RSA 329:16-c, shall apply [~~to the board on a biennial basis~~] for renewal of license ***in accordance with RSA 310:8*** on forms provided by the [~~board~~] ***office of professional licensure and certification*** and shall pay a renewal fee as established by the [~~board~~] ***office***. [~~If a person applies to the board for a renewal of license by June 30 of the year in which the licensee's renewal is set to occur, the person's license shall not expire until the board has taken final action upon the application for renewal.~~]

9 Physicians and Surgeons; Renewal of Licenses; Inactive Status. Amend RSA 329:16-c to read as follows:

329:16-c Inactive Status. A [~~person licensed by the board~~] ***licensee*** who does not intend to engage in such licensed profession in this state, upon written request to the [~~board~~] ***office of professional licensure and certification***, may have one's name transferred to inactive status and shall not be required to renew such license or pay any renewal fee as long as the person remains inactive.

10 Physicians and Surgeons; Renewal of Licenses; License Notice Requirements. Amend RSA 329:16-f to read as follows:

329:16-f License Notice Requirements.

I. All licensees shall maintain their current business address on file with the [~~board~~] ***office of professional licensure and certification***, or if licensees have no business address, ***licensees shall provide*** their current home address [~~shall be provided~~]. Any changes in the address, including the closing of an office shall be promptly provided to the [~~board~~] ***office*** or, in any event, no later than 30 days from the date of the change.

II. All licensees shall provide the [~~board~~] ***office*** with a copy of any notice of complaint, action for medical injury, or claim received from, or disciplinary action taken in a jurisdiction outside of this state within 30 days of receipt of such notice or action.

11 Physicians and Surgeons; Renewal of Licenses; Reinstatement. Amend RSA 329:16-h to read as follows:

329:16-h Reinstatement. Any person whose name has been placed on the inactive list may be restored to active status upon the filing of a written request for reinstatement of license, accompanied by the reinstatement fee as established by the [~~board~~] ***office of professional licensure and certification***, proof of satisfaction of continuing medical education requirements established by RSA 329:16-g, and such other evidence of professional competence as the board may reasonably require.

12 Physicians and Surgeons; Disciplinary Proceedings; Denial or Revocation of License. Amend RSA 329:17-c to read as follows:

329:17-c Denial or Revocation of License. Upon receipt of an administratively final order from the licensing authority of another jurisdiction which imposes disciplinary sanctions against a licensee of the board, or a person applying for such license, the board may issue an order directing the licensee or applicant to appear and show cause why similar disciplinary sanctions or, in the case of an applicant, license denial or restriction, should not be imposed in the state. In any such proceeding, the decision of the foreign licensing authority may not be collaterally attacked, but the licensee or applicant shall be given the opportunity to demonstrate why a lesser sanction should be imposed. The board may issue any disciplinary sanction or take any action with regard to a license application pursuant to this section otherwise permitted by this chapter, ***or other applicable law,*** including sanctions or actions which are more stringent [~~then~~] ***than*** those imposed by the foreign jurisdiction. The [~~board~~] ***office of professional licensure and certification*** may adopt summary procedures for handling proceedings brought under this chapter, but shall furnish the respondent at least 10 days' written notice and a reasonable opportunity to be heard. The board may require a licensee to suspend practice in this state as a condition of postponing a hearing date established for allegations brought under this section.

13 Repeal. The following are repealed:

I. RSA 329:9, XXI, relative to rulemaking authority concerning a process for registering certain practitioners.

II. RSA 329:16-d, relative to notice of renewal.

III. RSA 329:16-e, relative to neglect to renew.

IV. RSA 329:29, relative to proceedings of the medical review subcommittee.

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

AMENDED ANALYSIS

This bill makes various changes regarding the licensing of and regulation of physicians, including transferring certain authority from the board of medicine to the office of professional licensure and certification.

SB 488, relative to the regulation of physician assistants. **OUGHT TO PASS.**
Rep. Sherry Gould for Executive Departments and Administration. This bill requires the board of medicine to adopt rules regarding continuing medical education for physician assistants that have received their National Commission on Certification of Physician Assistants certification, but have chosen not to maintain their certification, and further exempts physician assistants from the provisions of the chapter relative to the board of barbering, cosmetology, and esthetics. Continuing medical education needs to be authorized, as it is of great benefit and not otherwise mentioned in statute. It is important that the statutes spell out exceptions to a violation of cutting hair in the barbering, cosmetology and esthetics licensing rules. Physician assistants are required to do so at times within their scope of work and need to be added to current exceptions of other related professions. Vote 20-0.

SB 600, relative to the board of pharmacy and certified public accountant examinations. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Tony Lekas for Executive Departments and Administration. This bill, as amended, would add one pharmacy technician and an additional pharmacist to the pharmacy board. Recently, the law was changed to, in addition to a certification for pharmacy technicians, add a license for pharmacy technicians. To be licensed there are additional requirements including additional education. Given that, it was felt that pharmacy technicians should have a seat on the board. An additional pharmacist was also added to keep the number of members on the board odd to avoid ties. The amendment clarifies the board membership and changes the effective date to January 1, 2025 to ease the transition of board members and to provide time for more pharmacy technicians to be licensed. Vote 20-0.

Amendment (1737h)

Amend RSA 318:3, II as inserted by section 2 of the bill by replacing it with the following:

II. The pharmacy technician member of the board shall have been licensed or certified as a pharmacy technician for at least 10 years, and at the time of his or her appointment, shall have practiced as a pharmacy technician in this state for at least 5 years.

Amend the bill by replacing section 4 with the following:

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

SB 347-FN, relative to infrastructure appropriations for reimbursement to the city of Laconia. **INEXPEDIENT TO LEGISLATE.**
Rep. Dan McGuire for Finance. This bill allocated $3 million from the proceeds of the sale of the Laconia state property to local infrastructure improvements for its intended new use. Unfortunately, that sale has fallen through so there are no funds, and it is unclear what will be done with the property. We also have the problem that an additional $13 million from the proceeds of this sale was previously allocated in the budget for the purchase of Granite Place in Concord and that will have to be funded another way. Vote 25-0.

SB 362-FN, relative to body-worn cameras. **OUGHT TO PASS.**
Rep. Daniel Popovici-Muller for Finance. This bill is asking the Law Enforcement Accreditation Commission (LEAC) to submit a report by November 1, 2024, identifying possible issues raised by copying, distribution, or use of body-worn camera images. This is a complex legislative matter where future legislation would be well served by a thorough analysis of the potential issues. Also, there is no appropriation needed. The fiscal note is no longer relevant after the bill was amended by the Senate to only request a report, since that can be completed using existing staff and appropriations. Vote 25-0.

SB 407-FN, establishing a ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state. **OUGHT TO PASS.**
Rep. Chuck Grassie for Finance. This bill provides for a statewide ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state. The study shall include an illustrative ground ambulance rate schedule which is such that, if fully insured health carriers were to use this schedule in reimbursing nonparticipating ground ambulance providers, it would be sufficient to cover the reasonable cost of providing efficiently delivered care and a reasonable operating margin, assuming all payers in the state are paying at the same rate. The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue. Vote 25-0.

SB 480-FN, relative to the regulation of real estate practice. **OUGHT TO PASS.**
Rep. Gerald Griffin for Finance. This bill defines the term "post licensing" and provides for both voluntary inactive status and non-voluntary inactive status. It also provides the requirements for inactive status as well as a process for the reinstatement of inactive licenses. There is no appropriation in this bill. Vote 25-0.

SB 487-FN, relative to the division of personnel in the department of administrative services. **OUGHT TO PASS.**
Rep. Gerald Griffin for Finance. This bill moves the Personnel Appeals Board of the Department of Administrative Services and establishes it as an independent entity from all state agencies. There is no appropriation in this bill. Vote 25-0.

SB 310, relative to bear registration and federal duck stamps. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Will Darby for Fish and Game and Marine Resources. Currently, the Fish and Game Department permits a few bear registration stations to provide hunters with alternatives for registering an increasing number of black bear harvests. One section of this bill provides the department with the statutory authority for these bear registration stations to charge a fee for this service, which will increase the number of registration locations throughout the state. The bill also includes a provision to update the state's duck stamp statute to align with federal regulations, which permits the use of electronic duck stamps throughout the season, replacing the prior 45-day window. Lastly, a non-germane amendment was added to this bill to provide for a new non-commercial lobster landing license for non-residents. Currently non-residents are charged $500 for a commercial landing license, which permits lobsters caught outside New Hampshire waters to be brought ashore in the state and sold. Residents have the option of a $50 commercial landing license or $40 non-commercial lobster fishing license. The non-resident, non-commercial landing license will allow those from outside the state who moor or launch boats in New Hampshire to bring their legally harvested lobster ashore for personal use, while ensuring proper reporting of the catch and supporting the state's economy. All of these provisions are supported by the Fish and Game Department. Vote 16-0.

Amendment (1659h)

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

AN ACT relative to bear registration, federal duck stamps, and the transport of out of state lobsters and crabs.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Landing License; Lobsters and Crabs. Amend RSA 211:49-d to read as follows:

211:49-d Landing License; Lobster and Crabs.

I. Any person who is not licensed under RSA 211:18, RSA 211:49-a, or RSA 211:49-b and wishes to transport in state waters lobsters and crabs taken outside the jurisdiction of the state via ship, vessel, or

similar craft in state waters for the purposes of landing the lobsters and crabs in the state must first procure a landing license. This shall allow the licensee to sell lobster and crab landed under such person's license. The fee for annual licenses for residents and nonresidents shall be set by the executive director pursuant to RSA 206:10, I.

II. Any non-resident who transports in state waters lobsters and crabs taken outside the jurisdiction of the state via ship, vessel, or similar craft for the landing of the lobsters and crabs in the state, for personal use shall procure a non-commercial landing license at a rate set by the executive director pursuant to RSA 206:10, I. Any person holding a commercial license in another jurisdiction or federal permit for the taking of lobster or crabs shall not be eligible for this license. A person convicted of violating any provision of this section shall be guilty of a violation if a natural person and a misdemeanor if any other person.

AMENDED ANALYSIS

This bill:

I. Requires the executive director of fish and game to set up bear registration stations.

II. Allows valid federal duck stamps to be confirmed using digital and electronic means.

III. Requires a non-commercial landing license for non-residents transporting in state waters lobsters and crabs taken outside the jurisdiction of the state.

SB 542, creating a committee to study fish and game department funding and partnerships. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Will Darby for Fish and Game and Marine Resources. The Fish and Game Department provides a tremendous service to the state and its recreational activities including search and rescue for hikers, ensuring safe use of OHRVs and snow mobiles, wild animal control, protecting biodiversity and the state's threatened and endangered wildlife, and, of course, enforcing hunting and fishing regulations. Yet the department is primarily self-funded with sportsmen and women providing the majority of the revenue for the department, but only receive 3-4% of the benefits. The recent statewide personnel pay increases, which were essential for retention and recruiting, were not matched with a corresponding funding increase, which may lead to the loss of almost 10 staff members in the next few years if this gap is not filled. This bill establishes a committee to study the department's funding and partnerships with a final report due by the beginning of November. The committee will look for comprehensive solutions that consider the department's personnel and operations costs, while seeking options for partnerships with other departments and private entities aligned with the department's mission to address funding challenges now and into the future. The amendment removes the requirement for the committee to review the Fish and Game Commission structure, as the same matter will be considered by the upcoming interim study on HB 1148. Vote 16-0.

Amendment (1782h)

Amend section 3 of the bill by deleting paragraph V and renumbering the original paragraph VI to read as paragraph V.

SB 544-FN, replacing the deer seal system with a confirmation number system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Paige for Fish and Game and Marine Resources. This is a common sense, technical bill requested by the Department of Fish and Game. It replaces the deer seal system for deer registration with a confirmation number system, a necessary change precipitated by the introduction of an online registration system. Vote 16-0.

Amendment (1819h)

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to read as 4-5, respectively:

3 Transportation of Deer; Transportation by Nonresidents. Amend RSA 208:13 to read as follows:

208:13 Transportation by Nonresidents.

The holder of a nonresident hunting license may transport within the state or from a point within the state to a point outside the state, a deer legally taken by the nonresident, when accompanied by such nonresident and to which the deer tag has been attached as provided in RSA 208:16 and also [~~to~~] ***for*** which the ***nonresident has received a*** registration [~~seal has been attached~~] ***confirmation number***. If the deer or carcass is placed in the custody of a licensed common carrier, it shall***,*** in addition to the ***attached*** deer tag and ***the*** registration [~~seal~~] ***confirmation number,*** have attached another tag plainly marked with the name of the consignor, the name of the consignee, the point of shipment, and the destination. The agent of the common carrier shall see that the deer tag attached to the deer or carcass bears the same number as written on the license by the issuing license agent.

Amend RSA 208:15-b as inserted by section 4 of the bill by replacing it with the following:

208:15-b Registration and Fees.

The registration agent shall register each deer legally presented for registration and shall [~~attach~~] ***provide*** a registration [~~seal to~~] ***confirmation number for*** each deer in the manner prescribed by the executive director. The executive director shall adopt rules pursuant to RSA 541-A relative to registration agent fees.

SB 400, relative to patient access to medical records. **REFER FOR INTERIM STUDY.**
Rep. Wayne MacDonald for Health, Human Services and Elderly Affairs. During the testimony on this bill and during the committee discussion, there were two primary areas of concern. The first was who should be able to be the "requestor" and, under what circumstances and cost, should they be able to acquire the medical records of an individual. There was particular debate about what fees an attorney should have to pay. The other area of concern was what the cost charged for records should be. Various amounts were suggested and discussed. Ultimately, there was no consensus about either of these issues and it was decided by an overwhelming majority of the committee, that interim study would be the best way to address this bill. Vote 18-2.

SB 412-FN, relative to residential care and health facility licensing. **OUGHT TO PASS.**
Rep. Leah Cushman for Health, Human Services and Elderly Affairs. This bill, slightly and temporarily, eases the moratorium on longterm care beds by permitting the state's only pediatric intermediate care facility to offer two additional beds until June 30, 2026. This will cause little disruption to the house of cards payer-mix that is holding up our long-term care industry, while accommodating more children in need of this skilled care. Vote 19-0.

SB 458, relative to the dispensing of certain medications. **REFER FOR INTERIM STUDY.**
Rep. Gary Merchant for Health, Human Services and Elderly Affairs. With additional input from the Board of Pharmacy (the board) and the office of the executive director of the Office of Professional Certification and Licensure (OPLC), the committee understands the board currently has the authority to issue a pharmacy permit to an oncology clinic to dispense medications to their own patients. Therefore, legislation is not required, as the board has the authority to issue such a permit. A primary reason the committee supports Interim Study and not Inexpedient to Legislate was to ensure the board creates rules in a timely manner to address use of the permit. Vote 20-0.

SB 554-FN, relative to Medicaid provider enrollment licensure verification. **OUGHT TO PASS.**
Rep. Leah Cushman for Health, Human Services and Elderly Affairs. This bill simply allows the Office of Professional Licensure and Certification (OPLC) and the Department of Health and Human Services (DHHS) to share information that they both already have access to, as part of their duties, but about which are unable communicate with each other. It allows OPLC and DHHS to data match information to determine Medicaid certification status and licensure status of medical providers. Vote 20-0.

SB 350-FN, relative to gap health insurance coverage for prima facie presumptive conditions for emergency response/public safety workers. **OUGHT TO PASS.**
Rep. Lino Avellani for Labor, Industrial and Rehabilitative Services. The Labor Committee voted unanimously to recommend Ought to Pass because this bill is a necessary and prudent step to protect our emergency response/public safety workers. This provides health insurance coverage for employees going through the worker compensation appeals process and keeps it in place until the case is finished. Vote 15-0.

SB 517, relative to the employment status of university students working in educational programs. **INEXPEDIENT TO LEGISLATE.**
Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. Universities in New Hampshire encountered conflict between potential requirements of New Hampshire labor law and the parameters of a traditional resident assistant in college dorms (for example, a requirement for detailed timekeeping). Along with seeking relief through legislation, the schools have been working with the New Hampshire Department of Labor directly. Last fall, the department revised their rules to more appropriately address the subject. The committee believes that we should allow sufficient time to see the new rule in action and, before passing an additional legislative solution, evaluate whether the existing remedy is effective. Vote 19-0.

SB 588-FN, relative to employer notice of veterans' benefits and services. **OUGHT TO PASS.**
Rep. Mark MacKenzie for Labor, Industrial and Rehabilitative Services. This bill would direct the Commissioner of the Department of Labor to prepare, create, and distribute a notice of veterans' benefits and services in consultation with the Office of Workforce Opportunity within the Department of Business and Economic Affairs. In New Hampshire, there are over 101,000 veterans, and over 74,000 served during wartime. Our veterans who served this country have earned the benefits and this legislation will help them to better understand how they can access the services available to them. The bill was supported by the state's Veterans Advisory Council. Vote 15-0.

SB 447-FN, establishing a committee to study the inclusion of transportation expenses in default budgets. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Len Turcotte for Municipal and County Government. This bill would establish a committee to study the possibility of including transportation expenses in default budgets. The committee's amendment simply changes the member makeup of the study committee. Vote 17-1.

Amendment (1500h)

Amend the bill by replacing section 2 with the following:

2 Membership and Compensation.

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

(a) Three members of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

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

SB 448-FN, relative to the Woodsville fire district. **INEXPEDIENT TO LEGISLATE.**
Rep. Len Turcotte for Municipal and County Government. This bill would have established the Woodsville Fire District as a village district, with all rights, duties, and obligations of such a district. The bill would have also allocated responsibility for highway maintenance and fire protection between the village district and town of Haverhill. There is currently a Supreme Court decision pending that could have implications on this legislation. Additionally, the committee believes the issues that arise in this legislation are better resolved by the parties themselves. Vote 17-0.

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. **INEXPEDIENT TO LEGISLATE.**
Rep. Mark McConkey for Public Works and Highways. While the Public Works and Highways Committee is sensitive to the residents of Teaberry Lane and many others that live along our highways that would benefit from expanding our constructed noise barriers, due to strict federal highway requirements, they are not eligible for federal funding. The committee heard testimony that new noise barrier construction costs typically exceeds hundreds of thousands per mile and that money is not available for this purpose. While we credit the sponsors for their innovative funding initiative using the sale of toll credits to establish a noise construction fund, at present our allocation of federal turnpike toll credits is in decline and there is no assurance that our present surplus will meet our highway needs going forward. Vote 18-0.

SB 547, relative to certain requirements relative to the LCHIP programs. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Suzanne Vail for Resources, Recreation and Development. The Land and Community Heritage Program (LCHIP) serves as a vital funding source for preservation and conservation projects across New Hampshire, covering historical, natural, and cultural initiatives. Since its inception in 2001, the LCHIP program has significantly benefited 200 out of New Hampshire's 235 communities. It has played a crucial role in preserving 172 historic structures and conserving 241,000 acres of land. The proposed bill aims to enhance the effectiveness of the LCHIP program by providing important clarifications and adding definitions to the existing statute. These changes are essential to ensure responsible stewardship of grant-funded programs established in collaboration with preservation organizations statewide. Specifically, the bill addresses ambiguity surrounding the term "property" within the current statute. By defining this term more clearly, confusion regarding the inclusion of all real estate interests, such as conservation easements, can be resolved. Additionally, the bill proposes a clarification regarding the recapture provision. It exempts transfers to state agencies from triggering the repayment provision, providing further clarity and streamlining processes. The amendment seeks to remove ambiguity introduced by the term "historic preservation project," which is not defined elsewhere in statute. This clarification aims to prevent unintended expansion of the LCHIP program's scope. Vote 20-0.

Amendment (1772h)

Amend RSA 227-M:2, IV as inserted by section 1 of the bill by replacing it with the following:

IV. "Easement interests" means conservation, historic preservation, [~~or~~] scenic ***and other types of*** easements, development rights, or any other similar protective interest in real property ***that is*** held in perpetuity, or [~~a term easement~~] that is held for a specific period of time and not in perpetuity as part of a farm viability program. ***All easement interests shall be consistent with RSA 477:45.***

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. **OUGHT TO PASS.**
Rep. Will Darby for Resources, Recreation and Development. This bill primarily sets up a committee to study alternatives for funding the operation, maintenance, and repair of state-owned dams. The state is responsible for the reconstruction and rehabilitation of 273 state-owned dams and for the daily operation and maintenance of 208 of those dams. Existing dam revenue sources, primarily the Dam Maintenance Fund from hydropower facility leases, do not provide adequate funding, and from 2019 to 2023 over $23 million from general funds and capital funds was required to cover these costs. To reduce this burden, the state is considering selling or transferring state-owned dams to public or private entities, and this bill also specifies that proceeds from these sales go into the Dam Maintenance Fund. Lastly, this bill enables the reclassification of non-menace

dams that, due to inadequate design, threaten downstream property. Currently dams cannot be reclassified without changes to downstream conditions, which results in insufficient inspections for aging dams and risks to downstream property in the case of dam failure. Vote 20-0.

SB 595-FN, relative to the rates for pole attachments. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Michael Vose for Science, Technology and Energy. Current law provides a six-part test to resolve disputes between utility pole owners and the technology providers who need to rent space on those poles. This test has proved inadequate to its purpose and this bill seeks to remove five of those six parts in favor of a Federal Communications Commission (FCC) approved formula that has been widely adopted nationally and validated by the U.S. Supreme Court. As amended, the bill requires the Department of Energy to investigate how to create a version of this formula that accommodates the needs of New Hampshire's disparate pole user community. The investigation will determine how to compensate pole owners for their portion of the costs of owning, maintaining, and operating poles arising from pole attachments; not discriminate among or against any single attaching entity, including the pole owner; be transparent to all parties; and result in just and reasonable rates. Vote 17-0.

Amendment (1950h)

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

1 New Paragraph; General Regulations; Pole Attachment Formula. Amend RSA 374:34-a by inserting after paragraph VIII the following new paragraph:

IX.(a) The department shall investigate the use of a pole attachment rate formula to be used by the Commission when resolving disputes consistent with paragraph VII, rather than a multi-part test.

(1) If the department determines through this investigation that the use of a formula would fully compensate pole owners for their portion of costs of owning, maintaining, and operating poles arising from pole attachments; not discriminate among or against any one attaching entity, including the pole owner; be transparent to all parties; and result in just and reasonable rates, the department shall develop and finalize such formula meeting these criteria no later than January 1, 2026. The costs of the proceeding may be assessed to parties pursuant to RSA 365:37, II. In conducting the required investigation, the department shall consider the interests of the parties as required in paragraph IV. Within 30 days following the close of the department's proceeding, the commission shall conduct a formal rulemaking to incorporate the formula that gives consideration to the report delivered by the department.

(2) At the conclusion of the investigation, the department shall issue a report of its findings to the house science, technology and energy committee, and the senate energy and natural resources committee.

(b) Notwithstanding any other law, rule, or order to the contrary, the department shall have the authority necessary to conduct this investigation and implement this subdivision, including but not limited to the authority to require public utilities to maintain the records necessary to track substantial assets and investment in an accurate auditable manner that enables accurate calculation of pole attachment rates in accordance with any formula adopted; the authority to require public utilities to report such property information to the department; and, the authority to ensure that attaching entities have timely access to ARMIS, FERC Form 1, or any similar publicly available property information reported to the department pursuant to this section.

(c) Notwithstanding the foregoing, an electric distribution utility that sets pole attachment rates pursuant to a settlement approved by the commission on or before July 1, 2024 shall continue to do so until the next commission approved change of its base distribution rates after the commission concludes the investigation and any subsequent rulemaking pursuant to this subdivision.

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

AMENDED ANALYSIS

This bill:

I. Requires the department to investigate the use of a pole attachment rate formula and to develop and finalize such a formula if it meets certain criteria.

II. Requires the public utilities commission to maintain and report property information and to ensure attaching entities have access to them.

SB 408, establishing a committee to study the effects of the housing crisis on the disability community. **INEXPEDIENT TO LEGISLATE.**
Rep. Ellen Read for Special Committee on Housing. This bill sets up a study committee to study the impact of the housing crisis on the disability community. The House passed an identical bill, HB 1168, which the Senate has also passed largely intact. The committee, unanimously, was comfortable concurring with the minor changes made by the Senate, and therefore the Senate companion bill is unneeded. Vote 10-0.

SB 429, relative to the color of executive council official cover plates. **OUGHT TO PASS.**
Rep. Gregory Hill for Transportation. The committee believes the color of the Executive Council cover plates should be exclusive to Executive Council members. At one time that was the case, but for some reason the policy changed, and the committee feels returning to exclusive coloring is preferred. Vote 20-0.

SB 465-FN, relative to motorist duties when approaching highway emergencies involving a stopped or standing vehicle. **REFER FOR INTERIM STUDY.**
Rep. George Sykes for Transportation. This bill adds stopped or standing vehicles as highway emergencies that will require drivers to give a wide berth for stopped vehicles as long as they can do so safely. However, there were sufficient questions about the bill, leading the committee to an interim study recommendation. Vote 20-0.

SB 467-FN, authorizing the Injury Prevention Center to issue motor vehicle decal plates. **OUGHT TO PASS.**
Rep. Charlie St. Clair for Transportation. This bill allows the Injury Prevention Center to issue motor vehicle decal plates to raise funds for their cause. Vote 20-0.

SB 581, relative to temporary drivers licenses and non-driver identification cards. **REFER FOR INTERIM STUDY.**
Rep. Ted Gorski for Transportation. This bill's intent was supposed to be a cleanup bill requested by the Department of Motor Vehicles (DMV). However, upon review, the bill conflicted with current statute. As a result, the committee recommended Interim Study to fix the conflicts. Vote 19-0.

SB 582, relative to providing an alternate address to the department of motor vehicles. **OUGHT TO PASS.**
Rep. Matthew Coker for Transportation. This bill allows New Hampshire residents, upon request, who are or will be temporarily absent from their residence, as defined in RSA 21:6-a, for a period of less than six months, to designate an alternate mailing address outside of New Hampshire. The Director of the Division of Motor Vehicles (DMV) will then be able to mail correspondence or products issued by the division to this alternate address. The committee felt this bill addressed problems caused by the inability of DMV mail to be forwarded through the traditional mail forwarding process. With many residents temporarily residing outside our state, this is a common-sense step to make life a bit easier for all involved. Vote 20-0.

SB 598-FN, requiring funeral procession lead vehicles to obey yield signs. **OUGHT TO PASS.**
Rep. Marc Plamondon for Transportation. This bill clarifies the original intent for the lead vehicle to adhere to all the rules of the road; before leading the funeral procession through a yield or stop intersection. Vote 20-0.

SB 585-FN, relative to a property lien resulting from unpaid meals and rooms taxes. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Walter Spilsbury for Ways and Means. This bill amends RSA 78-A:21, which provides that an "operator" (as defined in that chapter) who is required to collect and transmit meals and rooms taxes paid by patrons but "neglects or refuses to pay the tax after demand," would then suffer the consequence of having a lien placed on any property he owns, including his home. That provision goes on to describe in broad fashion, in the case of a corporation and separately in the case of a limited liability company, which individuals involved in that form of ownership entity could be vulnerable to this dramatic remedy. The bill, as passed by the Senate, made a very limited change to the sentence involving limited liability companies, deleting several words to make the point that merely being a "member" of a limited liability company (LLC) would not necessarily cause one to be deemed an "operator" within the reach of this provision. The committee, having agreed with the bill's purpose to limit the reach of this exposure, determined that an amendment is necessary to sort out considerable confusion regarding the breadth of the term "operator" and also to align the LLC change to the corporate situation as well as address partnership or trust interests consistently. The amendment, therefore, shifts the focus away from describing the type of ownership entity, and one's formal role in that organization, instead towards the nature of the managerial or custodial responsibility of a particular individual who may then logically be held responsible. A new sentence clarifies that a mere ownership interest in a corporation, limited liability company, partnership, or trust shall not be enough to risk a lien on your assets, no less your home. Further, another new sentence provides an express, but limited, grant of rulemaking authority to the Department of Revenue Administration to allow them to utilize the sort of multi-factor indicators that they presented to the committee. This amendment thereby expands on the purpose of making sure a culpable individual can be held accountable while protecting passive owners with no direct involvement. Vote 17-0.

Amendment (1796h)

Amend the bill by replacing section 1 with the following:

1 Meals and Rooms Tax; Taxes as Property Lien. Amend RSA 78-A:21 to read as follows:

78-A:21 Taxes as Property Lien. If any operator required to collect and transmit a tax under this chapter neglects or refuses to pay the tax after demand, the amount, together with all penalties and interest provided for in this chapter and together with any costs that may accrue in addition to the tax becomes a lien in favor of the state upon all property and rights to property whether real or personal belonging to the operator. The lien arises at the time demand is made by the commissioner and continues until the liability for the sum, with interest and costs, is satisfied or becomes unenforceable. Certificates of release of such lien shall be given by the commissioner on the satisfaction of the lien. For the purposes of this section, [~~operator~~] ***"operator"*** [~~in the case of corporations includes the president, treasurer, or any other person in a managerial capacity of said corporation. Operator, in the case of a limited liability company~~], includes [~~members and~~] any [~~other~~] person

[~~in a managerial capacity of the limited liability company.~~] ***who has actual or constructive managerial or custodial responsibility for the collection and transmission of a tax subject to demand under this chapter. A mere ownership interest shall not be considered a sufficient nexus in the managerial or custodial relationship over the collected tax to cause a person to be deemed an operator under this section. The department of revenue administration shall have rule-making authority to develop criteria for a determination of who in fact possesses such managerial or custodial responsibility.*** No lien against real property under this section shall be effective until it is recorded at the registry of deeds for the county in which the real property lies.

AMENDED ANALYSIS

This bill provides that, for purposes of a property tax lien filed against an operator for unpaid meals and rooms taxes, the operator of a limited liability company includes any person who has actual or constructive managerial or custodial responsibility for the collection and transmission of taxes.

MOTION TO SPECIAL ORDER

Rep. Layon moved that **SB 411-FN,** establishing a committee to study emergency mental health services for persons 21 years of age and younger in New Hampshire, be made a Special Order as the first order of business.
Rep. Layon spoke in favor.
Motion was adopted by the necessary three-fifths vote.

SPECIAL ORDER

SB 411-FN, establishing a committee to study emergency mental health services for persons 21 years of age and younger in New Hampshire. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the Majority of Health, Human Services and Elderly Affairs. The majority of the committee believes that a legislative study committee to study emergency mental health services for people aged 21 and under makes sense given the challenges our youth are experiencing today and given the complexity of all the factors which go into the availability of care. Significant work is underway under the umbrella of the Department of Insurance, and we encourage this committee to gain insight from the commissioner's workgroup and the Behavioral Health Advisory Commission. Vote 14-6.

Rep. Yury Polozov for the Minority of Health, Human Services and Elderly Affairs. The minority believes that yet another committee is not needed. This important issue of emergency mental health services for persons 21 years of age or younger has been already studied and should be covered by the respective insurance. The New Hampshire Insurance Department Commissioner has already created a work group with stakeholders to identify and rectify any remaining issues. A bulletin was issued in March 2024 to address issues with billing codes and out-of-network providers. Moreover, the Behavior Health Advisory Commission was reactivated under the New Hampshire Insurance Department to identify the need for any future legislative steps.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Layon spoke in favor.
Majority committee report was adopted, and the bill was ordered to third reading.

MOTION TO SPECIAL ORDER

Rep. Hunt moved that **SB 558-FN,** relative to insurance coverage for infertility treatments, protection from discrimination during IVF treatments, parental leave, and adoption, be made a Special Order as the first order of business after the lunch recess.
Rep. Hunt spoke in favor.
Motion was adopted by the necessary three-fifths vote.

REGULAR CALENDAR

SB 418-FN, relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Mannion for the Majority of Criminal Justice and Public Safety. This bill increases the administrative license suspension for refusing to test for blood alcohol level. A first-time refusal increases from 180 days to 1 year and from 2 years to 3 years for a second or subsequent refusal. The intent is to incentivize taking the test. New Hampshire ranks at the bottom for blood alcohol level testing in the country. Vote 12-8.

Rep. Loren Selig for the Minority of Criminal Justice and Public Safety. While the minority of the committee strongly agrees that no one should drive under the influence of any substance, we had concerns about the increase in penalties and the impact of a lost license on those in the many areas of the state without public transportation. We also heard testimony that the current forms used related to OUI are confusing. We felt a better plan was to send this bill to interim study so that better notification of current law could be communicated to the public and so the current forms can be modified to make sure the penalties are clear.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Selig spoke against.
Rep. Dennis Mannion spoke in favor and yielded to questions.
Rep. Granger requested a roll call; sufficiently seconded.

YEAS 101 - NAYS 253

YEAS - 101

BELKNAP

Dumais, Russell	Harvey-Bolia, Juliet	Beaudoin, Richard	Smart, Lisa
Varney, Peter			

CARROLL

Cordelli, Glenn	Crawford, Karel	Brown, Richard

CHESHIRE

Qualey, James	Rhodes, Jennifer	Nutting, Zachary

COOS

Davis, Arnold	Durkin, Sean	Tierney, James

GRAFTON

Cormen, Thomas	Ladd, Rick	Massimilla, Linda	Morse, Corinne

HILLSBOROUGH

Abare, Kimberly	Boyd, Bill	Baroody, Benjamin	Beauchemin, Paige
Bradley, Amy	Colcombe, Riché	Cole, Brian	Creighton, Jim
DiSilvestro, Linda	Fedolfi, Jim	Gagne, Larry	Gorski, Ted
Healey, Robert	Foxx, Loren	Gould, Linda	Lascelles, Richard
Leishman, Peter	McGhee, Kat	Mooney, Maureen	Murphy, Nancy
Panek, Sandra	Petrigno, Peter	Plett, Fred	Post, Lisa
Renzullo, Andrew	Seibert, Christine	Seidel, Sheila	Sheehan, Vanessa
Tenczar, Jeffrey	Wheeler, Jonah		

MERRIMACK

Andrus, Louise	Aylward, Deborah	Brennan, Angela	Carey, Lorrie
Hicks, Matthew	Leavitt, John	Boyd, Stephen	Gould, Sherry
Schamberg, Thomas	Shurtleff, Steve	Wolf, Dan	

ROCKINGHAM

Mannion, Dennis	DeSimone, Debra	Doucette, Fred	Edwards, Jess
Emerick, Tracy	Foote, Charles	Harb, Robert	Nelson, Jodi
Janigian, John	Janvrin, Jason	Katsakiores, Phyllis	Khan, Aboul
Walsh, Lilli	Lundgren, David	Lynn, Bob	Cahill, Michael
Pearson, Mark	Maggiore, Jim	McDonnell, Valerie	McMahon, Charles
Milz, David	Ford, Oliver	Potucek, John	Pratt, Kevin
Prudhomme-O'Brien, Katherine	Raynolds, Ned	Roy, Terry	Pearson, Stephen
Cahill, Tim	Dolan, Tom	Tripp, Richard	Turer, Eric
Vallone, Mark	Verville, Kevin	Vose, Michael	Weyler, Kenneth

STRAFFORD

Johnson, Erik			

SULLIVAN

Drye, Margaret	Palmer, William	Rollins, Skip	Stapleton, Walter
Stone, Jonathan			

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BELKNAP

Bean, Harry	Bogert, Steven	Bordes, Mike	Coker, Matthew
Comtois, Barbara	McCarter, Nikki	Nagel, David	Ploszaj, Tom
St. Clair, Charlie	Terry, Paul		

CARROLL

Avellani, Lino	Costable, Michael	Paige, David	MacDonald, John
Smith, Jonathan	McAleer, Chris	Peternel, Katy	Woodcock, Stephen

CHESHIRE

Abbott, Michael	Ames, Richard	Harvey, Cathryn	Fox, Dru
Eaton, Daniel	Faulkner, Barry	Germana, Nicholas	Hunt, John
Monteil, Renee	Newell, Jodi	Parshall, Lucius	Schapiro, Joe
Tatro, Bruce	Thackston, Dick	Weber, Lucy	

COOS

Noël, Henry
King, Seth

GRAFTON

Almy, Susan
Baldwin, Heather
Berezhny, Lex
Bolton, Bill
Brown, Carroll
Coulon, Matthew
Fellows, Sallie
Fracht, David
Greeson, Jeffrey
Hakken-Phillips, Mary
Murphy, James
Sullivan, Jared
Lovett, Peter
Muirhead, Russell
Rochefort, David
Sellers, John
Simon, Matthew
Stavis, Laurel
Stringham, Jerry

HILLSBOROUGH

Lekas, Alicia
Murray, Alissandra
Alexander, Joe
Ammon, Keith
King, Bill
Beaulieu, Jane
Bouchard, Donald
Calabro, Karen
Chretien, Jacqueline
Corcoran, Travis
Cornell, Patricia
Cushman, Leah
Darby, Will
Devine, Shelley
Dutzy, Sherry
Elberger, Susan
Erf, Keith
Davis, Fred
Griffin, Gerald
Gibbons, Candace
Goley, Jeffrey
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Infantine, William
Jack, Martin
Smith, Juliet
Juris, Louis
Kennedy, Stephen
Kenny, Catherine
Kofalt, Jim
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Lewicke, John
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
Mazur, Lisa
McGough, Tim
McLean, Mark
Ming, Ben
Morton, Jennifer
Noble, Kristin
Notter, Jeanine
Nutter-Upham, Frances
Pauer, Diane
Pedersen, Michael
Plamondon, Marc
Preece, David
Prout, Andrew
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Sirois, Shane
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Lekas, Tony
Mannion, Tom
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Veilleux, Daniel
Thomas, Wendy
Wherry, Robert
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Aures, Cyril
McGuire, Carol
Cambrils, Jose
Caplan, Tony
McGuire, Dan
Ebel, Karen
Gallager, Eric
Gerhard, Jason
Gibbs, Merryl
Hall, Muriel
Hill, Gregory
Hoell, J.R.
Lane, Connie
Luneau, David
MacKay, James
Mason, James
McWilliams, Rebecca
Moffett, Michael
Myler, Mel
Payeur, Stephanie
Polozov, Yury
Richards, Beth
Roesener, James
Schuett, Dianne
Seaworth, Brian
See, Alvin
Soucy, Timothy
Walsh, Thomas
Testerman, Dave
Wallner, Mary Jane
Wood, Clayton

ROCKINGHAM

Balboni, Peggy
Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Thomas, Douglas
DiLorenzo, Charlotte
Donnelly, Tanya
Drago, Mike
Dunn, Ron
Edgar, Michael
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Guthrie, Joseph
Hamblet, Joan
Haskins, Linda
Hobson, Deb
Murray, Kate
Perez, Kristine
Knab, Allison
Layon, Erica
Love, David
Paige, Mark
Malloy, Dennis
Mandelbaum, Jennifer
Manos, Zoe
McBeath, Rebecca
Melvin, Charles
Meuse, David
Muns, Chris
O'Neil, Candice
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Quaratiello, Arlene
Rafter, Hal
Simpson, Alexis
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
True, Chris
Tudor, Paul
Vandecasteele, Susan
MacDonald, Wayne
Wallace, Scott
Ward, Gerald
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bailey, Glenn
Bay, Luz
Bickford, David
Bixby, Peter
Burnham, Claudine
Rich, Cecilia
Cannon, Gerri
Conlin, Bill
Connor, James
Fitzpatrick, Daniel
Smith, Geoffrey
Granger, Michael
Grassie, Chuck
Howard, Heath
Harrington, Michael
Horgan, James
Horrigan, Timothy
Howland, Allan
Kaczynski, Thomas
Kenney, Cam
Turcotte, Len
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Newton, Clifford
Schmidt, Peter
Pare, Gail
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley
Selig, Loren
Southworth, Thomas
Vincent, Kenneth
Wall, Janet

SULLIVAN

Aron, Judy
Sullivan, Brian
Cloutier, John
Damon, Hope
Merchant, Gary
Spilsbury, Walter
Tanner, Linda

and the majority committee report failed.
Rep. Sherry Gould voted Yea and intended to vote Nay.

Rep. Selig moved the minority committee report of Inexpedient to Legislate.
Minority committee report was adopted.

SB 340, relative to communication between parents and school districts regarding special education. **OUGHT TO PASS.**
Rep. Glenn Cordelli for Education. This bill provides that the school district may provide information regarding a child's special education program by electronic mail unless the parent elects to receive such information by U.S. mail. Vote 20-0.

The question being adoption of the committee report of Ought to Pass.
Rep. Ladd offered floor amendment (1995h).

Floor Amendment (1995h)

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

AN ACT relative to communication between parents and school districts regarding special education, special education reporting requirements, and the office of the advocate for special education.

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

1 New Paragraphs; Individualized Education Programs; Notice Requirement and Use of Special Education Information System. Amend RSA 186-C:7 by inserting after paragraph IV the following new paragraphs:

V. The school district may provide the written notice and records regarding the child's individualized education program required under this chapter to the parent by electronic mail, unless the parent elects to receive such information by U.S. mail.

VI. To assist parents and schools, local school districts shall notify the department through the special education information system that an individualized education program, educational placement, identification, or evaluation of a child has been rejected by the parent within 5 instruction days of the decision. Within 30 business days following notification, the department shall communicate to the parent a description of the available resolution processes and sources for information or assistance in pursuing resolution. The department may use personally identifiable information in the special education information system to mail or email the parent the description of the referenced dispute resolution process.

2 Department of Education; Annual Report Regarding Special Education. Amend RSA 186-C:3-a, II-a(a) to read as follows:

(a) In addition to the requirements of paragraph II, the department of education shall [~~annually~~] submit [~~a~~] ***an annual*** report ***by September 1,*** to the commissioner of the department and the state board of education that:

(1) Shows the identification of children with disabilities analyzed according to the following criteria: age and grade level, and number and percentage of the total number of children with disabilities in each disability category.

(2) Includes expenditures for special education as reported to the department of education by school districts and state and federal revenues for special education received by school districts.

(3) Shows the annual progress and compliance on the state's performance plan required by 20 U.S.C. section 1416(b), 20 U.S.C. section 1412(a)(15), and 20 U.S.C. section 1416(a)(3).

(4) Shows the progress and compliance with the requirements in the [~~No Child Left Behind Act of 2001~~] ***Every Student Succeeds Act (ESSA) of 2015***, 20 U.S.C. section 6311(b), and RSA 193-E:3***,*** and RSA 193-H:2***,*** with respect to children with disabilities.

(5) Shows the number and category of parental refusals or partial refusals of services or placements for students with disabilities proposed in individualized education programs (IEPs) and tracks the resolution of those parental refusals, including the timeline for resolution through dispute resolution methods provided by or overseen by the department.

3 Office of the Advocate for Special Education. Amend RSA 186-C:38, I(d) to read as follows:

(d) Have authority to inquire of, investigate, and review all documents from any school, district, or [~~special education department in this state. The advocate shall have access to all IEP documents, 504 plans, related supports and services, treatment plans, progress reports, and report cards of all students with disabilities.~~] ***the department consistent with state and federal laws. Any required parental consent for access shall be obtained by the advocate and provided to the department. The department and advocate shall enter into a memorandum of understanding for access to student records maintained by the department.***

4 Advocate for Special Education. Amend RSA 186-C:39, II to read as follows:

II. The annual report shall also include a summary of the parent complaints being filed against schools by families in regard to these services. The complaints shall remain confidential and shall not be made available to the public. For purposes of this section, the complaints are as to the lack of compliance of IEP and 504 plans or the denial of eligibility and/or lack of services. ***To assist in the fulfillment of the duty to prepare this annual report, the advocate shall be provided, upon request, reports generated from***

any databases maintained at the department that pertain to complaints and resolution of disputes regarding the provision of special education and related services. Such reports to the advocate may include personally identifiable data, including but not limited to district of liability and student identification numbers if so requested by the advocate for purposes of the advocate's understanding of the resolution of complaints. Any personally identifiable student information shall be fully redacted or not included in the aggregate data provided in the advocate's annual report.

5 Local School District Alternative Dispute Resolution Programs. Amend RSA 186-C:23-a to read as follows:

186-C:23-a Local School District Alternative Dispute Resolution Programs.

I. Each school district in New Hampshire [~~is encouraged to~~] ***may*** develop options for alternative dispute resolutions which can be utilized at the local district level. A plan outlining these methods [~~may~~] ***shall*** be submitted to the department of education for review. The department shall provide technical assistance at the request of the school districts in developing and implementing these alternative dispute resolution options.

II. Local school districts [~~and parents are encouraged to~~] ***shall*** submit to the department of education information relating to methods of alternative dispute resolution [~~which have proven to be effective~~] ***that have been used within the district each year, including the topic of the dispute and resolution, if any***. Pursuant to RSA 21-N:7, II, the department shall develop a system whereby such information can be collected[~~,~~] ***and*** compiled[~~, and disseminated to local school districts~~].

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

AMENDED ANALYSIS'

This bill:

I. Provides that the school district may provide information regarding a child's special education program by electronic mail unless the parent elects to receive such information by U.S. mail.

II. Expands certain special education reporting requirements by local districts, the department of education, and the advocate for special education.

III. Directs the department of education and advocate for special education to enter into a memorandum of understanding regarding access to student records maintained by the department.

The question being adoption of floor amendment (1995h).
Rep. Myler spoke against.
Rep. Drye spoke in favor and yielded to questions.
On a division vote, with 184 members having voted in the affirmative, and 177 in the negative, floor amendment (1995h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
On a division vote, with 186 members having voted in the affirmative, and 176 in the negative, the committee report was adopted, and the bill was ordered to third reading.

CACR 22, relating to the New Hampshire presidential primary. Providing that the New Hampshire presidential primary shall be the first presidential primary of a presidential election cycle. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: With our First in the Nation Primary coming under attack, it is imperative that we take further steps to protect New Hampshire's status and place in the primary calendar. New Hampshire is a small state and without a First in the Nation Primary, we would likely be overlooked and forgotten and thus those voting for passage believe that we need to further elevate the primary into the Constitution.

Rep. James Qualey

Statement in support of Refer for Interim Study: This CACR would place the First in the Nation (FITN) presidential primary into the New Hampshire Constitution for reasons that were not fully articulated in the committee. In fact, in March the committee voted unanimously to find this CACR Inexpedient To Legislate for the reasons that are set out in this report. While those voting for Interim Study emphatically endorse the policy of FITN primary and support the long-standing existing statute that enshrines that policy, they do not believe the venerable New Hampshire State Constitution of 1784 is the proper location for a policy affecting political parties. Constitutions are fundamental laws that are meant to lay down basic principles of government that last not only for a season, but for centuries. Constitutions are not the proper place to insert policies, including policies about political party nominations. To let constitutions be the location for announcing policy commitments, however urgently or unanimously held, will mean that constitutions change constantly. And with each new change, the New Hampshire Constitution will lose a measure of its standing in the public mind, becoming more confusing as it becomes longer. Nowhere in our United States Constitution is there a reference to the operation of a political party. We already have a statute in New Hampshire that accomplishes the same purpose as this proposed constitutional amendment, which has worked well since it was enacted in 1975. Both major political parties have faced resistance from their national leaders about New Hampshire being the FITN primary and have been successful each time in having their delegates

seated--without a constitutional amendment. Placing this into the New Hampshire Constitution does not bind other states or the leadership of any party. In addition, we have no idea who will pay for the campaign for this constitutional amendment, which will probably run into the millions of dollars. And, what if it fails? A failure will provide fuel to national FITN opponents and potentially jeopardize the primary moving forward. The FITN primary is a critical part of New Hampshire's culture and economy. We should not risk losing it with a bill that is not enforceable against any state or political party, and which gives us no additional advantage in securing FITN status.

Rep. Connie Lane

Rep. Steven Smith moved Ought to Pass.

MOTION TO LAY ON THE TABLE

Rep. Lane moved that **CACR 22,** relating to the New Hampshire presidential primary. Providing that the New Hampshire presidential primary shall be the first presidential primary of a presidential election cycle, be laid on the table.

Rep. Summers requested a roll call; sufficiently seconded.

YEAS 175 - NAYS 187

YEAS - 175

BELKNAP

St. Clair, Charlie

CARROLL

Paige, David | McAleer, Chris | Woodcock, Stephen

CHESHIRE

Abbott, Michael | Ames, Richard | Harvey, Cathryn | Fox, Dru
Eaton, Daniel | Faulkner, Barry | Germana, Nicholas | Monteil, Renee
Newell, Jodi | Parshall, Lucius | Schapiro, Joe | Tatro, Bruce
Toll, Amanda | Weber, Lucy

COOS

Kelley, Eamon | Noël, Henry

GRAFTON

Almy, Susan | Baldwin, Heather | Bolton, Bill | Cormen, Thomas
Fellows, Sallie | Fracht, David | Hakken-Phillips, Mary | Murphy, James
Sullivan, Jared | Lovett, Peter | Massimilla, Linda | Morse, Corinne
Muirhead, Russell | Stavis, Laurel | Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra | Nutting-Wong, Allison | Baroody, Benjamin | Beauchemin, Paige
Beaulieu, Jane | Bouchard, Donald | Bradley, Amy | Calabro, Karen
Chretien, Jacqueline | Cornell, Patricia | Darby, Will | Devine, Shelley
DiSilvestro, Linda | Dutzy, Sherry | Elberger, Susan | Davis, Fred
Gibbons, Candace | Goley, Jeffrey | Gregg, Alicia | Grill, Jessica
Harriott-Gathright, Linda | Heath, Mary | Herbert, Christopher | Jack, Martin
Smith, Juliet | Juris, Louis | Foxx, Loren | Lanza, Judi
Leapley, Nicole | LeClerc, Daniel | Leishman, Peter | Long, Patrick
Howard, Molly | Murray, Megan | MacKenzie, Mark | Mangipudi, Latha
McGhee, Kat | Ming, Ben | Morton, Jennifer | Murphy, Nancy
Nutter-Upham, Frances | Pedersen, Michael | Petrigno, Peter | Plamondon, Marc
Plett, Fred | Preece, David | Newman, Ray | Raymond, Heather
Rombeau, Catherine | Rung, Rosemarie | Ryan, Linda | Newman, Sue
Seibert, Christine | Sofikitis, Catherine | Spier, Carry | Staub, Kathy
Telerski, Laura | Tellez, Trinidad | Vail, Suzanne | Thomas, Wendy
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson | Brennan, Angela | McGuire, Carol | Caplan, Tony
Ebel, Karen | Gallager, Eric | Gibbs, Merryl | Hall, Muriel
Hicks, Matthew | Lane, Connie | Luneau, David | MacKay, James
McWilliams, Rebecca | Myler, Mel | Payeur, Stephanie | Polozov, Yury
Richards, Beth | Roesener, James | Schamberg, Thomas | Schuett, Dianne
Shurtleff, Steve | Soucy, Timothy | Wallner, Mary Jane | Wolf, Dan

ROCKINGHAM

Balboni, Peggy | DiLorenzo, Charlotte | Edgar, Michael | Gilman, Julie
Grossman, Gaby | Grote, Jaci | Hamblet, Joan | Haskins, Linda

Janvrin, Jason
Paige, Mark
Manos, Zoe
O'Neil, Candice
Turer, Eric
Murray, Kate
Maggiore, Jim
McBeath, Rebecca
Rafter, Hal
Ward, Gerald
Knab, Allison
Malloy, Dennis
Meuse, David
Raynolds, Ned
Cahill, Michael
Mandelbaum, Jennifer
Muns, Chris
Simpson, Alexis

STRAFFORD

Bay, Luz
Conlin, Bill
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Bixby, Peter
Fitzpatrick, Daniel
Harrington, Michael
Kenney, Cam
Schmidt, Peter
Vincent, Kenneth
Rich, Cecilia
Smith, Geoffrey
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail
Wall, Janet
Cannon, Gerri
Grassie, Chuck
Howland, Allan
Levesque, Cassandra
Selig, Loren

SULLIVAN

Sullivan, Brian
Palmer, William
Cloutier, John
Tanner, Linda
Damon, Hope
Merchant, Gary

NAYS - 187

BELKNAP

Bean, Harry
Comtois, Barbara
Nagel, David
Terry, Paul
Bogert, Steven
Dumais, Russell
Ploszaj, Tom
Varney, Peter
Bordes, Mike
Harvey-Bolia, Juliet
Beaudoin, Richard
Coker, Matthew
McCarter, Nikki
Smart, Lisa

CARROLL

Avellani, Lino
MacDonald, John
Cordelli, Glenn
Smith, Jonathan
Costable, Michael
Peternel, Katy
Crawford, Karel
Brown, Richard

CHESHIRE

Hunt, John
Nutting, Zachary
Qualey, James
Rhodes, Jennifer
Thackston, Dick

COOS

Davis, Arnold
Durkin, Sean
King, Seth
Tierney, James

GRAFTON

Berezhny, Lex
Ladd, Rick
Brown, Carroll
Rochefort, David
Coulon, Matthew
Sellers, John
Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kenny, Catherine
Lewicke, John
McLean, Mark
Panek, Sandra
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey
Abare, Kimberly
King, Bill
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Kofalt, Jim
Perez, Maria
Mooney, Maureen
Pauer, Diane
Reid, Karen
Sirois, Shane
Wheeler, Jonah
Alexander, Joe
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Infantine, William
Gould, Linda
Mazur, Lisa
Noble, Kristin
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert
Ammon, Keith
Cole, Brian
Kelley, Diane
Gagne, Larry
Kennedy, Stephen
Lascelles, Richard
McGough, Tim
Notter, Jeanine
Proulx, Mark
Seidel, Sheila
Mannion, Tom

MERRIMACK

Andrus, Louise
Carey, Lorrie
Hoell, J.R.
Boyd, Stephen
Walsh, Thomas
Aures, Cyril
McGuire, Dan
Leavitt, John
Gould, Sherry
Testerman, Dave
Aylward, Deborah
Gerhard, Jason
Mason, James
Seaworth, Brian
Wood, Clayton
Cambrils, Jose
Hill, Gregory
Moffett, Michael
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Foote, Charles
Nelson, Jodi
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Bernardy, JD
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Janigian, John
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Brouillard, Jacob
Donnelly, Tanya
Edwards, Jess
Harb, Robert
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Phillips, Emily
Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Piemonte, Tony

Popovici-Muller, Daniel	Porcelli, Susan	Potucek, John	Pratt, Kevin
Prudhomme-O'Brien, Katherine	Quaratiello, Arlene	Roy, Terry	Pearson, Stephen
Soti, Julius	Spillane, James	Summers, James	Sweeney, Joe
Sytek, John	Cahill, Tim	Dolan, Tom	Tripp, Richard
True, Chris	Tudor, Paul	Vallone, Mark	Vandecasteele, Susan
Verville, Kevin	Vose, Michael	MacDonald, Wayne	Wallace, Scott
Weyler, Kenneth	Yokela, Josh		

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	Bickford, David	Burnham, Claudine
Connor, James	Granger, Michael	Horgan, James	Kaczynski, Thomas
Turcotte, Len	Newton, Clifford	Phinney, Brandon	Pitre, Joseph
Potenza, Kelley			

SULLIVAN

Aron, Judy	Drye, Margaret	Rollins, Skip	Smith, Steven
Spilsbury, Walter	Stapleton, Walter	Stone, Jonathan	

and the motion failed.

The question being adoption of the motion of Ought to Pass.
Rep. Muirhead spoke against.
Rep. Steven Smith spoke in favor.
Rep. Ammon requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 165

YEAS - 195

BELKNAP

Bean, Harry	Bogert, Steven	Bordes, Mike	Coker, Matthew
Comtois, Barbara	Dumais, Russell	Harvey-Bolia, Juliet	McCarter, Nikki
Nagel, David	Ploszaj, Tom	Beaudoin, Richard	Smart, Lisa
Terry, Paul	Varney, Peter		

CARROLL

Avellani, Lino	Cordelli, Glenn	Costable, Michael	Crawford, Karel
MacDonald, John	Smith, Jonathan	Peternel, Katy	Brown, Richard

CHESHIRE

Abbott, Michael	Hunt, John	Qualey, James	Rhodes, Jennifer
Thackston, Dick	Nutting, Zachary		

COOS

Davis, Arnold	Durkin, Sean	Kelley, Eamon	King, Seth
Tierney, James			

GRAFTON

Berezhny, Lex	Brown, Carroll	Coulon, Matthew	Greeson, Jeffrey
Ladd, Rick	Massimilla, Linda	Morse, Corinne	Rochefort, David
Sellers, John	Simon, Matthew		

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Ammon, Keith	Boyd, Bill
King, Bill	Colcombe, Riché	Cole, Brian	Corcoran, Travis
Creighton, Jim	Cushman, Leah	Kelley, Diane	Erf, Keith
Fedolfi, Jim	Griffin, Gerald	Gagne, Larry	Gorski, Ted
Healey, Robert	Infantine, William	Kennedy, Stephen	Kenny, Catherine
Kofalt, Jim	Gould, Linda	Lascelles, Richard	Leishman, Peter
Lewicke, John	Mazur, Lisa	McGough, Tim	McLean, Mark
Mooney, Maureen	Noble, Kristin	Notter, Jeanine	Panek, Sandra
Pauer, Diane	Petrigno, Peter	Plamondon, Marc	Post, Lisa
Proulx, Mark	Prout, Andrew	Reid, Karen	Renzullo, Andrew
Seidel, Sheila	Sheehan, Vanessa	Sirois, Shane	Lekas, Tony
Mannion, Tom	Tenczar, Jeffrey	Wheeler, Jonah	Wherry, Robert

MERRIMACK

Turcotte, Alisson	Andrus, Louise	Aures, Cyril	Aylward, Deborah
McGuire, Carol	Cambrils, Jose	Carey, Lorrie	McGuire, Dan
Gerhard, Jason	Hill, Gregory	Hoell, J.R.	Leavitt, John
Mason, James	Moffett, Michael	Boyd, Stephen	Gould, Sherry
Seaworth, Brian	See, Alvin	Walsh, Thomas	Testerman, Dave
Wood, Clayton			

ROCKINGHAM

Ball, Lorie
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Guthrie, Joseph
Harb, Robert
Hobson, Deb
Nelson, Jodi
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Knab, Allison
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lundgren, David
Lynn, Bob
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Milz, David
Ford, Oliver
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Quaratiello, Arlene
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Sytek, John
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vallone, Mark
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bailey, Glenn
Bickford, David
Burnham, Claudine
Connor, James
Granger, Michael
Horgan, James
Kaczynski, Thomas
Kenney, Cam
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Smith, Steven
Stapleton, Walter
Stone, Jonathan

NAYS - 165

BELKNAP

St. Clair, Charlie

CARROLL

Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Ames, Richard
Harvey, Cathryn
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Germana, Nicholas
Monteil, Renee
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Tatro, Bruce
Toll, Amanda
Weber, Lucy

COOS

Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Murphy, James
Sullivan, Jared
Lovett, Peter
Muirhead, Russell
Stavis, Laurel
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Darby, Will
Devine, Shelley
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Gibbons, Candace
Goley, Jeffrey
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Long, Patrick
Howard, Molly
Murray, Megan
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Thomas, Wendy
Wilhelm, Matthew

MERRIMACK

Brennan, Angela
Caplan, Tony
Gallager, Eric
Gibbs, Merryl
Hall, Muriel
Hicks, Matthew
Lane, Connie
Luneau, David

MacKay, James	McWilliams, Rebecca	Myler, Mel	Payeur, Stephanie
Polozov, Yury	Richards, Beth	Roesener, James	Schamberg, Thomas
Schuett, Dianne	Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane
Wolf, Dan			

ROCKINGHAM

Balboni, Peggy	Bernardy, JD	DiLorenzo, Charlotte	Edgar, Michael
Gilman, Julie	Grossman, Gaby	Grote, Jaci	Hamblet, Joan
Haskins, Linda	Murray, Kate	Cahill, Michael	Paige, Mark
Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe
McBeath, Rebecca	Meuse, David	Muns, Chris	O'Neil, Candice
Rafter, Hal	Raynolds, Ned	Simpson, Alexis	Turer, Eric
Ward, Gerald			

STRAFFORD

Bay, Luz	Bixby, Peter	Rich, Cecilia	Cannon, Gerri
Conlin, Bill	Fitzpatrick, Daniel	Smith, Geoffrey	Grassie, Chuck
Howard, Heath	Harrington, Michael	Horrigan, Timothy	Howland, Allan
Johnson, Erik	LaMontagne, Jessica	Levesque, Cassandra	Smith, Marjorie
Schmidt, Peter	Pare, Gail	Selig, Loren	Southworth, Thomas
Vincent, Kenneth	Wall, Janet		

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Merchant, Gary
Palmer, William	Spilsbury, Walter	Tanner, Linda	

and the motion failed lacking the necessary three-fifths vote.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Ladd moved that the House reconsider its action whereby, on a division vote of 186-178, the House adopted the committee report of Ought to Pass with Amendment on **SB 340,** relative to communication between parents and school districts regarding special education, special education reporting requirements, and the office of the advocate for special education.

Rep. Ladd spoke against.

On a division vote, with 176 members having voted in the affirmative, and 188 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

SB 373, relative to the state building code. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherry Gould for Executive Departments and Administration. This bill requires the building code review board to adopt an amendment to the state building code which limits air leakage to five air changes per hour, rather than the three specified in the current energy code. This requirement has resulted in excessively tight buildings, which retain excessive moisture and pollutants; it is no longer recommended as a standard, and in fact the 2021 energy code specifies five air changes per hour. The building code review board (BCRB) decided against the 2021 energy code and also that individual elements of that code would not be separately adopted, no matter how sensible. The committee reviewed this specification, which has been recommended by New Hampshire homebuilders, the CDC, and the EPA, among others, as better for the health of the residents. and decided that it is our responsibility to overrule the BCRB when appropriate. This specification will amend the state building and energy codes, not statute, for the convenience of all people using the codes. The amendment restores HB 1252, a study committee for Native American affairs in New Hampshire that overwhelmingly passed the House on a voice vote and was killed on the other side of the wall. The amendment does not change the original bill language regarding important changes to the building code. Vote 13-2.

Amendment (1855h)

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

AN ACT relative to the state building code and establishing a committee to study the needs of Native Americans in New Hampshire.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 7:

2 Committee Established. There is established a committee to study the needs of Native Americans in New Hampshire.

3 Membership and Compensation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be from the state-federal relations and veterans affairs committee, one from the executive departments and administration committee, and one other member of the house of representatives.

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

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

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

I. Discussions with Native American communities in New Hampshire.

II. Discussions with directors of state offices or their designees concerning information relevant to the duties of this committee.

III. Investigation of the issue of state recognition or other acknowledgment of New Hampshire Native Americans, including the effects such recognition or acknowledgment might have on the application of federal law to New Hampshire Native Americans.

IV. Review of the duties, activities, and composition of the New Hampshire commission on Native American affairs.

V. Suggestion of legislation in order to help meet needs identified in the study.

5 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Two members of the committee shall constitute a quorum.

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2024.

AMENDED ANALYSIS

This bill updates the state building code definition and establishes a committee to review the needs of Native Americans in New Hampshire and to review the duties, activities, and composition of the New Hampshire commission on Native American affairs.

The question being adoption of committee amendment (1855h).
Rep. Sofikitis spoke against.
Rep. Sherry Gould spoke in favor.
On a division vote, with 150 members having voted in the affirmative, and 215 in the negative, the committee amendment failed.

The question now being adoption of the committee report of Ought to Pass.
Committee report was adopted, and the bill was ordered to third reading.

SB 440, relative to the board of optometry and the regulation of optometry. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**
Rep. Tony Lekas for the Majority of Executive Departments and Administration. This bill, as amended, would permit optometrists to perform certain procedures that they are not currently permitted to do. However, that is only after the board of optometry completes rulemaking under the RSA 541-A process that involves public input on the proposed rules, a public hearing on them, the board responding to the public input, and a review by the legislature through the Joint Legislative Committee on Administrative Rules. The bill requires that the rules include the establishment of criteria to perform ophthalmic procedures with proficiency which must include the establishment of minimum education, training, and live experience requirements for a person to perform such procedures with proficiency, This means that before any optometrist who wants to perform these procedures may do so, they must not only have completed the required education and training, but they must have performed them on patients under supervision. No optometrists may perform any of these procedures unless they have been certified by the board as having completed all requirements to be certified to do them. Doing so would be grounds for suspension or revocation of their license. The bill also includes a list of procedures and types of procedures that optometrists may not perform. This sets limits on what the board of optometry may create rules to certify. The committee heard testimony that ophthalmologists spend significantly longer in school and practical training than optometrists. That is true, but we also heard that the scope of practice of an ophthalmologist is vastly greater than that of an optometrist's, even if this bill becomes law. Ophthalmologists first become medical doctors, which means that they are trained to treat any part of the human body, not just the eyes. Optometrists do not need all of that training because their scope is limited to the eye and related areas. Even in the treatment of problems related to the eye, ophthalmologists are permitted to perform many procedures, particularly complex ones, that an optometrist is not and will not be performing even if this bill goes into effect. The significant education and training that optometrists are required to receive are largely related to treatment of the eye and not the rest of a person. The committee also heard concerns that there are few schools that offer the education and training that this bill would require. That is because until recently only a couple of states permitted optometrists to have the scope of practice this bill would allow. As a result, schools of optometry were not permitted to provide that education and training because it was not legal in the state they were located in, or they didn't offer it because the op-

tometrists they graduate would not be permitted to do them in much of the country. We heard this described as a chicken or egg problem. That situation is changing. We heard that currently 12 states permit some or all of these procedures to be done by optometrists and there is an expectation that number will increase. We do not expect that the number of optometrists who do these additional procedures in New Hampshire will grow quickly. Before any can the rulemaking process will need to be completed. That is likely to take more than a year. Ophthalmologists will almost certainly be involved in providing input and comment on those rules. We heard from the board that they plan to start with the education and training currently required of ophthalmologists for those procedures. Before any optometrists may perform these procedures, they would have to meet the education and training requirements defined in the rules, including performing procedures on people under supervision. Now that more states are permitting these procedures, schools of optometry are expected to expand the education and training they offer. Before that can happen, states need to permit the procedures to be done if opportunities for the necessary education and training are to become available. The population of this state is aging. Unfortunately, as we age, we tend to need more care for problems with our eyes. Expanding the procedures that optometrists may perform can increase access to that care. The committee heard that not only are there few ophthalmologists in the rural parts of the state and that some of those that are available are not taking new referrals, but we also heard that there are access problems even in urban areas such as Manchester. Those access problems are due less to the lack of nearby ophthalmologists but due to cost. We heard that there were optometrists that had the training to do needed procedures and who were willing to do them at a lower cost for those with difficulty paying but were not permitted to do so under current statute. Members of the committee many other members of this body have seen many emails, other communication, and even social media advertisements, that send the message that this bill would permit people who are untrained to do eye surgery. This bill, as amended, absolutely does not do that. The committee worked to assure that before anyone is permitted to perform any such procedures on anyone's eye, they will have the education and training, including actually performing them on people under supervision, with proficiency before they are licensed and certified to do them unsupervised. Vote 14-6.

Rep. Dianne Schuett for the Minority of Executive Departments and Administration. The bipartisan minority disagrees with passage of this bill at this time. Concerns about access to care which the bill addresses are valid. However, the committee only had time for one lengthy subcommittee meeting which was not enough time to delve into all of the procedures involved in this bill. For example, clinical experience for training is only available at 2 schools far from the northeast. It seems we are rushing to provide convenience over qualification and putting public safety at risk. We believe an Interim Study could honestly examine these very complicated issues.

Majority Amendment (1815h)

Amend RSA 327:1, IV(b) as inserted by section 6 of the bill by replacing it with the following:

(b) Shall not mean the following ophthalmic surgery procedures, except for the preoperative and postoperative care, of:

(1) The following procedures:

(A) Retina laser procedures.

(B) Penetrating keratoplasty or corneal transplant.

(C) The administration of general anesthesia.

(D) Surgery done with general anesthesia.

(E) Laser or non-laser procedures into the vitreous chamber of the eye to treat any retinal or macular disease.

(F) Any form of refractive surgery, including laser-assisted in situ keratomileusis, photorefractive keratectomy, and laser epithelial keratomileusis.

(2) The following non-laser surgical procedures:

(A) Surgery related to removal of the eye from a living human being.

(B) Surgery requiring full thickness incision or excision of the cornea or sclera other than paracentesis in an emergency situation requiring immediate reduction of the pressure inside the eye.

(C) Surgery requiring incision of the iris and ciliary body, including diathermy or cryotherapy.

(D) Surgery of the vitreous or injections into the vitreous.

(E) Surgery of the retina.

(F) Surgical extraction of the crystalline lens.

(G) Surgical intraocular implants.

(H) Surgery of the extraocular muscles.

(I) Surgery of the eyelid for suspect or confirmed malignancies or incisional cosmetic or mechanical repair of eyelids including blepharoplasty, ptosis repair, canthoplasty, and tarsorrhaphy.

(J) Surgery of or within the orbit, including orbital implants.

(K) Incisional or excisional surgery of the lacrimal system other than probing or related procedures.

(L) Surgery requiring full thickness incision or excision of the conjunctiva.

(M) Surgery to remove pterygium.

Amend the bill by replacing section 8 with the following:

8 Optometry; Examinations and Licenses; Authorization for Pharmaceutical Agents. Amend RSA 327:6-a, II to read as follows:

II. An optometrist licensed to practice optometry prior to January 1, 1993, shall complete a post-graduate course of study approved by the board covering the subjects of ocular pharmacology and the treatment and management of eye diseases and shall pass an examination administered by the National Board of Examiners in Optometry or its successor and approved by the board. [~~Every optometrist licensed to practice optometry after January 1, 1993, shall pass an examination administered by the National Board of Examiners in Optometry or its successor and approved by the board. To meet the requirements of this section, an approved course shall be given by an accredited school or college of optometry in the United States and shall consist of a minimum of 105 hours, of which a minimum of 25 hours shall be in direct clinical training.~~] The board shall adopt rules, under RSA 541-A, to carry out the provisions of this section and to [~~insure~~] ***ensure*** the safety of the public.

Amend the bill by replacing section 11 with the following:

11 New Section; Optometry; Examinations and Licenses; Authorization to Perform Ophthalmic Procedures. Amend RSA 327 by inserting after section 6-c the following new section:

327:6-d Authorization to Perform Ophthalmic Procedures.

I. Unless otherwise specified in this chapter, the board shall have the authority to determine what constitutes the practice of optometry by persons licensed under this chapter, consistent with curriculum of nationally accredited schools and colleges of optometry. The board of optometry shall adopt rules under RSA 541-A establishing the credentialing certification which shall be fulfilled before a person may be certified to perform ophthalmic procedures for the practice of optometry, including:

(a) Identification and categorization of ophthalmic procedures for the practice of optometry;

(b) Establishment of criteria to perform such procedures with proficiency;

(c) Establishment of minimum education, training, and live experience requirements for a person to perform such procedures with proficiency;

(d) Criteria for requiring proctoring and criteria for requiring such proctoring; and

(e) Outcome reporting requirements for such procedures performed by certificate holders.

II. No optometrist shall practice under this section unless the optometrist has submitted evidence of satisfactory completion of all requirements for specific procedures and the office has certified the optometrist as qualified.

Amend the bill by replacing section 12 with the following:

12 Optometry; License Renewal; Disciplinary Action. Amend RSA 327:20, II(i) to read as follows:

(i) The use of any pharmaceutical agent by an optometrist not authorized under RSA 327:6-a or the use of any pharmaceutical agent other than those agents described in RSA 327:1 or those previously approved by the [~~joint credentialing committee~~] ***board***.

(j) Performing authorized ophthalmic procedures without certification based upon the requirements outlined in RSA 327:6-d shall be grounds for suspension or revocation of an optometry license and/or certification to perform authorized ophthalmic procedures.

Amend the bill by replacing section 13 with the following:

13 Optometry; Regulations and Penalties; Contact Lens Prescriptions to be Provided to Patient. Amend RSA 327:25-a, IV to read as follows:

IV.(a) No person shall conduct or operate a business outside of the state for the sale at retail of contact lenses to individuals within the state unless such business is registered with a permit issued by the [~~board of pharmacy if the out-of-state business is a pharmacy, or by the board of registration in optometry if the out-of-state business is not a pharmacy~~] ***office of professional licensure and certification***.

(b) The [~~board of pharmacy or the board of registration in optometry~~] ***office*** shall issue a permit to such out-of-state business if the business discloses and provides proof:

(1) That the business is in compliance with all applicable laws and rules in the state in which the business is located;

(2) Of the operating locations and the names and titles of all principal corporate officers;

(3) That the business complies with all lawful directions and requests for information from the board of pharmacy and the board of [~~registration in~~] optometry***, or other applicable licensing authority,*** of all states in which it conducts business;

(4) That the business agrees in writing to comply with all New Hampshire laws and rules relating to the sale or dispensing of contact lenses; and

(5) That the business has paid the established fee.

Amend the bill by replacing all after section 14 with the following:

15 Optometry; Regulation and Penalties; Rulemaking Authority. Amend RSA 327:31, V to read as follows:

V. Requirements for continuing education in addition to those requirements set by RSA 327:33[~~ and RSA 327:33-a~~];

16 Optometry; Regulations and Penalties; Continuing Education Courses Required. RSA 327:33 is repealed and reenacted to read as follows:

327:33 Continuing Education Courses Required.

An optometrist shall complete a minimum of 20 hours of continuing education by participation in formal synchronous courses each year in order to maintain an active license.

17 Repeal. The following are repealed:

I. RSA 327:6-b, relative to the optometry joint credentialing committee.

II. RSA 327:33-a, relative to continuing education courses required for pharmaceutical and glaucoma certification.

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

MOTION TO LAY ON THE TABLE

Rep. Nagel moved that **SB 440,** relative to the board of optometry and the regulation of optometry, be laid on the table.

On a division vote, with 224 members having voted in the affirmative, and 137 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 134-FN, relative to disability pensions for public safety employees who are victims of violence. **OUGHT TO PASS.**

Rep. Joe Sweeney for Finance. This bill creates several new provisions for violent liability/death benefits. One, it creates a new category of disability pensions relating to Group II members that are disabled due to a "violent injury" that is likely to be permanent before attaining normal retirement age. Eligible members would receive a benefit equal to 100% of "regular compensation" or an annual allowance of $75,000, which ever is greater, with an annual 2.5% cost of living adjustment. In addition, the surviving beneficiaries are eligible for a 75% survivor benefit upon the death of the member/retiree. Two, it expands the Group II accidental death benefit to members who have not attained the normal retirement age, upon the death of a violently injured police or fire member, will receive a state annuity payable equal to 75% of the members annual allowance calculated as if the member had retired under a violent act injury disability. Lastly, this bill expands the medical insurance benefits for violently injured members to include eligibility for the retiree health benefit plan regardless of their age and number of years of creditable service with the state. During testimony, it was made clear to the committee that only 2 retirees would currently qualify for this benefit. Vote 25-0.

The question being adoption of the committee report of Ought to Pass.

Rep. Spillane offered floor amendment (2098h).

Floor Amendment (2098h)

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

AN ACT relative to disability pensions for public safety employees who are victims of violence, and to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.

Amend the bill by replacing all after section 9 with the following:

10 Child Protection Act; Reporting Law; Nature of Report; Liability. Amend RSA 169-C:30 and RSA 169-C:31 to read as follows:

169-C:30 Nature and Content of Report. An oral report shall be made immediately by telephone or otherwise, and followed within 48 hours by a report in writing, if so requested, to the department. Such report shall, if known, contain the name and address of the child suspected of being neglected or abused and the person responsible for the child's welfare, the specific information indicating neglect or the nature and extent of the child's injuries (including any evidence of previous injuries), the identity of the person or persons suspected of being responsible for such neglect or abuse, and any other information that might be helpful in establishing neglect or abuse or that may be required by the department. ***Reports made to the department may include the name, address, or phone number of the person or persons making the report of suspected abuse or neglect of a child under this chapter. The department shall inform the complainant that should the complaint be made maliciously or with the intent to harm, the complainant may be subject to criminal and civil penalties.***

169-C:31 Immunity From Liability.

I. Anyone participating in good faith in the making of a report pursuant to this chapter or who provides information or assistance, including medical evaluations or consultations, in connection with a report, inves-

tigation, or legal intervention pursuant to a good faith report of child abuse or neglect, is immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant has the same immunity with respect to participation in any investigation by the department or judicial proceeding resulting from such report.

II. Nothing in this section shall provide civil or criminal immunity for a professional mandatory reporter who knowingly fails to make a report of suspected abuse or neglect under RSA 169-C:29 or for a person who knowingly files a false report of abuse or neglect with malice or the intent to harm under RSA 169-C:31-a.

11 New Sections; Child Abuse; Intentional False Report; Civil Liability. Amend RSA 169-C by inserting after section 31 the following new sections:

169-C:31-a Intentional False Report of Abuse or Neglect. No person shall maliciously or with the intent to harm make false statements of suspected child abuse or neglect as defined by RSA 169-C:3 to the department, to any court, to any law enforcement agency, to any social services agency, or to any professional mandatory reporter of suspected child abuse identified in RSA 169-C:29. Any person in violation of this section may be subject to civil and criminal liability under RSA 169-C:31-b and RSA 169-C:39, respectively.

169-C:31-b Civil Liability.

I. Any person harmed by the intentional submission of a false report of abuse or neglect under RSA 169-C:31-a may bring a civil action against the responsible party for monetary damages and other appropriate relief.

II. Any person who, in their professional capacity as a mandatory reporter under RSA 169-C:29, knowingly or intentionally fails to report suspected abuse or neglect may be subject to civil liability, including monetary damages, for the harm caused by the failure to report such abuse or neglect.

12 Effective Date.

I. Sections 1 - 9 of this act shall take effect July 1, 2024.

II. The remainder of this act shall take effect January 1, 2025.

AMENDED ANALYSIS

The bill:

I. Establishes a retirement system benefit for group II members who retire due to a violent act injury.

II. Provides that reports of suspected abuse and neglect may include the name of the person making the report and that a report made maliciously or with the intent to cause harm may be subject to civil and criminal penalties.

III. Provides that a person who in their professional capacity is a mandatory reporter of suspected abuse and neglect may be subject to civil liability for the failure to report.

The question being adoption of floor amendment (2098h).
Rep. Spillane spoke in favor.
On a division vote, with 160 members having voted in the affirmative, and 201 in the negative, floor amendment (2098h) failed.

The question being adoption of the committee report of Ought to Pass.
Rep. Potenza offered floor amendment (2131h).

Floor Amendment (2131h)

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

AN ACT relative to disability pensions for public safety employees who are victims of violence, and suspending the issuance of new landfill permits until 2028.

Amend the bill by replacing all after section 9 with the following:

10 Solid Waste Management; Department of Environmental Services; Applications for New Landfills Suspended. In order to ensure that any new landfills are sited properly, meet the need of public benefit, and are aligned with New Hampshire's solid waste goals, the statutory process for issuing permits for the construction of a new landfill under RSA 149-M:9 are hereby suspended until July 1, 2028. The department shall continue to accept and investigate applications, provided that any time frames for required action by the department under RSA 149-M are also suspended.

11 Application of Suspension; Expansion or Modification of Landfill Facilities. Nothing in section one of this act shall be construed to prohibit the expansion or modification of any landfill facilities on any site on which, as of December 1, 2022, a RCRA Subtitle D landfill exists that has been fully permitted. For the purposes of this section, the term "site" shall mean a single parcel or adjacent parcels, owned in its entirety by a landfill operator or its affiliates as of December 1, 2022, including a site where one or more public utility easements traverse the site; perennial water bodies traversing a footprint shall still be monitored in accordance with or exceeding United States Environmental Protection Agency regulations and guidelines.

12 Effective Date.

I. Section 1 - 9 of this act shall take effect July 1, 2024.

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

AMENDED ANALYSIS

The bill establishes a retirement system benefit for group II members who retire due to a violent act injury. This bill also requires the suspension of approval of new landfill permits by the department of environmental services until 2028.

The question being adoption of floor amendment (2131h).
Reps. Potenza and Haskins spoke in favor.
Floor amendment (2131h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

SB 217-FN-A, establishing a rural and underserved area educator incentive program for higher education and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Tracy Emerick for the Majority of Finance. This bill has merit and should be considered during the next budget cycle. Adopting this bill at this time would obligate future legislatures. In light of recent revelations of accelerating liabilities due to youth detention center lawsuits, obligating a future legislature is not recommended. Additionally, there is no fiscal note on this bill so future costs are not known. Vote 13-12.
Rep. Mary Hakken-Phillips for the Minority of Finance. This bill creates a rural and underserved area educator incentive program administered by the Department of Education to combat teacher shortages in New Hampshire's most economically disadvantaged public school districts. Eligible educators will apply for grant payments for up to four years with a potential total accumulated value of $12,000 per grantee to the New Hampshire Higher Education Commission, which will develop rules and protocols for determining the number of yearly grant awards based on available funding. The program was modeled after the successful, Idaho incentive program targeting rural teacher shortages and is supported by NH's critical stakeholders. The initial general funds appropriation of $1 for fiscal year ending June 30, 2025, is intended so the commission can begin rulemaking and build the program with the aspiration for increased appropriation in future biennia. The minority believes passage of the bill is warranted given the near-zero fiscal impact, the potential return on future investment, the Education Committee's unanimous bipartisan support, and this body's recent voice vote to approve on consent.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Hakken-Phillips spoke against.
Rep. Emerick spoke in favor.
Rep. Granger requested a roll call; sufficiently seconded.

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YEAS - 184

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Comtois, Barbara	Dumais, Russell	Harvey-Bolia, Juliet	Nagel, David
Ploszaj, Tom	Beaudoin, Richard	Smart, Lisa	Terry, Paul
Varney, Peter			

CARROLL

Avellani, Lino	Cordelli, Glenn	Costable, Michael	Crawford, Karel
MacDonald, John	Smith, Jonathan	Peternel, Katy	Brown, Richard

CHESHIRE

Hunt, John	Qualey, James	Thackston, Dick	Nutting, Zachary

COOS

Davis, Arnold	Durkin, Sean	King, Seth	Tierney, James

GRAFTON

Berezhny, Lex	Brown, Carroll	Coulon, Matthew	Greeson, Jeffrey
Ladd, Rick	Rochefort, David	Sellers, John	Simon, Matthew

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Alexander, Joe	Ammon, Keith
Boyd, Bill	King, Bill	Colcombe, Riché	Cole, Brian
Corcoran, Travis	Creighton, Jim	Cushman, Leah	Kelley, Diane
Erf, Keith	Griffin, Gerald	Gagne, Larry	Gorski, Ted

Healey, Robert
Herbert, Christopher
Infantine, William
Kennedy, Stephen
Kenny, Catherine
Kofalt, Jim
Gould, Linda
Lascelles, Richard
Lewicke, John
Mazur, Lisa
McGough, Tim
McLean, Mark
Mooney, Maureen
Noble, Kristin
Notter, Jeanine
Pauer, Diane
Plett, Fred
Post, Lisa
Proulx, Mark
Prout, Andrew
Reid, Karen
Renzullo, Andrew
Seidel, Sheila
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Mason, James
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Seaworth, Brian
See, Alvin
Walsh, Thomas
Testerman, Dave
Wolf, Dan
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Guthrie, Joseph
Harb, Robert
Hobson, Deb
Nelson, Jodi
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lundgren, David
Lynn, Bob
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Milz, David
Ford, Oliver
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Quaratiello, Arlene
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bailey, Glenn
Bickford, David
Burnham, Claudine
Connor, James
Granger, Michael
Harrington, Michael
Horgan, James
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

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Aron, Judy
Drye, Margaret
Rollins, Skip
Smith, Steven
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

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St. Clair, Charlie

CARROLL

Burroughs, Anita
Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Harvey, Cathryn
Fox, Dru
Faulkner, Barry
Germana, Nicholas
Jones, Philip
Monteil, Renee
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Toll, Amanda
Weber, Lucy

COOS

Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Murphy, James
Sullivan, Jared
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Muirhead, Russell
Stavis, Laurel
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Darby, Will
Devine, Shelley
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Gibbons, Candace
Goley, Jeffrey
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi

Leapley, Nicole	LeClerc, Daniel	Leishman, Peter	Long, Patrick
Howard, Molly	Murray, Megan	Perez, Maria	MacKenzie, Mark
Mangipudi, Latha	McGhee, Kat	Ming, Ben	Morton, Jennifer
Murphy, Nancy	Nutter-Upham, Frances	Pedersen, Michael	Petrigno, Peter
Plamondon, Marc	Preece, David	Newman, Ray	Raymond, Heather
Rombeau, Catherine	Rung, Rosemarie	Ryan, Linda	Newman, Sue
Seibert, Christine	Sofikitis, Catherine	Spier, Carry	Staub, Kathy
Telerski, Laura	Tellez, Trinidad	Vail, Suzanne	Thomas, Wendy
Wheeler, Jonah	Wilhelm, Matthew		

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gibbs, Merryl	Hall, Muriel	Hicks, Matthew
Lane, Connie	Luneau, David	MacKay, James	McWilliams, Rebecca
Myler, Mel	Payeur, Stephanie	Richards, Beth	Roesener, James
Gould, Sherry	Schamberg, Thomas	Schuett, Dianne	Shurtleff, Steve
Soucy, Timothy	Wallner, Mary Jane		

ROCKINGHAM

Balboni, Peggy	DiLorenzo, Charlotte	Edgar, Michael	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Hamblet, Joan	Haskins, Linda
Murray, Kate	Knab, Allison	Cahill, Michael	Paige, Mark
Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe
McBeath, Rebecca	Meuse, David	Muns, Chris	O'Neil, Candice
Rafter, Hal	Raynolds, Ned	Simpson, Alexis	Sytek, John
Turer, Eric	Vallone, Mark	Ward, Gerald	

STRAFFORD

Bay, Luz	Bixby, Peter	Rich, Cecilia	Cannon, Gerri
Conlin, Bill	Fitzpatrick, Daniel	Smith, Geoffrey	Grassie, Chuck
Howard, Heath	Horrigan, Timothy	Howland, Allan	Johnson, Erik
Kenney, Cam	LaMontagne, Jessica	Levesque, Cassandra	Smith, Marjorie
Schmidt, Peter	Pare, Gail	Selig, Loren	Southworth, Thomas
Vincent, Kenneth	Wall, Janet		

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Merchant, Gary
Palmer, William	Tanner, Linda		

and the majority committee report was adopted.

SB 311-FN-A-L, relative to property tax offset for the town of Hampstead and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jerry Stringham for Finance. This bill provides a one-time payment to the town of Hampstead of $191,166 in fiscal year 2025 to offset the impact to the town's property tax base resulting from the state's acquisition of the Hampstead Hospital. Hampstead Hospital is an accredited specialty hospital that serves the acute psychiatric and substance related disorder needs of children, adolescents and young adults. As a state-owned facility, the state does not pay property taxes. A payment in lieu of taxes is used on occasion in New Hampshire to offset lost revenues or to offset added costs. This payment was anticipated in the last year's HB 2 but was inadvertently excluded in the Senate version of the bill. As amended, this payment would come from federal ARPA funds. Vote 24-1.

Amendment (1867h)

Amend the bill by replacing section 1 with the following:

1 Department of Health and Human Services; Hampstead Hospital; Property Tax Offset. The department of health and human services is hereby appropriated $154,000 in general funds for the fiscal year ending June 30, 2025. From this amount and amounts appropriated in the state operating budget account 05-95-98-980010-2648, the department shall distribute $191,166 in the fiscal year ending June 30, 2025 to the town of Hampstead, to offset impacts to the town's property tax base resulting from the state's acquisition of the Hampstead hospital. Of this amount, the governor shall first determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2 or any other federal funds can be used for this purpose, and any remainder shall be general funds. The governor is authorized to draw a warrant for the general fund share of such amount out of any money in the treasury not otherwise appropriated.

Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.

Rep. Edgar offered floor amendment (2113h).

Floor Amendment (2113h)

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

AN ACT relative to property tax offset for the town of Hampstead and making an appropriation therefor and relative to payment by the state of a portion of retirement system contributions of political subdivision employers.

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

2 Short Title; Purpose.

I. Section 3 of this act may be known as the "Property Tax Relief Act of 2024."

II. Section 3 of this act renews a promise made by state to municipalities and restores the state's contribution of a portion of the retirement costs of teachers, firefighters, and local police. Its purpose is to help ease the local property tax burden, provide property tax relief to the cities and towns, and enhance public education and public safety.

3 Retirement System; Employer Contributions; State Share of Contributions. Amend RSA 100-A:16, II(b) and (c) to read as follows:

(b) The contributions of each employer for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution;" provided that beginning with state fiscal year [~~2013~~] ***2025*** and for each state fiscal year thereafter, any employer [~~shall pay the full amount of such total contributions~~] ***other than the state, shall pay 92.5 percent of such total contributions, and 7.5 percent thereof shall be paid by the state; and provided further that, in case of group II members employed by the state, the state shall pay both normal and accrued liability contributions***. The rate percent of such normal contribution, including contributions on behalf of group II members whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuations, except as provided in subparagraph (i).

(c) The contributions of each employer for benefits under the retirement system on account of group I members shall consist of a percentage of the earnable compensation of its members to be known as the "normal contribution," and an additional amount to be known as the "accrued liability contribution;" provided that beginning with state fiscal year [~~2013~~] ***2025*** and for each state fiscal year thereafter, ***in the case of teachers,*** any employer ***other than the state, shall pay 92.5 percent of such total contributions, and 7.5 percent thereof shall be paid by the state; and provided further that, in case of teacher members employed by the state, the state*** shall pay both normal and accrued liability contributions. The rate percent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuation, except as provided in subparagraph (i).

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

AMENDED ANALYSIS

This bill makes an appropriation to the department of health and human services and the town of Hampstead to offset the reduction in tax revenue from the state's acquisition of Hampstead hospital.

The bill also provides that the state shall pay 7.5 percent of contributions of retirement system employers other than the state for group I teachers and group II members.

The question being adoption of floor amendment (2113h).
Rep. Edgar spoke in favor.
Rep. Guthrie spoke against.
Rep. Spillane requested a roll call; sufficiently seconded.

YEAS 177 - NAYS 183

YEAS - 177

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita | Paige, David | McAleer, Chris | Woodcock, Stephen

CHESHIRE

Abbott, Michael | Ames, Richard | Harvey, Cathryn | Fox, Dru
Eaton, Daniel | Faulkner, Barry | Germana, Nicholas | Jones, Philip
Monteil, Renee | Newell, Jodi | Parshall, Lucius | Schapiro, Joe
Tatro, Bruce | Toll, Amanda | Weber, Lucy

COOS

Kelley, Eamon | Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Murphy, James
Sullivan, Jared
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Muirhead, Russell
Stavis, Laurel

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Darby, Will
Devine, Shelley
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Gibbons, Candace
Goley, Jeffrey
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Pedersen, Michael
Petrigno, Peter
Plamondon, Marc
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Thomas, Wendy
Wheeler, Jonah
Wilhelm, Matthew

MERRIMACK

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Caplan, Tony
Carey, Lorrie
Ebel, Karen
Gallager, Eric
Gibbs, Merryl
Hall, Muriel
Hicks, Matthew
Lane, Connie
Luneau, David
McWilliams, Rebecca
Myler, Mel
Payeur, Stephanie
Richards, Beth
Roesener, James
Gould, Sherry
Schuett, Dianne
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
DiLorenzo, Charlotte
Edgar, Michael
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Hamblet, Joan
Haskins, Linda
Murray, Kate
Khan, Aboul
Knab, Allison
Cahill, Michael
Paige, Mark
Maggiore, Jim
Malloy, Dennis
Mandelbaum, Jennifer
Manos, Zoe
McBeath, Rebecca
Meuse, David
Muns, Chris
O'Neil, Candice
Pratt, Kevin
Rafter, Hal
Raynolds, Ned
Pearson, Stephen
Simpson, Alexis
Turer, Eric
Vallone, Mark
Ward, Gerald

STRAFFORD

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Cannon, Gerri
Conlin, Bill
Fitzpatrick, Daniel
Smith, Geoffrey
Grassie, Chuck
Howard, Heath
Horrigan, Timothy
Howland, Allan
Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Selig, Loren
Southworth, Thomas
Vincent, Kenneth
Wall, Janet

SULLIVAN

Sullivan, Brian
Cloutier, John
Damon, Hope
Palmer, William
Tanner, Linda

NAYS - 183

BELKNAP

Bean, Harry
Bogert, Steven
Coker, Matthew
Comtois, Barbara
Dumais, Russell
Harvey-Bolia, Juliet
Nagel, David
Ploszaj, Tom
Beaudoin, Richard
Smart, Lisa
Terry, Paul
Varney, Peter

CARROLL

Avellani, Lino
Cordelli, Glenn
Costable, Michael
Crawford, Karel
MacDonald, John
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Hunt, John
Qualey, James
Thackston, Dick
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
King, Seth
Tierney, James

GRAFTON

Berezhny, Lex	Brown, Carroll	Coulon, Matthew	Greeson, Jeffrey
Ladd, Rick	Rochefort, David	Sellers, John	Simon, Matthew
Stringham, Jerry			

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Alexander, Joe	Ammon, Keith
Boyd, Bill	King, Bill	Colcombe, Riché	Cole, Brian
Corcoran, Travis	Creighton, Jim	Cushman, Leah	Kelley, Diane
Erf, Keith	Fedolfi, Jim	Griffin, Gerald	Gagne, Larry
Gorski, Ted	Healey, Robert	Infantine, William	Kennedy, Stephen
Kenny, Catherine	Kofalt, Jim	Gould, Linda	Lascelles, Richard
Lewicke, John	Mazur, Lisa	McGough, Tim	McLean, Mark
Mooney, Maureen	Noble, Kristin	Notter, Jeanine	Pauer, Diane
Plett, Fred	Post, Lisa	Proulx, Mark	Prout, Andrew
Reid, Karen	Renzullo, Andrew	Seidel, Sheila	Sheehan, Vanessa
Sirois, Shane	Lekas, Tony	Mannion, Tom	Tenczar, Jeffrey
Wherry, Robert			

MERRIMACK

Andrus, Louise	Aures, Cyril	Aylward, Deborah	McGuire, Carol
Cambrils, Jose	McGuire, Dan	Gerhard, Jason	Hill, Gregory
Hoell, J.R.	Leavitt, John	MacKay, James	Mason, James
Moffett, Michael	Polozov, Yury	Boyd, Stephen	Seaworth, Brian
See, Alvin	Walsh, Thomas	Testerman, Dave	Wood, Clayton

ROCKINGHAM

Ball, Lorie	Bernardy, JD	Brouillard, Jacob	Mannion, Dennis
Thomas, Douglas	DeSimone, Debra	Donnelly, Tanya	Doucette, Fred
Drago, Mike	Dunn, Ron	Edwards, Jess	Emerick, Tracy
Foote, Charles	Guthrie, Joseph	Harb, Robert	Hobson, Deb
Nelson, Jodi	Janigian, John	Janvrin, Jason	Perez, Kristine
Katsakiores, Phyllis	Kuttab, Katelyn	Walsh, Lilli	Layon, Erica
Love, David	Lundgren, David	Lynn, Bob	Pearson, Mark
McDonnell, Valerie	McMahon, Charles	Melvin, Charles	Milz, David
Ford, Oliver	Osborne, Jason	Phillips, Emily	Piemonte, Tony
Popovici-Muller, Daniel	Porcelli, Susan	Potucek, John	Prudhomme-O'Brien, Katherine
Quaratiello, Arlene	Roy, Terry	Soti, Julius	Spillane, James
Summers, James	Sweeney, Joe	Sytek, John	Cahill, Tim
Dolan, Tom	Tripp, Richard	True, Chris	Tudor, Paul
Vandecasteele, Susan	Verville, Kevin	Vose, Michael	MacDonald, Wayne
Wallace, Scott	Weyler, Kenneth	Yokela, Josh	

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	Bickford, David	Burnham, Claudine
Connor, James	Granger, Michael	Harrington, Michael	Horgan, James
Kaczynski, Thomas	Turcotte, Len	Newton, Clifford	Phinney, Brandon
Pitre, Joseph	Potenza, Kelley		

SULLIVAN

Aron, Judy	Drye, Margaret	Merchant, Gary	Rollins, Skip
Smith, Steven	Spilsbury, Walter	Stapleton, Walter	Stone, Jonathan

and floor amendment (2113h) failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.
On a division vote, with 317 members having voted in the affirmative, and 45 in the negative, the committee report was adopted, and the bill was ordered to third reading.

SB 337-FN, relative to doula and lactation service provider certification. **OUGHT TO PASS.**
Rep. Karen Ebel for Finance. This bill would provide a voluntary doula certification process and a voluntary lactation service certification process for lactation service providers run by the Office of Professional Licensure and Certification (OPLC). This voluntary certification is being made available for the purposes of Medicaid reimbursement. It should also make lactation services more widely available to new mothers, especially those with limited resources. The committee understands that those services should be fully paid for by the federal Medicaid program. SB 337 requires the OPLC to adopt rules concerning this certification, including specifying acceptable accreditation organizations. The committee believes that the appropriation to OPLC for a position of approximately $70,000 annually is well worth the investment. Anticipated revenues from licensing fees will help defray OPLC costs. Vote 25-0.

The question being adoption of the committee report of Ought to Pass.
Rep. Dan McGuire offered floor amendment (2102h).

Floor Amendment (2102h)

Amend RSA 310-A:222, III as inserted by section 1 of the bill by replacing it with the following:

III. The office shall make every effort to include culturally and geographically diverse community members and providers when developing and implementing the doula and lactation service provider certification process pursuant to this section.

The question being adoption of floor amendment (2102h).
Rep. Dan McGuire spoke in favor.
Floor amendment (2102h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Layon offered floor amendment (2083h).

Floor Amendment (2083h)

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

AN ACT relative to doula and lactation service provider certification and expanding the information provided to survivors of sexual assault regarding their existing rights.

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

2 Sexual Assault Survivors' Rights. Amend RSA 21-M:18 to read as follows:

21-M:18 Sexual Assault Survivors' Rights.

I. In addition to the rights of a crime victim provided in RSA 21-M:8-k, a sexual assault survivor shall have the following rights:

(a) The right not to be prevented from, or charged for, receiving a medical examination***, including any individual element or elements of a state sexual assault evidence collection kit***.

(b) The right to:

(1) Have a sexual assault evidence collection kit or its probative contents preserved, without charge, for the duration of the maximum applicable statute of limitations or 20 years, whichever is shorter;

(2) Be informed of any result of a sexual assault evidence collection kit, including a DNA profile match, toxicology report, or other information collected as part of a medical forensic examination, if such disclosure would not impede or compromise an ongoing investigation; and

(3) Be informed in writing of policies governing the collection and preservation of a sexual assault evidence collection kit***, including the information required by RSA 21-M:19, IV***.

(c) The right, if the state intends to destroy or dispose of a sexual assault evidence collection kit or its probative contents before the expiration date of the maximum applicable statute of limitations, to:

(1) Upon written request, receive written notification from the prosecutor or appropriate state official with custody not later than 60 days before the date of the intended destruction or disposal; and

(2) Upon written request, be granted further preservation of the kit or its probative contents.

(d) The right to be informed of the rights under this section.

II. In this [~~subdivision,~~] ***chapter, "sexual assault survivor" means:***

(a) Any individual who asserts that they have been subject to an offense under RSA 632-A:2, 632-A:3, or 632-A:4 including, but not limited to penetrative or non-penetrative sexual assault or the administering of a drug or other intoxicating substance as part of a sexual assault which falls under the referenced statutes.

(b) An individual reporting an attempted rape who asserts sexual contact as defined by RSA 632-A:1, IV and described within RSA 632-A:4 shall not be denied survivor rights because of lack of knowledge of correct legal terminology.

(c) "Sexual assault survivor" includes a deceased victim of sexual assault.

3 New Paragraphs; Notification of Sexual Assault Survivors' Rights. Amend RSA 21-M:19 by inserting after paragraph II the following new paragraphs:

III. The attorney general shall post prominently on the attorney general's website the document or documents required by RSA 21-M:8-d, II which summarize the policies to inform a sexual assault survivor, listed entities, and the general public regarding:

(a) Rights under this section and RSA 21-M:18, I.

(b) Policies governing the collection and preservation of a sexual assault evidence collection kit established in RSA 21-M:8-d, I including:

(1) How long after an assault samples, including blood, urine and other evidence, are generally collected;

(2) The evidentiary value of all clothing and other material present at the time of assault; and

(3) The ability to collect evidence for an assault which occurred in a location outside of New Hampshire.

(c) That sexual contact which would be considered aggravated felonious sexual assault if it was penetration is misdemeanor sexual assault.

IV. A health care provider, law enforcement officer, or other employee of an entity listed in paragraph I, who in the course of their professional responsibilities has contact with a sexual assault survivor, shall provide the individual with the document intended for sexual assault survivors provided by the attorney general pursuant to paragraph III or an internally created document which contains, at minimum, the same material information.

4 Standardized Rape Protocol and Kit and Domestic Violence Protocol. Amend RSA 21-M:8-d to read as follows:

21-M:8-d Standardized Rape Protocol and Kit and Domestic Violence Protocol.

I. The department of justice shall adopt, pursuant to RSA 541-A, and implement rules establishing a standardized rape protocol and kit and a domestic violence protocol to be used by all physicians or hospitals in this state when providing physical examinations of victims of alleged sexual offenses and alleged domestic abuse, as defined in RSA 173-B:1.

II. The department of justice shall create a document summarizing the information required by RSA 21-M:19, III so that victims of sexual assault, health care providers and the general public can easily access the details of the protocols required in paragraph I necessary to protect the rights of sexual assault survivors.

5 Effective Date.

I. Section 1 of this act shall take effect July 1, 2024.

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

AMENDED ANALYSIS

This bill directs the office of professional licensure and certification to establish a voluntary certification process for doula and lactation service providers.

This bill also expands the information provided to sexual assault survivors, defines sexual assault survivor for purposes of receiving such information, and requires certain entities to provide the notice of rights to sexual assault survivors.

The question being adoption of floor amendment (2083h).
Rep. Layon spoke in favor.
On a division vote, with 164 members having voted in the affirmative, and 195 in the negative, floor amendment (2083h) failed.

The question being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

SB 352-FN-A, establishing an early detection cancer screening pilot program for active and retired firefighters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura Telerski for Finance. Approximately 48.5% of firefighters will be diagnosed with some form of cancer in their lifetime and they have a 14% higher risk of dying from cancer than the general population. Occupational cancer is the leading cause of line-of-duty deaths in the fire service. Despite best practices to reduce exposure to dangerous chemicals, the inherent risks of the job are unavoidable. Since we cannot eliminate all risk, this bill implements an aggressive approach to detect cancer through a combination of blood testing, ultrasound, and lung CT, if needed, to offer intervention and treatment early before cancer can progress. The pilot program is capped at $5 million and will potentially screen nearly 4,000 active duty and retired firefighters if they choose to participate. The amendment removes skin cancer checks which are already covered by insurance, removes an individual maximum cost per person while keeping the $5 million total cost, and it adds a final report which will deliver findings on the program. This pilot program will offer screenings and early detection in order to deliver life-saving intervention and treatment before the disease has significantly progressed, while reducing long-term costs overall for patient, employers, and insurance providers. Vote 25-0.

Amendment (1915h)

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

(a) All active and retired permanent firefighters under RSA 100-A:1 shall be offered a comprehensive early detection cancer screening that consists of any combination of one or more of the following tests: a blood test, an ultrasound of vital organs, and a lung CT if indicated.

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

V.(a) Firefighter participation in cancer screenings shall be optional and a firefighter shall be eligible to receive any combination of offered screenings.

Amend paragraph VII as inserted by section 1 of the bill by replacing it with the following:

VII. The committee authorized in paragraph IV shall present their findings to the governor, the senate president, and the speaker of the house of representatives after 12 months and after 24 months of the pilot program's administration. Findings shall include number of firefighters screened; tests conducted; results of tests; follow-up testing to confirm the results of the screening; cost of follow-up tests and method of payment including the firefighter share of costs; trends; and any recommendations for the pilot program.

The question being adoption of committee amendment (1915h).
Rep. Stephen Pearson spoke in favor.
Committee amendment was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

SB 355-FN, relative to newborn screening for cytomegalovirus. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Maureen Mooney for Finance. Cytomegalovirus (aka CMV) can cause hearing loss in infants if not detected early. This bill, as amended by the House Finance Committee, does the following: 1.) directs the Commissioner of the Department of Health and Human Services to amend current rule He-P 3008.15 to require individuals conducting newborn hearing screening and diagnostic hearing evaluation reports to include the results of the screening if the infant does not pass, 2.) allows parents to opt-out of CMV screenings, and 3.) directs the Department of Health and Human Services to provide information on the importance of early detection through the newborn screening program and include an update on targeted newborn CMV screening to the oversight committee for inclusion in the department's annual report. Additionally, the effective date has been changed to January 1, 2025. The bill allocates approximately $26,000 of taxpayer dollars from general funds to fund 20% of a part time position. This position is needed for working with hospitals on CMV testing and reporting. The committee feels this is an appropriate use of public funds. Vote 25-0.

Amendment (1983h)

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

1 Department of Health and Human Services; Early Detection of Cytomegalovirus. The commissioner of the department of health and human services shall amend current rule He-P 3008.15 to require individuals conducting newborn hearing screening and diagnostic hearing evaluation reports to include the result of cytomegalovirus (CMV) screening for any infant who does not pass the final newborn hearing screening. Such rules shall clearly indicate that the parent may opt-out of the screenings.

2 Department of Health and Human Services; Early Detection of Cytomegalovirus. The department of health and human services shall provide information on the importance of early detection of cytomegalovirus (CMV) through the New Hampshire newborn screening program, established in RSA 132:10-a, and include an update on targeted newborn CMV screening in New Hampshire to the oversight committee on health and human services, established in RSA 126-A:13, for inclusion in the department's annual report, pursuant to RSA 132:10-a, IV, on or before March 1, 2025.

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

AMENDED ANALYSIS

This bill directs the department of health and human services to revise administrative rules to require individuals conducting newborn hearing screening and diagnostic hearing evaluation reports to include the result of cytomegalovirus (CMV) screenings for any infant who does not pass the final newborn hearing screening, provided that the parent has not declined to participate in such screenings. The bill also directs the department to provide information on the importance of early detection of CMV through the newborn screening program and to provide an update on targeted newborn CMV screenings to the oversight committee on health and human services.
Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

SB 369-FN-A, directing the office of professional licensure and certification to provide notice of public meetings and an opportunity for comment, creating a new position, and making an appropriation therefor. **OUGHT TO PASS.**
Rep. Joe Sweeney for Finance. This bill changes requirements for public meeting notices by boards supervised by the Office of Professional Licensure and Certification. Board meetings would need to be posted 14 days prior to a meeting, and records would need to be made available seven days prior to a meeting to allow adequate time for the public to make arrangements to participate. The bill also requires the boards to provide opportunities for public and private comment. The bill allows for exceptions to these requirements in the cases of emergency hearings, disciplinary and non-disciplinary remedial proceedings, and unlicensed practice hearings. Lastly the bill creates an attorney II position and makes an appropriation for the position. Vote 25-0.

The question being adoption of the committee report of Ought to Pass.
Committee report was adopted, and the bill was ordered to third reading.

SB 393-FN, relative to making an appropriation to the department of environmental services to fund regional drinking water infrastructure. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Joe Sweeney for Finance. This bill allocates a total of $6,500,000 to the Department of Environmental Services for the fiscal year ending June 30, 2025, to support phase 2 of the Southern New Hampshire Re-

gional Water Project. This appropriation includes $2,000,000 from state general funds and $4,500,000 from a combination of federal funds and the Drinking Water and Groundwater Trust Fund established under RSA 485-F. The funding is designated for the enhancement of regional drinking water infrastructure to address contamination issues from per- and polyfluoroalkyl substances (PFAS) and to meet increasing water demands. Specifically, the bill facilitates the design and engineering of necessary ancillary projects, the installation of chemical feed systems at existing water storage tanks in Derry and Salem, and the elevation of Lake Massabesic's water level. Vote 25-0.

Amendment (1793h)

Amend the bill by replacing section 1 with the following:

1 Department of Environmental Services; Appropriation. The sum of $2,000,000 from general funds and the sum of $4,500,000 from a combination of federal funds and the drinking water and groundwater trust fund established under RSA 485-F for the fiscal year ending June 30, 2025 is hereby appropriated to the department of environmental services for the purpose of funding regional drinking water infrastructure as part of Phase 2 of the southern New Hampshire regional water project to increase water supply by over 2 million gallons per day to multiple towns impacted by per- and polyfluoroalkyl substance contamination and growing water demands. The project shall include design of all ancillary projects needed, construction of chemical feed at existing water storage tanks in Derry and Salem and raising the water level of Lake Massabesic. This sum shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

SB 396-FN-A, relative to making an appropriation to the culinary arts program at the Wilbur H. Palmer Regional Career and Technical Education Center. **OUGHT TO PASS.**

Rep. Mary Heath for Finance. The majority finds that there was a miscommunication between the New Hampshire Department of Education and the Wilbur H. Palmer Regional Career and Technical Education Center at Alvirne High School in Hudson, wherein the department provided approval for an add on project and the project was completed and then the approval was rescinded. The school district acted in good faith based upon a conversation with the department. The department agreed there had been a mistake. This bill serves to make the school district whole after the partial application was denied by the department. The full appropriation had previously been allocated during the state budget process. The funds for this purpose will come from the Education Trust Fund. Vote 21-4.

The question being adoption of the committee report of Ought to Pass.
Rep. Hall offered floor amendment (2135h).

Floor Amendment (2135h)

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

AN ACT relative to making an appropriation to the culinary arts program at the Wilbur H. Palmer Regional Career and Technical Education Center, and relative to eligibility for free school meals.

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

2 Schools; Food and Nutrition Programs; School Lunch Eligibility. Amend RSA 189:11-a, I to read as follows:

I.***(a)*** Each school board shall make at least one meal available during school hours to every pupil under its jurisdiction. Such meals shall be served without cost [~~or at a reduced cost to any child who meets federal income eligibility guidelines~~] ***to any child whose annual household income is less than or equal to 350 percent of the federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under 42 U.S.C. section 9902(2)***. The state board of education shall ensure compliance with this section and shall establish minimum nutritional standards for such meals as well as income guidelines set for the family size used in determining eligibility for free and reduced price meals. Nothing in this section shall prohibit the operation of both a breakfast and lunch program in the same school.

(b) All costs for the school meals program under subparagraph (a) in addition to sums allocated under RSA 186:13, XI, shall be funded by disbursements from the department of education to the school districts, made from funds appropriated for such purpose from the education trust fund. The amount necessary to fund this paragraph is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this paragraph.

3 New Subparagraph; Education Trust Fund; School Meals. Amend RSA 198:39, I by inserting after subparagraph (n) the following new subparagraph:

(o) To fund disbursements for school meals under RSA 189:11-a.

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

AMENDED ANALYSIS

This bill makes an appropriation from the education trust fund to the department of education to fund the repair and replacement of the ventilation and exhaust fan system for the teaching kitchen in the culinary arts program at the Wilbur H. Palmer Regional Career and Technical Education Center at Alvirne High School in Hudson.

This bill also increases the eligibility for free school meals to household incomes up to 350 percent of federal poverty guidelines, and provides funding from the education trust fund for the additional costs.

The question being adoption of floor amendment (2135h).
Rep. Hall spoke in favor.
Rep. Ladd spoke against.
Rep. Harrington requested a roll call; sufficiently seconded.

YEAS 177 - NAYS 185

YEAS - 177

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita	Paige, David	McAleer, Chris	Woodcock, Stephen

CHESHIRE

Abbott, Michael	Ames, Richard	Harvey, Cathryn	Fox, Dru
Eaton, Daniel	Faulkner, Barry	Germana, Nicholas	Jones, Philip
Monteil, Renee	Newell, Jodi	Parshall, Lucius	Schapiro, Joe
Tatro, Bruce	Thackston, Dick	Toll, Amanda	Weber, Lucy

COOS

Kelley, Eamon	Noël, Henry		

GRAFTON

Almy, Susan	Baldwin, Heather	Bolton, Bill	Cormen, Thomas
Fellows, Sallie	Fracht, David	Hakken-Phillips, Mary	Murphy, James
Lovett, Peter	Massimilla, Linda	Morse, Corinne	Muirhead, Russell
Stavis, Laurel	Stringham, Jerry		

HILLSBOROUGH

Murray, Alissandra	Nutting-Wong, Allison	Baroody, Benjamin	Beauchemin, Paige
Beaulieu, Jane	Booras, Efstathia	Bouchard, Donald	Bradley, Amy
Calabro, Karen	Chretien, Jacqueline	Cornell, Patricia	Darby, Will
Devine, Shelley	DiSilvestro, Linda	Dutzy, Sherry	Elberger, Susan
Davis, Fred	Goley, Jeffrey	Gregg, Alicia	Grill, Jessica
Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher	Jack, Martin
Smith, Juliet	Juris, Louis	Foxx, Loren	Lanza, Judi
Leapley, Nicole	LeClerc, Daniel	Leishman, Peter	Long, Patrick
Howard, Molly	Murray, Megan	Perez, Maria	MacKenzie, Mark
Mangipudi, Latha	McGhee, Kat	Ming, Ben	Morton, Jennifer
Murphy, Nancy	Nutter-Upham, Frances	Pedersen, Michael	Petrigno, Peter
Plamondon, Marc	Preece, David	Newman, Ray	Raymond, Heather
Rombeau, Catherine	Rung, Rosemarie	Ryan, Linda	Newman, Sue
Seibert, Christine	Sofikitis, Catherine	Spier, Carry	Staub, Kathy
Telerski, Laura	Tellez, Trinidad	Vail, Suzanne	Thomas, Wendy
Wheeler, Jonah	Wilhelm, Matthew		

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Hall, Muriel
Hicks, Matthew	Lane, Connie	Luneau, David	MacKay, James
McWilliams, Rebecca	Myler, Mel	Payeur, Stephanie	Richards, Beth
Roesener, James	Gould, Sherry	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Wolf, Dan

ROCKINGHAM

Balboni, Peggy	DiLorenzo, Charlotte	Edgar, Michael	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Hamblet, Joan	Haskins, Linda

Murray, Kate
Maggiore, Jim
McBeath, Rebecca
Rafter, Hal
Vallone, Mark
Knab, Allison
Malloy, Dennis
Meuse, David
Raynolds, Ned
Ward, Gerald
Cahill, Michael
Mandelbaum, Jennifer
Muns, Chris
Simpson, Alexis
Paige, Mark
Manos, Zoe
O'Neil, Candice
Turer, Eric

STRAFFORD

Bay, Luz
Conlin, Bill
Howard, Heath
Kenney, Cam
Schmidt, Peter
Vincent, Kenneth
Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail
Wall, Janet
Rich, Cecilia
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Cannon, Gerri
Grassie, Chuck
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Sullivan, Brian
Palmer, William
Cloutier, John
Tanner, Linda
Damon, Hope
Merchant, Gary

NAYS - 185

BELKNAP

Bean, Harry
Dumais, Russell
Ploszaj, Tom
Varney, Peter
Bogert, Steven
Harvey-Bolia, Juliet
Beaudoin, Richard
Bordes, Mike
McCarter, Nikki
Smart, Lisa
Comtois, Barbara
Nagel, David
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John
Cordelli, Glenn
Smith, Jonathan
Costable, Michael
Peternel, Katy
Crawford, Karel
Brown, Richard

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
King, Seth
Tierney, James

GRAFTON

Berezhny, Lex
Sullivan, Jared
Simon, Matthew
Brown, Carroll
Ladd, Rick
Coulon, Matthew
Rochefort, David
Greeson, Jeffrey
Sellers, John

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kenny, Catherine
Lewicke, John
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey
Abare, Kimberly
King, Bill
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Plett, Fred
Reid, Karen
Sirois, Shane
Wherry, Robert
Alexander, Joe
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Infantine, William
Gould, Linda
McGough, Tim
Notter, Jeanine
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Ammon, Keith
Cole, Brian
Kelley, Diane
Gagne, Larry
Kennedy, Stephen
Lascelles, Richard
McLean, Mark
Panek, Sandra
Proulx, Mark
Seidel, Sheila
Mannion, Tom

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Polozov, Yury
Walsh, Thomas
Aures, Cyril
McGuire, Dan
Leavitt, John
Boyd, Stephen
Testerman, Dave
Aylward, Deborah
Gerhard, Jason
Mason, James
Seaworth, Brian
Wood, Clayton
McGuire, Carol
Hill, Gregory
Moffett, Michael
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Foote, Charles
Nelson, Jodi
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Bernardy, JD
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Janigian, John
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Brouillard, Jacob
Donnelly, Tanya
Edwards, Jess
Harb, Robert
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Hobson, Deb
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Phillips, Emily

Piemonte, Tony	Popovici-Muller, Daniel	Porcelli, Susan	Potucek, John
Pratt, Kevin	Prudhomme-O'Brien, Katherine	Quaratiello, Arlene	Roy, Terry
Pearson, Stephen	Soti, Julius	Spillane, James	Summers, James
Sweeney, Joe	Sytek, John	Cahill, Tim	Dolan, Tom
Tripp, Richard	True, Chris	Tudor, Paul	Verville, Kevin
Vose, Michael	MacDonald, Wayne	Wallace, Scott	Weyler, Kenneth
Yokela, Josh			

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	Bickford, David	Burnham, Claudine
Connor, James	Granger, Michael	Harrington, Michael	Horgan, James
Kaczynski, Thomas	Turcotte, Len	Newton, Clifford	Phinney, Brandon
Pitre, Joseph	Potenza, Kelley		

SULLIVAN

Aron, Judy	Drye, Margaret	Rollins, Skip	Smith, Steven
Spilsbury, Walter	Stapleton, Walter	Stone, Jonathan	

and floor amendment (2135h) failed.

The question being adoption of the committee report of Ought to Pass.
Committee report was adopted, and the bill was ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Luneau moved that the debate on **SB 396-FN-A,** relative to making an appropriation to the culinary arts program at the Wilbur H. Palmer Regional Career and Technical Education Center, be printed in the Permanent Journal.
Without objection, the Speaker ordered.

DEBATE ON SB 396-FN-A

Speaker Packard: Rep. Hall offers floor amendment (2135h) and is recognized to speak to her amendment.
Representative Hall: Thank you, Mister Speaker. Mister Speaker, today I rise in support of amendment (2135h). The intent of this amendment is simple, to support families who are vulnerable by providing greater access to school meals for their children. Amendment (2135h) accomplishes two goals. It raises the eligibility cap for free school meals to 350% of the federal poverty level and 2) it funds the cost of providing these meals through the existing federal reimbursement program combined with a new state reimbursement program to be financed through the Education Trust Fund. It does not affect adequacy grants. Currently, as part of the federal reimbursement program, families whose annual household income is up to 130% of federal poverty received no cost school meals and families whose annual household income is 130-185% of poverty receive reduced cost meals. With this legislation, the state reimbursement program would cover the cost of meals up to 350% of poverty, not already paid for by the federal government. The 350% eligibility cap, as proposed in this amendment for a family of 4 is about $105,000. To put this into perspective, the median household income in the State of New Hampshire for adults 25-64 is about $108,000. So, this amendment would support those low to middle income families who fall into the bottom 50% of New Hampshire's median household incomes. Years of research have shown that school meals play a critical role in the student's attendance, well being and academic success. A healthy diet can give a child the energy to think, work and play. School meals are as essential to education as buses, books, computers or the Internet, yet kids access to those meals has been curtailed while many families struggle to pay the bills, including dealing with the rising cost of putting food on the table. Over half of New Hampshire's children reportedly live in households with insufficient food. This amendment ensures that our most needy children and adolescents receive at least one nutritious meal per day and is a positive step toward ending childhood hunger in New Hampshire. This vote is our opportunity to commit to assisting Granite State families in reducing food insecurity, which is associated with problems with childhood language development, social interactions, chronic illnesses, mental health disorders and obesity. Our neighboring states of Vermont, Maine and Massachusetts have all passed permanent universal meals legislation. HB 1212, identical to this amendment, passed this body three months ago on a 193 to 175 bipartisan vote. Let's once again vote to assist low to middle income families and to ensure that New Hampshire kids are not hungry, at least not during their school day. It's not only the right thing to do, it's the least we can do. Please join me in pressing the green button so that we can feed the kids. Thank you, Mister Speaker, and I would like to request a division vote.
Speaker Packard: The Chair recognizes Rep. Ladd.
Representative Ladd: Thank you, Mister Speaker. As a past school teacher in grade 4 for the first 4 years then a school administrator for the remaining, roughly 40 years, I've been in a number of situations, K through 4, K through 8, junior high school, high school and yes, we have kids that come to school that are not fed, but schools take care of that. Right now, they do that. There is no insecurity in regard to that. Schools do step up to the plate. Teachers oftentimes step up to the plate and help. What this bill does, we now provide free reduced meals up to 185% of the median family income and now we want to extend this to 350% of family

median income, which is, as previously spoken to, approximately about $105,000 for that family of four. Right now, we get reimbursement from the federal government up to 185%. We do not get any reimbursement beyond that number. So, this taxpayer, the local state taxpayer is going to have to pick up this burden. Roughly 160,000 students in our state, K through 12, using these numbers right here, 60% of that 160,000 kids are going to be receiving this free meal. We are going to have to cough up that money and we haven't spoken about the revenue yet, but the fiscal report from the Department of Education says somewhere between $50 and $75 million, $50 to $75 million. On top of this, we often times speak of local control. We have 38 schools in this state which do not involve themselves with the lunch program or the breakfast program. They provide it themselves. Now what they are going to have to do if they are mandated to provide this program, the federal program, they're going to have to beef up their kitchens, they're going to have to hire more personnel. And then again there is a local expense involved for those 38 schools who school boards are making local decisions will do this through a contracted service or they will do it ourselves, but we are not getting involved with the feds. So, in conclusion, I ask you to please vote this amendment down. Thank you.

Speaker Packard: Rep. Hall has requested a division. This will be a division vote. Members take your seats. Rep. Harrington has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. The motion before us is amendment (2135h). This is a roll call vote. The Chair recognizes Rep. Woodcock for a parliamentary inquiry.

Representative Woodcock: Thank you, Mister Speaker. Colleagues, if I know that the information I just heard from the Chairman of the Education Committee is inaccurate today as it was when HB 1212 came before. And if I know because the analytics show us that Maine and Vermont provide universal meals for $34 million, not the $50 to $75 for one meal that we just heard quoted. It was wrong then and it's wrong now. Not his numbers, DOE numbers. He is correct. Every single school in this state. Everyone of your schools where you support and you represent is in debt today on nonfunded meals from youngsters who have nothing when they get there and the school district is picking up some as they can, if they happen to be able to identify a youngster. What that means is a lot of other kids there, a lot of students are not being fed. Now, let me just imagine this. Everyone of you I presume today, If I know everyone here today.

Speaker Packard: The House will be in order. Continue.

Representative Woodcock: Thank you. If I know that most everyone here today had the opportunity to have breakfast and probably could afford breakfast. And I know that everyone here today has the opportunity to have a free meal, as you did last time HB 1212 came up, but youngsters who are getting up in the morning at 6:00 a.m., going to school without breakfast, getting on a bus at 7:00, getting there at 7:30 and not having a meal, do not have that opportunity. And if I know that this process will allow them to do that. In conclusion, if I know that we came here for one purpose, which is to make New Hampshire better, academics, sound education make New Hampshire better, then would you please press the green button so we can get on with the business of my good friend Art Ellison, who would say just feed the damn kids? Thank you.

Speaker Packard: The Chair recognizes Rep. Ladd for a parliamentary inquiry.

Representative Ladd: Thank you, Mister Speaker. If I know this bill requires the eligibility threshold for federal school meal programs, raises the level from 185% of the median family income to 350% of the poverty level would require state taxpayer funds to cover the difference as no federal reimbursement is provided. If I know the department's fiscal analysis, the department's fiscal analysis on the bill estimates the total cost of this program could be more than $50 million per year to provide a lunch for 60% of the 160,000 students in New Hampshire's public schools. And lastly, if I know not all schools currently participate in the national school lunch program or breakfast program and this bill does not require that they participate, however, if passed, the state would be required to pay the cost of the meals for all students that qualify, even the current 38 schools that do not participate in the school lunch or breakfast programs, would I then press the red button? Thank you.

Speaker Packard: The motion before us is floor amendment (2135h). This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had the opportunity to vote? The House will attend to the state of the vote. 177 voting Yea; 185 voting Nay, the motion fails. For what reason does the member rise?

Representative Luneau: Mister Speaker, I would like to request the last debate be printed in the permanent record.

Speaker Packard: The motion before us now is Ought to Pass on SB 396. Are you ready for the question? All those in favor, say Aye; those opposed, Nay, the Ayes have it and the committee report is adopted.

REGULAR CALENDAR CONT'D

SB 403-FN, relative to the health care workforce. **OUGHT TO PASS.**

Rep. Mary Jane Wallner for Finance. This bill extends the deadline of the legislative commission on the interdisciplinary primary care workforce. Positions of and regulations of community health workers are established. The bill requires the Department of Health and Human Services to submit a Title XIX Medicaid state plan amendment to allow for reimbursement of services provided by certified community health workers. As

amended, the bill directs the department to use federal funds where available as well as general funds within the department's existing budget, with approval of the fiscal committee, to sustain the work of community health workers throughout the fiscal year ending June 30, 2025. Vote 25-0.

The question being adoption of the committee report of Ought to Pass.
Rep. Granger requested a roll call; sufficiently seconded.

YEAS 241 - NAYS 122

YEAS - 241

BELKNAP

Bogert, Steven
Coker, Matthew
Dumais, Russell
Harvey-Bolia, Juliet
Nagel, David
St. Clair, Charlie

CARROLL

Burroughs, Anita
Cordelli, Glenn
Crawford, Karel
Paige, David
MacDonald, John
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Harvey, Cathryn
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Germana, Nicholas
Hunt, John
Jones, Philip
Monteil, Renee
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Tatro, Bruce
Thackston, Dick
Toll, Amanda
Weber, Lucy

COOS

Davis, Arnold
Kelley, Eamon
Noël, Henry
Tierney, James

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Brown, Carroll
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Murphy, James
Sullivan, Jared
Ladd, Rick
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Muirhead, Russell
Stavis, Laurel
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Abare, Kimberly
Boyd, Bill
King, Bill
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cole, Brian
Corcoran, Travis
Cornell, Patricia
Creighton, Jim
Darby, Will
Devine, Shelley
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Fedolfi, Jim
Griffin, Gerald
Gagne, Larry
Goley, Jeffrey
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Healey, Robert
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Kennedy, Stephen
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Lewicke, John
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben
Mooney, Maureen
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Pedersen, Michael
Petrigno, Peter
Plamondon, Marc
Plett, Fred
Preece, David
Proulx, Mark
Newman, Ray
Raymond, Heather
Renzullo, Andrew
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Thomas, Wendy
Wheeler, Jonah
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Brennan, Angela
Caplan, Tony
Carey, Lorrie
Ebel, Karen
Gallager, Eric
Gibbs, Merryl
Hall, Muriel
Hicks, Matthew
Lane, Connie
Luneau, David
MacKay, James
Mason, James
McWilliams, Rebecca
Myler, Mel
Payeur, Stephanie
Richards, Beth
Roesener, James
Gould, Sherry
Schamberg, Thomas
Schuett, Dianne
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
Ball, Lorie
DiLorenzo, Charlotte
Donnelly, Tanya
Edgar, Michael
Edwards, Jess
Emerick, Tracy
Foote, Charles
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Hamblet, Joan

Harb, Robert
Haskins, Linda
Nelson, Jodi
Janigian, John
Janvrin, Jason
Murray, Kate
Katsakiores, Phyllis
Khan, Aboul
Knab, Allison
Walsh, Lilli
Cahill, Michael
Paige, Mark
Pearson, Mark
Maggiore, Jim
Malloy, Dennis
Mandelbaum, Jennifer
Manos, Zoe
McBeath, Rebecca
McDonnell, Valerie
Meuse, David
Milz, David
Muns, Chris
O'Neil, Candice
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Rafter, Hal
Raynolds, Ned
Pearson, Stephen
Simpson, Alexis
Summers, James
Sweeney, Joe
Sytek, John
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Turer, Eric
Vallone, Mark
Vandecasteele, Susan
MacDonald, Wayne
Ward, Gerald
Weyler, Kenneth

STRAFFORD

Bay, Luz
Bickford, David
Bixby, Peter
Rich, Cecilia
Cannon, Gerri
Conlin, Bill
Fitzpatrick, Daniel
Smith, Geoffrey
Grassie, Chuck
Howard, Heath
Horrigan, Timothy
Howland, Allan
Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Pitre, Joseph
Selig, Loren
Southworth, Thomas
Vincent, Kenneth
Wall, Janet

SULLIVAN

Sullivan, Brian
Cloutier, John
Damon, Hope
Merchant, Gary
Palmer, William
Smith, Steven
Stapleton, Walter
Tanner, Linda

NAYS - 122

BELKNAP

Bean, Harry
Bordes, Mike
Comtois, Barbara
McCarter, Nikki
Ploszaj, Tom
Beaudoin, Richard
Smart, Lisa
Terry, Paul
Varney, Peter

CARROLL

Avellani, Lino
Costable, Michael
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Qualey, James
Rhodes, Jennifer
Nutting, Zachary

COOS

Durkin, Sean
King, Seth

GRAFTON

Berezhny, Lex
Coulon, Matthew
Greeson, Jeffrey
Rochefort, David
Sellers, John
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Alexander, Joe
Ammon, Keith
Colcombe, Riché
Cushman, Leah
Kelley, Diane
Erf, Keith
Gorski, Ted
Infantine, William
Kenny, Catherine
Kofalt, Jim
Gould, Linda
Lascelles, Richard
Mazur, Lisa
McGough, Tim
McLean, Mark
Noble, Kristin
Notter, Jeanine
Panek, Sandra
Pauer, Diane
Post, Lisa
Prout, Andrew
Reid, Karen
Seidel, Sheila
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Seaworth, Brian
See, Alvin
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Doucette, Fred
Drago, Mike
Dunn, Ron
Guthrie, Joseph
Hobson, Deb
Perez, Kristine
Kuttab, Katelyn
Layon, Erica
Love, David
Lynn, Bob
McMahon, Charles
Melvin, Charles
Ford, Oliver
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Quaratiello, Arlene
Roy, Terry
Soti, Julius
Spillane, James
Tudor, Paul
Verville, Kevin
Vose, Michael
Wallace, Scott
Yokela, Josh

STRAFFORD

Ankarberg, Aidan	Bailey, Glenn	Burnham, Claudine	Connor, James
Granger, Michael	Harrington, Michael	Horgan, James	Kaczynski, Thomas
Turcotte, Len	Newton, Clifford	Phinney, Brandon	Potenza, Kelley

SULLIVAN

Aron, Judy	Drye, Margaret	Rollins, Skip	Spilsbury, Walter
Stone, Jonathan			

and the committee report was adopted, and the bill was ordered to third reading.

SB 404-FN, relative to expanding child care professionals' eligibility for the child care scholarship program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Jane Wallner for Finance. This bill expands the childcare scholarship program to include the children of childcare professionals. The scholarship will be available to families with incomes at or below median state income. The Department of Health and Human Services (DHHS) is required to submit any waiver or request required to the US Department of Health and Human Services, Office of Childcare to use federal funds for this initiative. DHHS also must provide a report to the legislature on this assistance program. Vote 23-1.

Amendment (1921h)

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

1 Department of Health and Human Services; Child Care Workforce Assistance Project.

I. The department of health and human services, division of economic stability, shall develop and implement a child care workforce assistance project to expand child care professionals' eligibility for the child care scholarship program. The duration of the project shall be from January 1, 2025 to June 30, 2025.

II. For purposes of the child care assistance project, child care centers that have participating, eligible staff shall, with the consent of the individual staff person, provide information to the department as requested regarding recruitment and retention impacts of the project.

III. The department shall use the information provided in accordance with paragraph II to make the determination as to whether the child care assistance project delivers the intended value as a recruitment and retention strategy for child care providers. This requirement shall not be construed as authorization to report personally identifiable information of the project participants.

IV. Households with an income equal to or less than the median income for the geographic area in which they reside, with at least one verified New Hampshire child care professional employed at a qualified child care center, may automatically be eligible for the child care assistance project, provided the following provisions are met:

(a) Each child in the household meets the same eligibility requirements of the current federal Child Care Scholarship program, specifically that each child shall be:

(1) A resident of New Hampshire;

(2) A U.S. citizen or qualified immigrant; and

(3) Thirteen years of age or under at the time of application or recertification; or through 17 years of age for children with disabilities who are enrolled before the age of 13.

(4) Any other federal eligibility criteria.

(b) Each eligible child resides with a verified New Hampshire child care professional. A verified New Hampshire child care professional means an individual who:

(1) Is a resident of New Hampshire;

(2) Is employed by a certified child care center and works a minimum of 25 hours per week; and

(3) Whose employment and eligibility are verified by the certified child care center at which the child care professional is employed.

(c) A certified child care center is a New Hampshire based, licensed child care center, licensed home child care center, or licensed-exempt center, that is registered and enrolled to accept child care scholarships with the state of New Hampshire.

(1) A family shall not be eligible if care is provided by a provider not licensed according to child-care center licensure rules; or registered and enrolled according to requirements for registered child care providers in the child care assistance program.

(2) A family shall not be eligible if care is provided in a home child care by: a parent or stepparent; a legal guardian; or a person living in the same residence as the child in need of care.

(d) A household that meets the requirements outlined in this paragraph shall have eligibility determined for the federally-funded child care scholarship program under the eligibility rules for the child care workforce assistance project. If the household does not meet the eligibility requirements of this paragraph, it shall be deemed ineligible for such assistance.

(e) Households eligible for the child care assistance project qualify for the child care scholarship benefit available according to the most current market rate survey for family size, child age, type of program and service level subject to the same cost share as families eligible for the child care scholarship program.

(f) Upon implementation, the department of health and human services shall develop and engage child care providers and/or staff on verification process for project eligibility and develop a public awareness campaign to support broad access.

V. The department may contract with a private entity to administer and manage the child care workforce assistance project established pursuant to this section.

VI. On or before November 1, 2025, the department shall provide a detailed report of the child care workforce assistance project to the house health and human services oversight committee and senate health and human services committee of the general court. The report shall include the following information:

(a) The number of individuals qualifying for existing childcare scholarship.

(b) The number of individuals who will be added as a result of the project.

(c) Any needed technology or other adjustments to implement the project.

(d) The suggested funding level going forward, should the project continue beyond its scheduled end date.

(e) Any other relevant information regarding the project.

2 Department of Health and Human Services; Waiver Request. The department of health and human services shall submit any waiver or request required by the United States Department of Health and Human Services, Office of Child Care to use New Hampshire's Child Care and Development Fund (CCDF) funds for the purpose of administering the child care workforce assistance project established in section 1 of this act.

3 Appropriation; Child Care Workforce Assistance Project.

I. The sum of $1,000,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of issuing benefits under the child care workforce assistance project established by this act.

II. The sum of $100,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of administering the child care workforce assistance project established by this act.

III. The governor shall first utilize any available federal funds, and any remainder shall be general funds. The governor is authorized to draw a warrant for the general fund share of said sums out of any money in the treasury not otherwise appropriated.

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

AMENDED ANALYSIS

This bill establishes a child care workforce assistance project, the purpose of which is to temporarily expand eligibility for the child care scholarship program to certain child care employees. The bill makes an appropriation to the department of health and human services for this purpose.

Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.

Committee report was adopted, and the bill was ordered to third reading.

SB 406-FN-A, making an appropriation to the department of health and human services to increase rates for shelter programs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura Telerski for Finance. This bill, as amended, appropriates $2.5 million to the Department of Health and Human Services for the purpose of increasing the daily rates paid to shelter programs. The amendment specifies that American Rescue Plan Act (ARPA) funds, or any other federal funds, be used first before general funds. Programs receiving funding shall prioritize veterans to the greatest extent practicable. The other side of the housing crisis is the dramatic and unprecedented demand for shelter services and the 13 agencies, and 950 beds statewide just aren't enough. While the daily rate was increased with the latest budget cycle to $20, this funding would enable an increase to $27, when the actual cost is closer to $47. While this additional funding is a band-aid to a larger problem, it will be a much-needed boost to keep our existing programs open and running and prevent any dialing back of services which could be devastating to our communities. Vote 23-2.

Amendment (1866h)

Amend the bill by replacing paragraph I as inserted by section 1 of the bill with the following:

I. The sum of $2,500,000 is hereby appropriated for the fiscal year ending June 30, 2024, to the department of health and human services for the purpose of increasing rates paid to shelter programs. Said sum shall not lapse until June 30, 2025. Of this amount, the governor shall first determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2 or any other federal funds can be used for this purpose, and any remainder shall be general funds. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.

Committee report was adopted, and the bill was ordered to third reading.

SB 409-FN, relative to reimbursement for ambulance services under the state Medicaid plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jerry Stringham for Finance. Ambulance services have become an increasingly important cog in the Granite State's healthcare system and under great stress. A significant portion of an ambulance service's calls do not lead to the transport from one location to another and therefore are not reimbursed. An example of such a service is an emergency call where an ambulance is dispatched to a location to assist an individual suffering from a drug overdose. The ambulance provider drives to the scene, delivers narcan, saves the person's life and the ambulance returns to its station with no transport. Under current Medicaid rules, ambulance companies providing such services would not receive any reimbursement. SB 409 provides an appropriation of $500,000 of general funds to compensate ambulance providers for non-transport medical services for Medicaid patients and to become eligible for partial payment from CMS. Vote 25-0.

Amendment (1862h)

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

AN ACT relative to reimbursement for ambulance services under the state Medicaid plan and making an appropriation therefor.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Appropriation; Department of Health and Human Services. The sum of $500,000 for the biennium ending June 30, 2025 is appropriated to the department of health and human services for the purposes of this act. The department may accept and expend any available matching federal funds without the approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for said sum from any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill directs the department of health and human services to submit an amendment to the state Medicaid plan regarding reimbursement for ambulance services. The bill also makes an appropriation to the department of health and human services for this purpose.

Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.

Rep. Stringham offered floor amendment (2026h).

Floor Amendment (2026h)

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

AN ACT relative to reimbursement for ambulance services under the state Medicaid plan and making an appropriation therefor and making an appropriation to the department of health and human services to support recreational activities for individuals with developmental disabilities.

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

4 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.

5 Effective Date.

I. Section 1 of this act shall take effect as provided in section 2 of this act.

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

AMENDED ANALYSIS

This bill:

I. Directs the department of health and human services to submit an amendment to the state Medicaid plan regarding reimbursement for ambulance services and makes an appropriation to the department for this purpose.

II. Makes an appropriation to the department of health and human services to fund recreational activities for individuals with developmental disabilities.

The question being adoption of floor amendment (2026h).
Rep. Stringham spoke in favor.
On a division vote, with 210 members having voted in the affirmative, and 152 in the negative, floor amendment (2026h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

SB 417-FN, relative to out-of-home placements for children. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**
Rep. J.R. Hoell for the Majority of Finance. The bill addresses the current issues with out of state placement for children and young adults that have been removed from their parents due to abuse or neglect. The initial draft of the bill required significant work and the Senate adopted three separate amendments prior to sending it to the House. The House Children and Family Law Committee initially heard the bill and recommended, on an 11-0 OTPA motion, a fourth amendment to address the serious underlying issues with the bill. The amendment failed to pass on the floor and the motion to table the bill failed by a mere four votes. The Finance Committee went through the bill section by section to address the policy issues that were not repaired in the C&FL amendment, optimize the process to reduce the time that the children would be in state care, as well as teasing out mechanisms to reduce the cost of facilitating the program. The priority of the committee was to limit the number of children that would be placed in out-of-state locations, or kept in hotels or group homes, until another location could be found. The baseline for all of these changes was the bill as adopted the second time from the Senate. Given the recent incidents of abuse of New Hampshire children that were sent to out-of-state placements, such as what took place at Bledsoe Youth Academy in Gallantin, Tennessee, the committee amendment added the additional requirement that the director of DCYF provide written approval for any out-of-state placements and kept the current language of the "least restrictive" environment being in care within the state of New Hampshire. During the review, the issues with the underlying law were brought to light as the current statute forces an innocent parent (one not accused of abuse or neglect) to petition the court for a hearing to be allowed to take custody of their own children. This underlying law forces the parent to prove their fitness and innocence to the court, a clear departure and violation of our traditional view of innocence until proven guilty. This creates additional and unnecessary court hearings. The amendment changes the presumption from the parent needing to prove their innocence to the parent being presumed fit and the Department of Heath and Human Services (DHHS) needing to prove that the parent is unfit if they have reason to file such a motion. The amendment updated the standard for evidence from "a preponderance of the evidence" to "clear and convincing evidence." The standard of "clear and convincing evidence" is a standard that we use in many other parts of the law including, but not limited to current bail hearings. Current court guidelines for guardianship of a minor use the following language: "the person must prove by clear and convincing evidence that the best interests of the minor..." Furthermore, in DHHS rules (He-C 203.14 - Standards and Burden of Proof), (a) Standards of proof applied by a presiding officer in a hearing shall include..." there are clear definitions for both standards: "'Preponderance of the evidence,' which means there is sufficient evidence to prove that a fact or conclusion is not only possible, but also probable;" and "'Clear and convincing evidence,' which means there is sufficient evidence to prove that a fact or conclusion is highly probable." Increasing the standard slightly to the clear and convincing evidence standard will

help reduce the number of spurious cases heard by the court and allow the Judicial Branch to focus on the cases where there are real concerns. Next, the amendment addresses concerns raised that parents who own firearms experience discrimination that negatively affects their judicial outcomes. The amendment makes it clear that mere ownership does not make a home "unsafe" and that this one factor should not be weighed against the parent. The amendment ensures that any cooperation with the department be weighed in favor of the non-accused parent as the committee felt that incentivising future parents to cooperate is a better model than the punishment mechanisms in the bill as sent over from the Senate. The amendment adopts cleaner language about the priority of placement with "related adult, or with kin, as defined in RSA 1700e:25, VIII" as the priority placement option. These changes all streamline the process of placement and will help facilitate getting children into homes where their unique needs can be met. Vote 13-12.

Rep. David Preece for the Minority of Finance. This bill came to Finance Division III with a vote of 11-0 from Children and Family Law and a decisive House vote. In light of troubles with an out-of-state placement of a child in need, legislators of both parties went to work on improving policy and procedure. The bill delineates various policies and procedures to protect at-risk children and provides the best possible care for them. The amendment, in part, puts into statute a definition of "fictive kin," crafted by a multi-state, bipartisan committee. However, the Finance Committee narrowly passed an amendment, which the minority believes would put more children at risk. The new amendment changes sections 2, 4, and 6, the "contrary to the safety and wellbeing" of the child or siblings to "contrary to the welfare." The amendment would go against the primary purpose of current statute 169–C: 2, the mandatory reporting of suspected instances of child abuse or neglect, which protects children whose life, health, or welfare is endangered. The child's best interest shall be the court's primary consideration in all proceedings under this chapter. The second significant change in section 3 of the amendment regards parental fitness hearings. The amendment changes the language of "presumption of fitness" to "deemed fit," which is legal language that would indicate a finding. It also changes the standard of proof required from "preponderance of the evidence," used throughout RSA 169-C, including what is needed for DCYF to remove a child from a parent, to "clear and convincing." The comparison to bail standards is entirely misleading and misplaced, as bail is criminal in nature and not addressed in RSA 169-C, a civil procedure meant to protect children. Again, this would put more children at risk. The third change in the Amendment that would probably cause potential danger to children at risk is the changes made to "unique needs," which is an incomplete definition, excluding essential factors such as psychological and educational. If a definition of "unique needs," excluding the clause "and whether or not the parent is adequately prepared to address those needs," which is essential to the safety of that child. In summary, the minority believes the amendment does not protect children.

Majority Amendment (1923h)

Amend the bill by replacing sections 1-6 with the following:

1 Child Protection Act; Presumption in Favor of In-State Placements. Amend RSA 169-C:19-b to read as follows:

169-C:19-b Presumption in Favor of In-State Placements. There shall be a presumption that an in-state placement is the least restrictive and most appropriate placement. The court may order an out-of-state placement only upon an express written finding that [~~there is no appropriate in-state placement available.~~] ***no options for in-state placement exist and the out-of-state placement offers specialized programming or services that are unable to be provided within New Hampshire, and the placement is contracted with the state. Preference shall be given to out-of-state placements that are in proximity to the child's family and/or kin, who are able to participate in family and/or reunification services. Any out-of-state placements shall be limited in time and require both increased judicial oversight and the written approval of the director of the division for children, youth and families.***

2 Child Protection Act; Siblings. RSA 169-C:19-d is repealed and reenacted to read as follows:

169-C:19-d Siblings.

I. The department shall place a child with the child's siblings unless doing so would be contrary to the welfare of the child or siblings, or otherwise not in the child's best interest.

II. If siblings are not placed together, reasonable efforts shall be made to provide for visitation with siblings, unless such visitation would be contrary to the welfare of the child or sibling.

3 Child Protection Act; Custody Hearing for Parent Not Charged with Abuse or Neglect. Amend RSA 169-C:19-e, I to read as follows:

I. A parent who has not been charged with abuse or neglect shall be [~~afforded, upon request,~~] ***deemed a fit parent. This may be challenged with*** a full hearing in the [~~district or family~~] ***circuit*** court regarding his or her ability to obtain custody. At the hearing, the parent shall be provided the opportunity to present evidence pertaining to his or her ability to provide care for the child and shall be awarded custody unless the state demonstrates, by [~~a preponderance of the~~] ***clear and convincing*** evidence, that he or she [~~has abused or neglected the child or is otherwise~~] ***is*** unfit to perform his or her parental duties. The court shall make written findings of fact supporting its decision.

I-a. The welfare of the child is the primary factor to be weighed when determining if a parent is fit to parent that child. In determining whether a parent is fit to perform his or her parental duties, the court may consider the following factors, in addition to any other relevant evidence presented:

(a) The unique physical, mental, emotional, and medical needs of the child;

(b) The parent's existing and historical relationship with that child;

(c) The parent's untreated mental health or substance use issues;

(d) The parent's provision of care to other children in their household, including addressing education needs, medical care, and mental and behavioral health care;

(e) The condition of the parent's home;

(f) Any prior allegations of child abuse or neglect; and

(g) The results of the department's evidence-based safety assessment of that parent, their home, and any other adults in the home. A parent's cooperation with the department's assessment, or their effort to provide any records necessary to such a determination, shall be weighed as a factor in favor of the fitness of that parent. The fact that a parent owns a firearm shall not make a home unsafe nor be weighted against the parent.

4 New Sections; Placement for Evaluation; Order of Preference of Out-of-Home Placement. Amend RSA 169-C by inserting after section 19-f the following new sections:

169-C:19-g Placement for Evaluation. Any psychological evaluations, including measures of personality functioning, shall be conducted by, or supervised by, a licensed psychologist with specialized training in the evidence-based treatment of childhood trauma.

169-C:19-h Order of Preference of Out-of-Home Placement. If the court finds that a child is abused or neglected or if the court issues a consent order pursuant to RSA 170-E:25, the court shall enter an order regarding the placement of the child, in the following order of preference:

I. If remaining in the care of the child's parent or legal guardian is determined to be contrary to the welfare of the child, to secure placement:

(a) With a related adult or with kin, as defined in RSA 170-E:25, VIII; or

(b) Within the child's community of origin, with kin or in a licensed foster home setting, with preference given to a licensed foster home with whom the child has a pre-existing relationship; or

(c) In a licensed foster home outside of the child's community of origin, with preference given to a licensed foster home with whom the child has a pre-existing relationship, and/or in a foster home that can provide intensive (ISO) services designed to meet the specific needs of the child; and

(1) The department of health and human services and the department of education shall make every attempt to arrange for the child to continue to attend their school of origin, making special transportation arrangements when necessary; and

(2) The department of health and human services shall ensure that the child is able to maintain their connections with their community of origin, including important relationships and activities; and

II. Only if placements described under paragraph I are not appropriate for the child due to an inability to maintain safety in the community, may alternative placements be considered, such as group or residential care as defined in RSA 170-E:25 and certified by the department for the care of children placed pursuant to RSA 169-C, or in any state-operated treatment program, that meet the specific needs of that child, and that are not available in that child's community of origin; and

(a) If the child is placed in a group or residential facility, such placement shall be for a limited time and with frequent review, pursuant to RSA 169-F:8, with the goal to return the child home or to a family setting in the community of origin as quickly as possible; and

(b) The court determines that the needs of the child cannot be met by kin or in a foster family home. Neither the shortage or lack of foster family homes nor the lack of community-based resources as expressed by the department shall be acceptable reasons for determining that the needs of the child cannot be met in a family setting. Nonetheless, if there is no kin or licensed foster home available at the time the court is ordering placement of the child, the court may order the best available temporary placement while the department of health and human services prioritizes locating a preferred placement.

5 Standard for Return of Child in Placement. Amend RSA 169-C:23 to read as follows:

169-C:23 Standard for Return of Child in Placement. In the absence of a guardianship of the person of the minor, governed by the terms of RSA 463, before a child in out-of-home placement is returned to the custody of his or her parents, the parent or parents shall demonstrate to the court that:

I. They are in compliance with the outstanding dispositional court order;

II. The child will not be endangered [~~in the manner adjudicated on the initial petition,~~] if returned home; and

III. Return of custody is in the best interests of the child***,*** [~~. Upon showing the~~] ***and with a showing that the parent has an*** ability to provide proper parental care, it shall be presumed that a return of custody is in the child's best interests ***unless the department demonstrates evidence to the contrary***.

6 New Sections; Court Ordered Placements; Presumption in Favor of In-State Placements; Order of Preference of Out-of-Home Placement. Amend RSA 169-F by inserting after section 4 the following new sections:

169-F:5 Presumption in Favor of In-State Placements. There shall be a presumption that an in-state placement is the least restrictive and most appropriate placement. The court may order an out-of-state placement only upon an express written finding that no in-state options exist and that the out-of-state placement offers specialized programming or services that are unable to be provided within New Hampshire, and the placement is contracted with the state. Preference shall be given to out-of-state placements that are in proximity to the child's family and/or kin, who are able to participate in family and/or reunification services. Any out-of-state placements shall be limited in time and require both increased judicial oversight and the written approval of the director of the division for children, youth and families.

169-F:6 Order of Preference of Out-of-Home Placement. For any out-of-home placements made under this chapter, the court shall enter an order regarding the placement of the child, in the following order of preference:

I. If remaining in the care of the child's parent or legal guardian is determined to be contrary to the welfare of the child, to secure placement:

(a) With a related adult or with kin as defined in RSA 170-E:25, VIII; or

(b) Within the child's community of origin, with kin or in a licensed foster home setting, with preference given to a licensed foster home with whom the child has a pre-existing relationship; or

(c) In a licensed foster home outside of the child's community of origin, with preference given to a licensed foster home with whom the child has a pre-existing relationship, and/or in a foster home that can provide intensive (ISO) services designed to meet the specific needs of the child; and

(1) The department of health and human services and the department of education shall make every attempt to arrange for the child to continue to attend their school of origin, making special transportation arrangements when necessary; and

(2) The department of health and human services shall ensure that the child is able to maintain their connections with their community of origin, including important relationships and activities; and

II. Only if placements described under paragraph I are not appropriate for the child due to an inability to maintain safety in the community, may alternative placements be considered, such as group or residential care as defined in RSA 170-E:25 or certified by the department for the care of children placed pursuant to RSA 169-C, or in any state-operated treatment program, that meet the specific needs of that child, and that are not available in that child's community of origin; and

(a) If the child is placed in a group or residential facility, such placement shall be for a limited time and with frequent review, pursuant to RSA 169-F:8 with the goal to return the child home or to a family setting in the community of origin as quickly as possible.

(b) The court determines that the needs of the child cannot be met by kin or in a foster family home. Neither the shortage or lack of foster family homes nor the lack of community-based resources as expressed by the department shall be acceptable reasons for determining that the needs of the child cannot be met in a family setting. Nonetheless, if there is no kin or licensed foster home available at the time the court is ordering placement of the child, the court may order the best available temporary placement while the department of health and human services prioritizes locating a preferred placement.

169-F:7 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 shall be seen in-person on at least a monthly basis, by their assigned case worker. 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 and child, 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 the facility where the child may have access to; 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 with children conducted by the department, pursuant to RSA 169-F:5, I, to be completed during each monthly in-person visit.

169-F:8 Court Oversight of Children in Residential Programs.

I. Except in cases of emergency placement, prior to placing a child in residential treatment programs or psychiatric residential treatment programs, except in emergency situations, 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 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 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 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 as expressed by the department shall not be an acceptable primary reason for determining that the needs of the child cannot be met in a foster family home. Nonetheless, if there is no kin or licensed foster home available at the time the court is ordering placement of the child, the court may order the best available temporary placement while the department prioritizes locating a preferred placement.

(d) Review information relating to the facility, which may include 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 laid out 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 required findings of 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 the most recent assessment and 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 at every subsequent court review hearing.

(c) 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 regular review hearing:

(a) Demonstrating that:

(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 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 that:

(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 caregiver, a legal guardian, legal custodian, or an adoptive parent, or in a foster family.

The question being adoption of majority committee amendment (1923h).
Rep. Long spoke against.
Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

YEAS 186 - NAYS 178

YEAS - 186

BELKNAP

Bean, Harry	Bogert, Steven	Bordes, Mike	Comtois, Barbara
Dumais, Russell	Harvey-Bolia, Juliet	McCarter, Nikki	Nagel, David
Ploszaj, Tom	Beaudoin, Richard	Smart, Lisa	Terry, Paul
Varney, Peter			

CARROLL

Avellani, Lino	Cordelli, Glenn	Costable, Michael	Crawford, Karel
MacDonald, John	Smith, Jonathan	Peternel, Katy	Brown, Richard

CHESHIRE

Hunt, John	Qualey, James	Rhodes, Jennifer	Thackston, Dick
Nutting, Zachary			

COOS

Davis, Arnold	Durkin, Sean	King, Seth	Tierney, James

GRAFTON

Berezhny, Lex	Brown, Carroll	Coulon, Matthew	Greeson, Jeffrey
Ladd, Rick	Rochefort, David	Sellers, John	Simon, Matthew

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Alexander, Joe	Ammon, Keith
Boyd, Bill	King, Bill	Colcombe, Riché	Cole, Brian
Corcoran, Travis	Creighton, Jim	Cushman, Leah	Kelley, Diane
Erf, Keith	Fedolfi, Jim	Griffin, Gerald	Gagne, Larry
Gorski, Ted	Healey, Robert	Infantine, William	Kennedy, Stephen
Kenny, Catherine	Kofalt, Jim	Gould, Linda	Lascelles, Richard
Lewicke, John	Mazur, Lisa	McGough, Tim	McLean, Mark
Mooney, Maureen	Noble, Kristin	Notter, Jeanine	Panek, Sandra
Pauer, Diane	Plett, Fred	Post, Lisa	Proulx, Mark
Prout, Andrew	Reid, Karen	Renzullo, Andrew	Seidel, Sheila
Sheehan, Vanessa	Sirois, Shane	Lekas, Tony	Mannion, Tom
Tenczar, Jeffrey	Wherry, Robert		

MERRIMACK

Andrus, Louise	Aures, Cyril	Aylward, Deborah	McGuire, Carol
Cambrils, Jose	McGuire, Dan	Gerhard, Jason	Hill, Gregory

Hoell, J.R.
Polozov, Yury
Walsh, Thomas
Leavitt, John
Boyd, Stephen
Testerman, Dave
Mason, James
Seaworth, Brian
Wood, Clayton
Moffett, Michael
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Foote, Charles
Nelson, Jodi
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Piemonte, Tony
Pratt, Kevin
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Verville, Kevin
Weyler, Kenneth
Bernardy, JD
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Janigian, John
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
True, Chris
Vose, Michael
Yokela, Josh
Brouillard, Jacob
Donnelly, Tanya
Edwards, Jess
Harb, Robert
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Cahill, Tim
Tudor, Paul
MacDonald, Wayne
Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Hobson, Deb
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Phillips, Emily
Potucek, John
Roy, Terry
Summers, James
Dolan, Tom
Vandecasteele, Susan
Wallace, Scott

STRAFFORD

Ankarberg, Aidan
Connor, James
Kaczynski, Thomas
Pitre, Joseph
Bailey, Glenn
Granger, Michael
Turcotte, Len
Potenza, Kelley
Bickford, David
Harrington, Michael
Newton, Clifford
Burnham, Claudine
Horgan, James
Phinney, Brandon

SULLIVAN

Aron, Judy
Spilsbury, Walter
Drye, Margaret
Stapleton, Walter
Rollins, Skip
Stone, Jonathan
Smith, Steven

NAYS - 178

BELKNAP

Coker, Matthew
St. Clair, Charlie

CARROLL

Burroughs, Anita
Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Monteil, Renee
Tatro, Bruce
Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda
Harvey, Cathryn
Germana, Nicholas
Parshall, Lucius
Weber, Lucy
Fox, Dru
Jones, Philip
Schapiro, Joe

COOS

Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Fellows, Sallie
Sullivan, Jared
Muirhead, Russell
Baldwin, Heather
Fracht, David
Lovett, Peter
Stavis, Laurel
Bolton, Bill
Hakken-Phillips, Mary
Massimilla, Linda
Stringham, Jerry
Cormen, Thomas
Murphy, James
Morse, Corinne

HILLSBOROUGH

Murray, Alissandra
Beaulieu, Jane
Calabro, Karen
Devine, Shelley
Davis, Fred
Harriott-Gathright, Linda
Smith, Juliet
Leapley, Nicole
Howard, Molly
Mangipudi, Latha
Murphy, Nancy
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Wheeler, Jonah
Nutting-Wong, Allison
Booras, Efstathia
Chretien, Jacqueline
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Juris, Louis
LeClerc, Daniel
Murray, Megan
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Wilhelm, Matthew
Baroody, Benjamin
Bouchard, Donald
Cornell, Patricia
Dutzy, Sherry
Gregg, Alicia
Herbert, Christopher
Foxx, Loren
Leishman, Peter
Perez, Maria
Ming, Ben
Pedersen, Michael
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Beauchemin, Paige
Bradley, Amy
Darby, Will
Elberger, Susan
Grill, Jessica
Jack, Martin
Lanza, Judi
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Thomas, Wendy

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Hall, Muriel
Hicks, Matthew	Lane, Connie	Luneau, David	MacKay, James
McWilliams, Rebecca	Myler, Mel	Payeur, Stephanie	Richards, Beth
Roesener, James	Gould, Sherry	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Wolf, Dan

ROCKINGHAM

Balboni, Peggy	DiLorenzo, Charlotte	Edgar, Michael	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Hamblet, Joan	Haskins, Linda
Murray, Kate	Knab, Allison	Cahill, Michael	Paige, Mark
Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe
McBeath, Rebecca	Meuse, David	Muns, Chris	O'Neil, Candice
Rafter, Hal	Raynolds, Ned	Simpson, Alexis	Turer, Eric
Vallone, Mark	Ward, Gerald		

STRAFFORD

Bay, Luz	Bixby, Peter	Rich, Cecilia	Cannon, Gerri
Conlin, Bill	Fitzpatrick, Daniel	Smith, Geoffrey	Grassie, Chuck
Howard, Heath	Horrigan, Timothy	Howland, Allan	Johnson, Erik
Kenney, Cam	LaMontagne, Jessica	Levesque, Cassandra	Smith, Marjorie
Schmidt, Peter	Pare, Gail	Selig, Loren	Southworth, Thomas
Vincent, Kenneth	Wall, Janet		

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Merchant, Gary
Palmer, William	Tanner, Linda		

and the majority committee amendment was adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 360 - NAYS 3

YEAS - 360

BELKNAP

Bean, Harry	Bogert, Steven	Bordes, Mike	Comtois, Barbara
Dumais, Russell	Harvey-Bolia, Juliet	McCarter, Nikki	Nagel, David
Ploszaj, Tom	Beaudoin, Richard	Smart, Lisa	St. Clair, Charlie
Terry, Paul	Varney, Peter		

CARROLL

Avellani, Lino	Burroughs, Anita	Cordelli, Glenn	Costable, Michael
Crawford, Karel	Paige, David	MacDonald, John	Smith, Jonathan
McAleer, Chris	Peternel, Katy	Brown, Richard	Woodcock, Stephen

CHESHIRE

Ames, Richard	Harvey, Cathryn	Fox, Dru	Eaton, Daniel
Faulkner, Barry	Germana, Nicholas	Hunt, John	Jones, Philip
Monteil, Renee	Newell, Jodi	Parshall, Lucius	Qualey, James
Rhodes, Jennifer	Schapiro, Joe	Tatro, Bruce	Thackston, Dick
Toll, Amanda	Weber, Lucy	Nutting, Zachary	

COOS

Durkin, Sean	Kelley, Eamon	Noël, Henry	King, Seth
Tierney, James			

GRAFTON

Almy, Susan	Baldwin, Heather	Berezhny, Lex	Bolton, Bill
Brown, Carroll	Cormen, Thomas	Coulon, Matthew	Fellows, Sallie
Fracht, David	Greeson, Jeffrey	Hakken-Phillips, Mary	Murphy, James
Sullivan, Jared	Ladd, Rick	Lovett, Peter	Massimilla, Linda
Morse, Corinne	Muirhead, Russell	Rochefort, David	Sellers, John
Simon, Matthew	Stavis, Laurel	Stringham, Jerry	

HILLSBOROUGH

Lekas, Alicia	Murray, Alissandra	Nutting-Wong, Allison	Abare, Kimberly
Alexander, Joe	Ammon, Keith	Boyd, Bill	King, Bill
Baroody, Benjamin	Beauchemin, Paige	Beaulieu, Jane	Booras, Efstathia

Bouchard, Donald
Colcombe, Riché
Creighton, Jim
Devine, Shelley
Erf, Keith
Gagne, Larry
Grill, Jessica
Herbert, Christopher
Juris, Louis
Foxx, Loren
Leapley, Nicole
Long, Patrick
MacKenzie, Mark
McGough, Tim
Morton, Jennifer
Nutter-Upham, Frances
Petrigno, Peter
Preece, David
Reid, Karen
Ryan, Linda
Sheehan, Vanessa
Staub, Kathy
Tellez, Trinidad
Wheeler, Jonah
Bradley, Amy
Cole, Brian
Cushman, Leah
DiSilvestro, Linda
Davis, Fred
Goley, Jeffrey
Harriott-Gathright, Linda
Infantine, William
Kennedy, Stephen
Gould, Linda
LeClerc, Daniel
Howard, Molly
Mangipudi, Latha
McLean, Mark
Murphy, Nancy
Panek, Sandra
Plamondon, Marc
Proulx, Mark
Renzullo, Andrew
Newman, Sue
Sirois, Shane
Lekas, Tony
Tenczar, Jeffrey
Wherry, Robert
Calabro, Karen
Corcoran, Travis
Kelley, Diane
Dutzy, Sherry
Fedolfi, Jim
Gorski, Ted
Healey, Robert
Jack, Martin
Kenny, Catherine
Lanza, Judi
Leishman, Peter
Murray, Megan
Mazur, Lisa
Ming, Ben
Noble, Kristin
Pauer, Diane
Plett, Fred
Prout, Andrew
Rombeau, Catherine
Seibert, Christine
Sofikitis, Catherine
Mannion, Tom
Vail, Suzanne
Wilhelm, Matthew
Chretien, Jacqueline
Cornell, Patricia
Darby, Will
Elberger, Susan
Griffin, Gerald
Gregg, Alicia
Heath, Mary
Smith, Juliet
Kofalt, Jim
Lascelles, Richard
Lewicke, John
Perez, Maria
McGhee, Kat
Mooney, Maureen
Notter, Jeanine
Pedersen, Michael
Post, Lisa
Newman, Ray
Rung, Rosemarie
Seidel, Sheila
Spier, Carry
Telerski, Laura
Thomas, Wendy

MERRIMACK

Turcotte, Alisson
Brennan, Angela
Carey, Lorrie
Gerhard, Jason
Hill, Gregory
Luneau, David
Moffett, Michael
Richards, Beth
Schamberg, Thomas
Shurtleff, Steve
Wallner, Mary Jane
Andrus, Louise
McGuire, Carol
McGuire, Dan
Gibbs, Merryl
Hoell, J.R.
MacKay, James
Myler, Mel
Roesener, James
Schuett, Dianne
Soucy, Timothy
Wolf, Dan
Aures, Cyril
Cambrils, Jose
Ebel, Karen
Hall, Muriel
Lane, Connie
Mason, James
Payeur, Stephanie
Boyd, Stephen
Seaworth, Brian
Walsh, Thomas
Wood, Clayton
Aylward, Deborah
Caplan, Tony
Gallager, Eric
Hicks, Matthew
Leavitt, John
McWilliams, Rebecca
Polozov, Yury
Gould, Sherry
See, Alvin
Testerman, Dave

ROCKINGHAM

Balboni, Peggy
Mannion, Dennis
Donnelly, Tanya
Edgar, Michael
Gilman, Julie
Hamblet, Joan
Nelson, Jodi
Perez, Kristine
Kuttab, Katelyn
Lundgren, David
Pearson, Mark
Manos, Zoe
Melvin, Charles
O'Neil, Candice
Piemonte, Tony
Pratt, Kevin
Raynolds, Ned
Soti, Julius
Sytek, John
True, Chris
Vandecasteele, Susan
Wallace, Scott
Ball, Lorie
Thomas, Douglas
Doucette, Fred
Edwards, Jess
Grossman, Gaby
Harb, Robert
Janigian, John
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
Maggiore, Jim
McBeath, Rebecca
Meuse, David
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Roy, Terry
Spillane, James
Cahill, Tim
Tudor, Paul
Verville, Kevin
Ward, Gerald
Bernardy, JD
DeSimone, Debra
Drago, Mike
Emerick, Tracy
Grote, Jaci
Haskins, Linda
Janvrin, Jason
Khan, Aboul
Layon, Erica
Cahill, Michael
Malloy, Dennis
McDonnell, Valerie
Milz, David
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Pearson, Stephen
Summers, James
Dolan, Tom
Turer, Eric
Vose, Michael
Weyler, Kenneth
Brouillard, Jacob
DiLorenzo, Charlotte
Dunn, Ron
Foote, Charles
Guthrie, Joseph
Hobson, Deb
Murray, Kate
Knab, Allison
Love, David
Paige, Mark
Mandelbaum, Jennifer
McMahon, Charles
Muns, Chris
Phillips, Emily
Potucek, John
Rafter, Hal
Simpson, Alexis
Sweeney, Joe
Tripp, Richard
Vallone, Mark
MacDonald, Wayne
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bixby, Peter
Conlin, Bill
Granger, Michael
Horgan, James
Kaczynski, Thomas
Levesque, Cassandra
Pare, Gail
Selig, Loren
Bailey, Glenn
Burnham, Claudine
Connor, James
Grassie, Chuck
Horrigan, Timothy
Kenney, Cam
Smith, Marjorie
Phinney, Brandon
Southworth, Thomas
Bay, Luz
Rich, Cecilia
Fitzpatrick, Daniel
Howard, Heath
Howland, Allan
Turcotte, Len
Newton, Clifford
Pitre, Joseph
Vincent, Kenneth
Bickford, David
Cannon, Gerri
Smith, Geoffrey
Harrington, Michael
Johnson, Erik
LaMontagne, Jessica
Schmidt, Peter
Potenza, Kelley
Wall, Janet

SULLIVAN

Aron, Judy
Drye, Margaret
Smith, Steven
Tanner, Linda
Sullivan, Brian
Merchant, Gary
Spilsbury, Walter
Cloutier, John
Palmer, William
Stapleton, Walter
Damon, Hope
Rollins, Skip
Stone, Jonathan

NAYS - 3
BELKNAP

Coker, Matthew

CHESHIRE

Abbott, Michael

HILLSBOROUGH

Raymond, Heather

and the majority committee report was adopted, and the bill was ordered to third reading.

(Rep. Steven Smith in the Chair)
MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hoell moved that the House reconsider its action whereby, on a roll call vote of 361-3, the House adopted the majority committee report of Ought to Pass with Amendment on **SB 417-FN,** relative to out-of-home placements for children.
Rep. Hoell spoke against.
On a division vote, with 33 members having voted in the affirmative, and 325 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

SB 453-FN-A, making an appropriation to the statewide voter registration system. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**
Rep. Dan McGuire for the Majority of Finance. This bill combines $450,000 from the general fund with $100,000 from HAVA funds to pay for the creation of an online voter registration portal and other improvements to the registration database. The problem is that the companion bill that implements these policies, HB 463, may not be passed, and therefore we would have allocated $450,000 to the Secretary of State for no purpose. The correct action is for the allocation of funds to be attached to the policy bill so that they can rise or fall together. Vote 13-12.
Rep. Karen Ebel for the Minority of Finance. this bill would make a $450,000 appropriation to the Secretary of State to incorporate additional capabilities into the Statewide Voter Registration System, such as an election information portal and maintaining the system. The recommendation of Division I of the Finance Committee on SB 453 was unanimously Ought to Pass. HB 463, which passed the House, is directly related to SB 453. HB 463 directed the Secretary of State to develop, in consultation with city and town clerks and supervisors of the checklist, an online election law portal. The portal would make registration easier for citizens of New Hampshire, especially those with disabilities and active-duty members of the armed forces. HB 463 had no associated appropriation, which necessitated the introduction and passage of SB 453 to fund the project. At the time of the Finance Committee's executive session on SB 453, the committee was advised that the Senate Election Law and Municipal Affairs Committee intended to recommend Interim Study on HB 463, which would make the money unnecessary. Because the Senate Election Law Committee was meeting when the Finance Committee was exec'ing SB 453, it could not be conclusively confirmed that the Senate Election Law Committee had made a committee recommendation on SB 453 or if it was, in fact, recommending Interim Study. But, regardless of the recommendation, the minority feels a motion of Ought to Pass is the appropriate motion since the Senate had not yet voted on a Senate Election Law Committee recommendation, it conforms with the division recommendation, supports the House position on HB 463 and did not try to anticipate what the Senate might do. If, in fact, the Senate does vote Interim Study on HB 463, the appropriation of SB 453, would not be required as that would mean the election law portal will not be created.

The question being adoption of the majority committee report of Refer for Interim Study.
Majority committee report was adopted.

SB 455-FN, relative to Medicaid reimbursement rates for prosthetic and orthotic devices. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jerry Stringham for Finance. This bill provides a supplemental appropriation to the Medicaid payment rates for prosthetic and orthotic devices needed for Medicaid patients. These medical devices include back and knee braces, orthotics and many products to help correct injured or malformed parts of the body. The current payment level, according to DHHS, is at 80% of the full Medicaid rate table. The supplemental $620,000 appropriation would provide an increase to most products and a reduction in a few so that the one-time rate adjustment would be to 90% of the Medicare rates. Such increases are needed as low payment has created

access issues. The Medicare base also serves as a more accurate base for reimbursement for these essential services. This increase represents the floor payment that New Hampshire Medicaid contractors can pay for covered prosthetic and orthotic devices. Vote 25-0.

Amendment (1958h)

Amend the bill by replacing section 1 with the following:

1 Medicaid Reimbursement Rate for Prosthetic and Orthotic Devices. The commissioner of department of health and human services shall take all available measures to increase the reimbursement rate for prosthetic and orthotic devices under Medicaid so that it is equal to no less than 90 percent of the reimbursement rate under Medicare as of January 1, 2024. On or before November 1, 2024, the commissioner shall provide a report of such actions to the oversight committee on health and human services, established in RSA 126-A:13. The report shall include the current reimbursement rates for prosthetic and orthotic devices under each program and address any remaining disparity.

Amend the bill by replacing section 3 with the following:

3 Appropriation; Department of Health and Human Services; Medicaid Reimbursement Rates for Prosthetic and Orthotic Devices. For the biennium ending June 30, 2025, the sum of $620,000 is appropriated to the department of health and human services for the purpose of establishing a Medicaid reimbursement rate for prosthetic and orthotic devices equal to no less than 90 percent of the Medicare reimbursement rate for prosthetic and orthotic devices under Medicare as of January 1, 2024. The department may accept and expend available federal funds without fiscal committee approval. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill directs the department of health and human services to establish a reimbursement rate for prosthetic and orthotic devices under Medicaid that is equal to no less than 90 percent of the rate under Medicare and makes an appropriation to the department for this purpose. The bill also directs the legislative oversight committee on health and human services to study the issue.

Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

SB 456-FN, relative to the state loan repayment program for qualified nursing professionals, and making an appropriation therefor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Laura Telerski for the Majority of Finance. In a very modest expansion of the successful 25-year Student Loan Repayment Program (SLRP) within the Department of Health and Human Services, this bill makes an appropriation of $300,000 to be directed specifically toward nursing professionals. While we know that there is a workforce shortage generally in the healthcare field, the shortage of nurses is particularly acute, forcing many provider organizations to hire high numbers of costly traveling nurses and not infrequently forcing limits on bed capacity of hospitals and long-term care facilities. Those in the majority understand that the healthcare workforce shortage is a complex puzzle with multiple causes. High student loan burdens are just one stressor for those in the field. Nevertheless, student loan repayment is an effective proven method of recruiting and retaining workers who commit to a three-year contract in designated shortage areas, such as Coös County. The increased assistance that this appropriation will provide will be extremely meaningful to both individual nurses and the organizations that employ them. It is estimated that this bill could translate to an additional 25,000 patient visits. Vote 15-10.

Rep. Jess Edwards for the Minority of Finance. The minority agrees with the minority of the policy committee. The numbers received in testimony was different than received by the policy committee. The bill adds $300,000 in general funds to a preexisting forgiveness program. As a result, Division III was able to be told that approximately six people would benefit, each receiving about $50,000. This is to entice these college educated individuals to work in underserved areas. Those underserved areas tend to be those with the most poverty. The median income in those areas is probably about $50,000 with a higher proportion of people who did not choose to go to college. This bill has the state subsidizing a student loan taken out by a medical professional which is in turn effectively paid for by plumbers, carpenters, small business owners and the like. The state should not be putting its thumb on the economic scales to such an extreme extent.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Edwards spoke against.
Rep. Telerski spoke in favor.
On a division vote, with 178 members having voted in the affirmative, and 182 in the negative, the majority committee report failed.

Rep. Edwards moved the minority committee report of Inexpedient to Legislate.
Minority committee report was adopted.

SB 463-FN, expanding access to court-appointed counsel for children in dependency proceedings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Preece for Finance. This bill came to Finance Division III with a vote of 11-0 from Children and Family Law and a decisive House vote. The Finance Committee supports the passage of SB 463- FN. This bill makes various changes regarding the appointment of counsel for children, including providing a right to an attorney in certain situations. This bill amends the New Hampshire Child Protection Act (the "Act") to give the family division judges the discretion to appoint counsel for children in abuse and neglect cases at any time. It adds a new provision to the Act requiring the mandatory appointment of counsel for children placed in, or who are at risk of being placed in, any group home or residential childcare institution as defined by RSA 170-E:25 or certified by the Department of Health and Human Services (DHHS) for the care of the children placed under RSA 169-C or in any state-operated residential treatment program. It adds a provision to the Act granting appointed counsel the right to view and have copies of the child's medical, psychological, and educational records. It adds a new provision to the Foster Care Bill of Rights requiring notice to the child of their right to appointed counsel. Passing this bill will stop New Hampshire from being an outlier and from failing to protect children's rights by protecting them in the same way as most other states. The Finance Committee passed Amendment 2024-1971h, which deletes section 4, Positions Established and Appropriation, from the bill and replaces it with a phased-in scheduled appointment for counsel for children already placed in any group home, childcare institution, or state operated residential treatment home programs. Vote 25-0.

Amendment (1971h)

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

2 Child Protection Act; Attorneys and Guardians Ad Litem. Amend RSA 169-C:10 to read as follows:

169-C:10 Attorneys and Guardians Ad Litem.

I. In cases brought pursuant to this chapter involving a neglected or abused child, the court shall appoint a Court Appointed Special Advocate (CASA) or other approved program guardian ad litem for the child. If a CASA or other approved program guardian ad litem is unavailable for appointment, the court may then appoint an attorney or other guardian ad litem as the guardian ad litem for the child. The court shall not appoint an attorney for any guardian ad litem appointed for the child. The CASA or other approved program guardian ad litem shall have the same authority and access to information as any other guardian ad litem. For purposes of this paragraph, "unavailable for appointment" means that there is no CASA or other approved program guardian ad litem available for appointment by the court following a finding of reasonable cause at the preliminary hearing held under RSA 169-C:15 so that the child's interests may effectively be represented in preparation for and at an adjudicatory hearing.

II.(a) In cases [~~involving a neglected or abused child~~] under this chapter, [~~where the child's expressed interests conflict with the recommendation for dispositional orders of the guardian ad litem,~~] the court may appoint an attorney to represent the ***expressed*** interests of the child. ***If a child's request for appointment of counsel is denied, the court shall state the reason for denial in an order or on the record. The child shall be notified of the court's decision.*** In any case of neglect or abuse brought pursuant to this chapter, the court shall appoint an attorney to represent an indigent parent alleged to have neglected or abused his or her child. In addition, the court may appoint an attorney to represent an indigent parent not alleged to have neglected or abused his or her child if the parent is a household member and such independent legal representation is necessary to protect the parent's interest. The court shall not appoint an attorney to represent any other persons involved in a case brought under this chapter.

(b) In cases under this chapter, subject to the phase-in schedule established in subparagraph II(e), the court shall appoint an attorney to represent the expressed interests of a child who is placed in any group home or child care institution as defined in RSA 170-E:25 or certified by the department for the care of children placed pursuant to RSA 169-C, or in any state operated residential treatment program. Except in the case of an emergency, if the department determines that the child's needs indicate such placement should be considered, the department shall notify the court within 2 business days of such determination, and the court shall appoint counsel to represent the expressed interests of the child. Such notification shall occur prior to referral for an independent assessment or submission of child-specific information to such placement. In the case of an emergency necessitating immediate placement of a child in a group home, child care institution, or any state operated residential treatment program, the department shall notify the court within 2 business days of such placement.

[~~(b)~~] ***(c)*** When an attorney is appointed as counsel for a child, representation may include counsel and investigative, expert and other services, including process to compel the attendance of witnesses, as may be necessary to protect the rights of the child.

(d) An attorney appointed as counsel for the child shall have the right to request to view and copy the child's medical, dental, psychological, psychiatric, educational, and counseling records,

including those maintained by any group home or child care institution as defined in RSA 170-E:25. Such request shall not be denied except for good cause shown. Records provided to counsel under this subparagraph shall only be used for proceedings under this chapter.

(e)(1) The following phase-in schedule shall apply for the appointment of counsel for children already placed in any group home, childcare institution, or state-operated residential treatment program as of July 1, 2025. Children who are placed in any group home, childcare institution, or state-operated residential treatment program that is located outside of New England as of July 1, 2025 shall be entitled to counsel no later than July 31, 2025. Children who are placed in any group home, childcare institution, or state-operated residential treatment program located within New England as of July 1, 2025 shall be entitled to counsel no later than the following dates:

(A) For children 16 and 17 years of age, July 31, 2025.

(B) For children 14 and 15 years of age, October 31, 2025.

(C) For children 12 and 13 years of age, January 31, 2026.

(D) For children 10 and 11 years of age, April 30, 2026.

(E) For children 9 years of age or younger, July 31, 2026.

(2) Notwithstanding this subparagraph, in any action in which, despite diligent efforts to secure counsel, an attorney is not available for appointment, litigation may proceed until an attorney becomes available. In such cases, the court shall, where possible, prioritize consideration of legal issues that do not affect the child's expressed interests until an attorney becomes available.

III. The New Hampshire supreme court shall adopt rules regarding the duties and responsibilities of the CASA guardian ad litem or other guardian ad litem appointed for the child.

3 2026 Statutory Change Following Repeal of Subparagraph; Child Protection Act; Attorneys and Guardians Ad Litem. Amend RSA 169-C:10 to read as follows:

(b) In cases under this chapter, [~~subject to the phase-in schedule established in subparagraph II(e),~~] the court shall appoint an attorney to represent the expressed interests of a child who is placed in any group home or child care institution as defined in RSA 170-E:25 or certified by the department for the care of children placed pursuant to RSA 169-C, or in any state operated residential treatment program. Except in the case of an emergency, if the department determines that the child's needs indicate such placement should be considered, the department shall notify the court within 2 business days of such determination, and the court shall appoint counsel to represent the expressed interests of the child. Such notification shall occur prior to referral for an independent assessment or submission of child-specific information to such placement. In the case of an emergency necessitating immediate placement of a child in a group home, child care institution, or any state operated residential treatment program, the department shall notify the court within 2 business days of such placement.

4 New Paragraph; Foster Care Children's Bill of Rights; Right to Request an Attorney in a Child Protection Case. Amend RSA 170-G:21 by inserting after paragraph XIV the following new paragraph:

XIV-a. To be informed of the right to request an attorney under RSA 169-C:10, II(a) and of the guaranteed right to an attorney under RSA 169-C:10, II(b). The department shall provide the child with a written statement of these rights and the process by which to request an attorney.

5 Prospective Repeal. RSA 169-C:10, II(e), relative to phase-in schedule for appointment of counsel, is repealed.

6 Effective Date.

I. Sections 3 and 5 of this act shall take effect August 1, 2026.

II. The remainder of this act shall take effect July 1, 2025.

AMENDED ANALYSIS

This bill makes various changes regarding the appointment of counsel for children, including providing a right to an attorney in certain situations, subject to a phase-in schedule.

Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.

Committee report was adopted, and the bill was ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Sweeney moved that the House reconsider its action whereby, on voice vote, the House adopted the minority committee report of Inexpedient to Legislate on **SB 456-FN,** relative to the state loan repayment program for qualified nursing professionals, and making an appropriation therefor.

Rep. Sweeney spoke against.

On a division vote, with 174 members having voted in the affirmative, and 186 in the negative, the motion failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Sweeney moved that the House reconsider its action whereby, on a roll call vote of 184-174, the House adopted the majority committee report of Inexpedient to Legislate on **SB 217-FN-A,** establishing a rural and underserved area educator incentive program for higher education and making an appropriation therefor.
Rep. Sweeney spoke against.
On a division vote, with 177 members having voted in the affirmative, and 185 in the negative, the motion failed.

The House recessed at 12:00 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Packard in the Chair)
REGULAR CALENDAR CONT'D

SPECIAL ORDER
SB 558-FN, relative to insurance coverage for infertility treatments, protection from discrimination during IVF treatments, parental leave, and adoption. **REFER FOR INTERIM STUDY.**
Rep. John Hunt for Commerce and Consumer Affairs. This bill requires insurance companies to cover fertility treatment for up to six rounds of intrauterine insemination per plan year regardless of whether or not the individual has a diagnosis of infertility. There is some question whether health insurance already covers for this procedure, but the committee is committed to enacting legislation to ensure that an individual can get this treatment. This may be resolved this week with a floor amendment. Vote 18-0.

MOTION TO LAY ON THE TABLE

Rep. Weber moved that **SB 558-FN,** relative to insurance coverage for infertility treatments, protection from discrimination during IVF treatments, parental leave, and adoption, be laid on the table.
On a division vote, with 325 members having voted in the affirmative, and 32 in the negative, the motion was adopted.

MOTION TO SUSPEND HOUSE RULES

Rep. Gerhard moved that House Rules be so far suspended as to allow late drafting and introduction of a bill relative to allowing for members of the General Court to visit any public institution.
Rep. Gerhard spoke in favor and requested a roll call; sufficiently seconded.

YEAS 148 - NAYS 216

YEAS - 148

BELKNAP

Bean, Harry	Coker, Matthew	Comtois, Barbara	Dumais, Russell
Harvey-Bolia, Juliet	McCarter, Nikki	Ploszaj, Tom	Beaudoin, Richard
Smart, Lisa	Terry, Paul		

CARROLL

Costable, Michael	Smith, Jonathan	Peternel, Katy	Brown, Richard

CHESHIRE

Thackston, Dick			

COOS

Davis, Arnold	Durkin, Sean	King, Seth	Tierney, James

GRAFTON

Berezhny, Lex	Coulon, Matthew	Greeson, Jeffrey	Rochefort, David
Sellers, John	Simon, Matthew		

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Ammon, Keith	Boyd, Bill
King, Bill	Colcombe, Riché	Cole, Brian	Corcoran, Travis
Kelley, Diane	Erf, Keith	Fedolfi, Jim	Griffin, Gerald
Gagne, Larry	Gorski, Ted	Gregg, Alicia	Healey, Robert
Infantine, William	Kennedy, Stephen	Kenny, Catherine	Kofalt, Jim
Gould, Linda	Lewicke, John	Long, Patrick	Howard, Molly
Mazur, Lisa	McGough, Tim	McLean, Mark	Noble, Kristin
Notter, Jeanine	Panek, Sandra	Pauer, Diane	Plett, Fred

Post, Lisa
Renzullo, Andrew
Seidel, Sheila
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Gould, Sherry
Seaworth, Brian
See, Alvin
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Grossman, Gaby
Harb, Robert
Hobson, Deb
Nelson, Jodi
Janigian, John
Perez, Kristine
Katsakiores, Phyllis
Kuttab, Katelyn
Walsh, Lilli
Love, David
Lundgren, David
Pearson, Mark
McDonnell, Valerie
Melvin, Charles
Ford, Oliver
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Prudhomme-O'Brien, Katherine
Quaratiello, Arlene
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Dolan, Tom
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Bailey, Glenn
Bickford, David
Burnham, Claudine
Connor, James
Granger, Michael
Harrington, Michael
Howland, Allan
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Potenza, Kelley

SULLIVAN

Drye, Margaret
Rollins, Skip
Smith, Steven
Stapleton, Walter
Stone, Jonathan

NAYS - 216

BELKNAP

Bogert, Steven
Bordes, Mike
St. Clair, Charlie
Trottier, Douglas
Varney, Peter

CARROLL

Avellani, Lino
Burroughs, Anita
Cordelli, Glenn
Paige, David
MacDonald, John
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Harvey, Cathryn
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Germana, Nicholas
Hunt, John
Jones, Philip
Monteil, Renee
Newell, Jodi
Parshall, Lucius
Qualey, James
Rhodes, Jennifer
Schapiro, Joe
Tatro, Bruce
Toll, Amanda
Weber, Lucy
Nutting, Zachary

COOS

Kelley, Eamon
Noël, Henry
Ouellet, Mike

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Brown, Carroll
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Murphy, James
Sullivan, Jared
Ladd, Rick
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Stavis, Laurel
Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Alexander, Joe
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Creighton, Jim
Cushman, Leah
Darby, Will
Devine, Shelley
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Freitas, Mary
Gibbons, Candace
Goley, Jeffrey
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Lascelles, Richard
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Murray, Megan
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben

Mooney, Maureen	Morton, Jennifer	Murphy, Nancy	Nutter-Upham, Frances
Pedersen, Michael	Petrigno, Peter	Plamondon, Marc	Preece, David
Proulx, Mark	Prout, Andrew	Newman, Ray	Raymond, Heather
Reid, Karen	Rombeau, Catherine	Rung, Rosemarie	Ryan, Linda
Newman, Sue	Seibert, Christine	Sofikitis, Catherine	Spier, Carry
Staub, Kathy	Telerski, Laura	Tellez, Trinidad	Vail, Suzanne
Veilleux, Daniel	Thomas, Wendy	Wilhelm, Matthew	

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Hall, Muriel
Hicks, Matthew	Lane, Connie	Luneau, David	MacKay, James
Mason, James	McWilliams, Rebecca	Myler, Mel	Payeur, Stephanie
Richards, Beth	Roesener, James	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Wolf, Dan

ROCKINGHAM

Balboni, Peggy	Thomas, Douglas	DeSimone, Debra	DiLorenzo, Charlotte
Donnelly, Tanya	Edgar, Michael	Gilman, Julie	Grote, Jaci
Guthrie, Joseph	Hamblet, Joan	Haskins, Linda	Janvrin, Jason
Murray, Kate	Khan, Aboul	Knab, Allison	Layon, Erica
Lynn, Bob	Cahill, Michael	Paige, Mark	Maggiore, Jim
Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe	McBeath, Rebecca
McMahon, Charles	Meuse, David	Milz, David	Muns, Chris
O'Neil, Candice	Pratt, Kevin	Rafter, Hal	Raynolds, Ned
Roy, Terry	Simpson, Alexis	Sytek, John	Cahill, Tim
Tripp, Richard	True, Chris	Turer, Eric	Vallone, Mark
Vose, Michael	MacDonald, Wayne	Ward, Gerald	

STRAFFORD

Ankarberg, Aidan	Bay, Luz	Bixby, Peter	Rich, Cecilia
Cannon, Gerri	Conlin, Bill	Fitzpatrick, Daniel	Smith, Geoffrey
Grassie, Chuck	Horgan, James	Horrigan, Timothy	Johnson, Erik
Kenney, Cam	LaMontagne, Jessica	Levesque, Cassandra	Smith, Marjorie
Schmidt, Peter	Pare, Gail	Pitre, Joseph	Selig, Loren
Southworth, Thomas	Vincent, Kenneth	Wall, Janet	

SULLIVAN

Aron, Judy	Sullivan, Brian	Cloutier, John	Damon, Hope
Merchant, Gary	Palmer, William	Spilsbury, Walter	Tanner, Linda

and the motion failed lacking the necessary two-thirds vote.
Rep. Cushman voted Nay and intended to vote Yea.

REGULAR CALENDAR CONT'D

SB 476-FN, making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men. **OUGHT TO PASS.**
Rep. Karen Ebel for Finance. The New Hampshire State Prison for Men was built in 1878 with additions and renovations made in the 1980's. Many expensive capital projects and infrastructure improvements will be needed over the next five to ten years to maintain the viability of the facility. This bill approves a capital appropriation to the Department of Corrections (DOC) in the amount of $40 million for architectural, engineering, programming, and design and construction documents for a replacement state men's prison. The annual expense for debt payments for the bonding for this expenditure is approximately $4.6 million annually. When added to the $10 million already appropriated for planning in last biennium's capital budget, the department will now have adequate funds to proceed. The division heard convincing testimony from DOC on the need to replace this facility. If a new prison is not constructed, the current aged prison will require an extensive investment in repairs approaching that of the estimated facility replacement cost of between $550 and $600 million. Construction costs will continue to rise, and this project has been delayed for too long. Preparing the necessary documents to construct a prison is a sound, necessary first step toward understanding what is required to build a new correctional facility. The commissioner assured Division 1 of the Finance Committee that she is already researching other prison plans around the country to try to learn from them and reduce engineering costs to the extent possible. The House Committee on Public Works and Highways, the policy committee, heard extensive testimony on the need for a new men's prison and recommended passage of SB 476. The bill passed the House with much support. Division members questioned the State Treasurer extensively on the state's bonding capacity and the impact of this off-cycle appropriation on future bonding capability, our bond rating and debt service affordability. She reassured the division that while she will continue to encourage the state to follow the conservative bonding approach New Hampshire has always followed in developing the state's capital budget, she understands the importance of this project and felt the state could

afford this appropriation. Looking ahead, the division also discussed with the Treasurer, how, if approved, the extraordinary expense of constructing a new men's prison could be structured. On the basis of the Treasurer's advice, the commissioner's reassurance of sound planning and the clear need for a new prison, the committee recommends this capital expenditure. Vote 24-1.

The question being adoption of the committee report of Ought to Pass.
Rep. Harriott-Gathright offered floor amendment (2153h).

Floor Amendment (2153h)

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

AN ACT making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men and authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.

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

2 Short Title. Sections 3-10 shall be known as "The Chief Bradley Haas Mental Health Firearms Reporting Act".

3 Sale of Firearms; Criminal History Record Check, Mental Health Record Check, and Protective Order Check. Amend RSA 159-D:1 to read as follows:

159-D:1 Sale of Firearms; Criminal History Record ***Check, Mental Health Record Check,*** and Protective Order Check.

The department of safety may become the point of contact for the federal government for the purposes of the National Instant Criminal Background Check System (NICS).

4 New Chapter; Mental Health Reporting for Firearm Background Checks. Amend RSA by inserting after chapter 159-E the following new chapter:

CHAPTER 159-F
MENTAL HEALTH REPORTING FOR FIREARM BACKGROUND CHECKS

159-F:1 Short Title.

This chapter shall be known as "Bradley's Law" in honor of retired Police Chief Bradley Haas who was shot and killed while defending the lives and safety of the patients and staff of the New Hampshire Hospital.

159-F:2 Mental Health Reporting Authorized.

I. In compliance with the federal NICS Improvement Amendments Act of 2007, Public Law 110-180 and the Brady Handgun Violence Prevention Act of 1993, Public Law 103-159, the New Hampshire judicial branch and the department of safety are authorized to report to the National Instant Criminal Background Check System (NICS) records concerning persons who have been disqualified from possessing or receiving a firearm under 18 U.S.C. section 922(g)(4) because they have been:

(a) Adjudicated as not guilty of a crime by reason of insanity;

(b) Adjudicated as incompetent to stand trial and found by the court to be a danger to themselves or others pursuant to RSA 171-B:2, 135-E:5 or 135:17-a; or

(c) Involuntarily committed to a mental health facility pursuant to RSA 135-C:34-54.

159-F:3 Entry Into the National Instant Criminal Background Check System.

I. Notwithstanding any other provision of law, including the requirement of a closed hearing and file under RSA 135-C:43, when a judge orders a nonemergency involuntary admission pursuant to RSA 135-C:34-54 or a commitment pursuant to RSA 171-B:2, and the order is one that qualifies under 18 U.S.C. section 922(g)(4), the court shall retain a record of the court order and promptly cause the disposition to be entered in the NICS Indices. When a person is found not guilty by reason of insanity, or incompetent to stand trial and found by the court to be a danger to himself or herself or others court pursuant to RSA 135-E or 135:17-a, as provided in this section, the department of safety shall promptly cause that disposition to be entered in the NICS Indices, in accordance with paragraph II.

II. The court or the department of safety shall report only the person's name, an identifier signifying the applicable prohibition under 18 U.S.C. section 922(g), the person's social security number, and date of birth.

III. If a court determines that a person is not competent to stand trial and finds that the person is also a danger to themselves or others, but, after 90 days, the person is not committed pursuant to RSA 171-B:2, 135-C:34-54, or 135-E:5, upon the motion of any party or sua sponte, the court may transmit that finding to the department of safety for entry into the NICS Indices.

159-F:4 Notifications; Confiscation of Firearms.

I. Before the close of the hearing conducted pursuant to RSA 135:17-a, RSA 135-C:34-54, RSA 135-E:5, or RSA 171-B:2, the court shall inquire of the person if he or she currently owns or has access to any firearms, and if so, where they are located. If the person answers affirmatively, the court shall inform the person that the court may order law enforcement to confiscate those firearms or ammunition. In addition,

the court shall offer the opportunity for the person to make voluntary arrangements to relinquish possession of his or her firearms or ammunition to law enforcement or to another individual in accordance with paragraph III.

II. On the conclusion of a proceeding under RSA 135:17-a establishing dangerousness under RSA 159-F:3, or on an order of commitment under RSA 135-C:34-54, 135-E:5, or 171-B:2, or upon the entry of a judgment of not guilty by reason of insanity, the court shall notify the person that such person is prohibited under federal law from purchasing, possessing, carrying, or transporting a firearm unless a petition for relief from disability is subsequently granted pursuant to RSA 159-G.

III. The court may simultaneously with any order of commitment issue an order:

(a) Directing the person to make arrangements to voluntarily relinquish possession of any firearms or ammunition he or she owns to law enforcement;

(b) Directing the person to transfer any firearms to another person with whom the person committed does not cohabitate, who is not himself or herself a prohibited person, and to whom the court determines such transfer should be permitted; or

(c) Directing law enforcement to confiscate any firearms or ammunition owned by the person no later than 48 hours after the order is issued.

IV. Firearms voluntarily relinquished or confiscated by law enforcement may be transferred to a federally licensed firearms dealer, at the person's own expense, for further disposition at the request of the owner and upon order of the court. Retrieval and disposal of any firearms not transferred to an individual or federally licensed firearms dealer shall be through the process as set forth in RSA 595-A:6.

159-F:4 Notifications; Confiscation of Firearms.

I. On the conclusion of a proceeding under RSA 135:17-a establishing dangerousness under RSA 159-F:3, or on an order of commitment under RSA 135-C:34-54, 135-E:5, or 171-B:2, or upon the entry of a judgment of not guilty by reason of insanity, the court shall notify the person that such person is prohibited under federal law from purchasing, possessing, carrying, or transporting a firearm unless a petition for relief from disability is subsequently granted pursuant to RSA 159-G. The court shall inquire of the person if they currently own or have access to any firearms, and if so, where they are located.

II. The court may simultaneously with any order of commitment issue an order to law enforcement to confiscate any firearms or ammunition owned by the person. Law enforcement shall carry out the order of the court as soon as possible, but in no case later than 48 hours after the order is issued. The person may transfer any firearms to another person with whom the person committed does not cohabitate and who is not themselves a prohibited person, and upon an order of the court permitting such transfer. The department of safety shall provide the court with the information necessary to make this notification. Alternatively, the firearms may be transferred to a federally licensed firearms dealer, at the person's own expense, for further disposition at the request of the owner and upon order of the court. Retrieval and disposal of any firearms not transferred to an individual or federally licensed firearms dealer shall be through the process as set forth in RSA 595-A:6.

159-F:5 Exclusions.

I. Neither the court nor the department of safety shall transmit information on persons seeking voluntary treatment or on persons involuntarily hospitalized for assessment or evaluation.

II. Information the court or the department of safety causes to be transmitted to NICS pursuant to this chapter shall not be considered as public records pursuant to RSA 91-A.

III. The records entered into the NICS Indices pursuant to this chapter shall only be used for purposes of determining eligibility to purchase, possess, carry, or transfer a firearm or ammunition. Information furnished shall not include confidential medical or treatment records, confidential tax or financial data, or library records.

IV. Neither the court nor the department of safety shall submit the name of any person to NICS signifying a prohibition under 18 U.S.C. section 922(g) except pursuant to the processes outlined in this chapter.

195-F:6 Appointment of Attorney.

Unless otherwise provided in statute, a person may be appointed an attorney by the court for the purposes of any hearing referred to in this chapter.

5 New Paragraph; Access to Governmental Records and Meetings; Exemptions. Amend RSA 91-A:5 by inserting after paragraph I-a the following new paragraph:

I-b. Information caused to be transmitted by the court to the National Instant Criminal Background Check System pursuant to RSA 159-F:5, II.

6 New Chapter; Relief from Disabilities. Amend RSA by inserting after chapter 159-F the following new chapter:

CHAPTER 159-G
RELIEF FROM DISABILITIES

159-G:1 Relief from Disabilities Petition.

Any person who has a non-emergency involuntary commitment under RSA 135-C:34-54 or has been found not guilty by reason of insanity or incompetent to stand trial and found by the court to be a danger to himself or herself or others pursuant to RSA 171-B:2, 135-E:5 or 135:17-a, as outlined in RSA 159-F, and who is subject to the firearm disabilities of 18 U.S.C. section 922 (g)(4), may petition for a review of the person's mental capacity to possess or purchase a firearm no sooner than the following time frames. Individuals found not guilty by reason of insanity may file for relief with the court 6 months after the finding of not guilty by reason of insanity status, unless the person was committed to an institution pursuant to RSA 651:8-b, in which case the person may file for relief 15 days after absolute discharge. Individuals found incompetent to stand trial and found by the court to be a danger to themselves or others under RSA 135:17-a, as outlined in RSA 159-F, may file for relief with the court 6 months after the finding of incompetency, unless the person was committed to an institution pursuant to RSA 171-B:2 or RSA 135-C:34-54, in which case the person may file for relief 15 days from when an absolute discharge order has been filed with the probate court. A person committed under RSA 135-E:5 may petition for relief 15 days after absolute discharge.

159-G:2 Psychiatric Examination.

Upon receipt of a petition for relief, the court shall schedule a hearing no later than 60 days after the date the petition was filed. Simultaneously, the court shall order an independent psychiatric examination be completed no more than 45 days from the date of the court's order. The independent psychiatrist shall provide the court with an opinion as to whether the person is disabled by a mental illness and is likely to act in a manner dangerous to public safety.

159-G:3 Hearing; Order; Appeals.

I. The petitioner may present evidence and call witnesses at the hearing on the petition. The court shall make written findings of fact and conclusions of law on the issues before it and issue a final order. The court may only consider applications for relief due to mental health adjudications or commitments that occurred in New Hampshire. The court shall review the circumstances regarding the firearms disabilities imposed by 18 U.S.C. section 922(g)(4), and records consisting of at minimum mental health and any criminal record, if applicable, and the person's reputation developed through character witness testimony, witness statements, or other character evidence.

II. The court shall grant the relief requested in the petition if the judge finds by clear and convincing evidence that the petitioner will not be likely to act in a manner that is dangerous to public safety and that granting the relief would not be contrary to the public interest. If the final order grants relief, the court shall, as soon as possible, request that the NICS entry be redacted and shall notify the United States Attorney General that the basis for the record being made available no longer applies. The petitioner may appeal a final order denying relief within 30 days of the order to the New Hampshire supreme court. The supreme court shall review the case de novo and has discretion to review additional evidence.

III. If the motion for relief is denied, unless a court finds good cause for considering a petition for relief sooner, the person may petition the court for relief again after 2 years have elapsed.

7 Application Required. The attorney general shall make application for approval of section 6 of this act to the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives, or other such agency as may be required by federal law in order to ensure New Hampshire citizens are provided with the ability to have their rights restored. RSA 159-F shall not take effect until the attorney general receives federal approval of the restoration of rights process.

8 Contingency. Sections 3-6 of this act shall take effect on the date the attorney general certifies to the secretary of state and director of the office of legislative services that the state has received approval from the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives, pursuant to section 7 of this act. If the attorney general does not receive such approval, sections 3-6 of this act shall not take effect.

9 Appropriation; New Hampshire Judicial Branch. The sum of $1 for the fiscal year ending June 30, 2025, is hereby appropriated to the New Hampshire judicial branch for the cost of independent psychiatrist evaluations. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

10 Repeal. RSA 126-AA:2, VI, relative to submission of information to NICS, is repealed.

11 Effective Date.

I. Section 1 of this act shall take effect 30 days after its passage.

II. Sections 3 - 6 of this act shall take effect as provided in section 8 of this act.

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

AMENDED ANALYSIS

This bill makes a bonded appropriation of funds for architectural, engineering, programming, and design and construction documents for the New Hampshire state prison for men, and authorizes the state to report mental health data for firearms background check purposes and provides for processes for the confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.

The question being adoption of floor amendment (2153h).
Rep. Roy spoke in favor.
Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 165

YEAS - 202

BELKNAP

Bogert, Steven	St. Clair, Charlie	Trottier, Douglas	

CARROLL

Burroughs, Anita	Paige, David	McAleer, Chris	Woodcock, Stephen

CHESHIRE

Abbott, Michael	Ames, Richard	Harvey, Cathryn	Fox, Dru
Eaton, Daniel	Faulkner, Barry	Germana, Nicholas	Jones, Philip
Monteil, Renee	Newell, Jodi	Parshall, Lucius	Schapiro, Joe
Tatro, Bruce	Thackston, Dick	Toll, Amanda	Weber, Lucy

COOS

Kelley, Eamon	Noël, Henry	Tierney, James	

GRAFTON

Almy, Susan	Baldwin, Heather	Bolton, Bill	Brown, Carroll
Cormen, Thomas	Fellows, Sallie	Fracht, David	Hakken-Phillips, Mary
Murphy, James	Lovett, Peter	Massimilla, Linda	Morse, Corinne
Stavis, Laurel	Stringham, Jerry	Sykes, George	

HILLSBOROUGH

Murray, Alissandra	Baroody, Benjamin	Beauchemin, Paige	Beaulieu, Jane
Booras, Efstathia	Bouchard, Donald	Bradley, Amy	Calabro, Karen
Chretien, Jacqueline	Cornell, Patricia	Creighton, Jim	Darby, Will
Devine, Shelley	DiSilvestro, Linda	Dutzy, Sherry	Elberger, Susan
Davis, Fred	Freitas, Mary	Gibbons, Candace	Goley, Jeffrey
Gregg, Alicia	Grill, Jessica	Harriott-Gathright, Linda	Healey, Robert
Heath, Mary	Herbert, Christopher	Jack, Martin	Smith, Juliet
Juris, Louis	Foxx, Loren	Gould, Linda	Lanza, Judi
Lascelles, Richard	Leapley, Nicole	LeClerc, Daniel	Leishman, Peter
Long, Patrick	Howard, Molly	Murray, Megan	MacKenzie, Mark
Mangipudi, Latha	McGhee, Kat	Ming, Ben	Morton, Jennifer
Murphy, Nancy	Nutter-Upham, Frances	Panek, Sandra	Pedersen, Michael
Petrigno, Peter	Plamondon, Marc	Plett, Fred	Preece, David
Proulx, Mark	Newman, Ray	Raymond, Heather	Rombeau, Catherine
Rung, Rosemarie	Ryan, Linda	Newman, Sue	Seibert, Christine
Sofikitis, Catherine	Spier, Carry	Staub, Kathy	Telerski, Laura
Tellez, Trinidad	Vail, Suzanne	Veilleux, Daniel	Thomas, Wendy
Wheeler, Jonah	Wilhelm, Matthew		

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Hall, Muriel
Hicks, Matthew	Lane, Connie	Luneau, David	MacKay, James
McWilliams, Rebecca	Moffett, Michael	Myler, Mel	Payeur, Stephanie
Richards, Beth	Roesener, James	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Wolf, Dan

ROCKINGHAM

Balboni, Peggy	DeSimone, Debra	DiLorenzo, Charlotte	Edgar, Michael
Foote, Charles	Gilman, Julie	Grossman, Gaby	Grote, Jaci
Hamblet, Joan	Harb, Robert	Haskins, Linda	Nelson, Jodi
Murray, Kate	Knab, Allison	Lynn, Bob	Cahill, Michael
Paige, Mark	Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer
Manos, Zoe	McBeath, Rebecca	Meuse, David	Milz, David
Muns, Chris	O'Neil, Candice	Pratt, Kevin	Prudhomme-O'Brien, Katherine
Rafter, Hal	Raynolds, Ned	Roy, Terry	Simpson, Alexis
Sytek, John	Tudor, Paul	Turer, Eric	Vallone, Mark
Ward, Gerald			

STRAFFORD

Bay, Luz	Bixby, Peter	Rich, Cecilia	Cannon, Gerri
Conlin, Bill	Connor, James	Fitzpatrick, Daniel	Smith, Geoffrey
Grassie, Chuck	Howard, Heath	Horrigan, Timothy	Howland, Allan

Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Selig, Loren
Southworth, Thomas
Vincent, Kenneth
Wall, Janet

SULLIVAN

Sullivan, Brian
Cloutier, John
Damon, Hope
Merchant, Gary
Palmer, William
Smith, Steven
Tanner, Linda

NAYS - 165

BELKNAP

Bean, Harry
Bordes, Mike
Coker, Matthew
Comtois, Barbara
Dumais, Russell
Harvey-Bolia, Juliet
McCarter, Nikki
Ploszaj, Tom
Beaudoin, Richard
Smart, Lisa
Terry, Paul
Varney, Peter

CARROLL

Avellani, Lino
Belcher, Mike
Cordelli, Glenn
Costable, Michael
MacDonald, John
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
Ouellet, Mike
King, Seth

GRAFTON

Berezhny, Lex
Coulon, Matthew
Greeson, Jeffrey
Sullivan, Jared
Ladd, Rick
Rochefort, David
Sellers, John
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Abare, Kimberly
Alexander, Joe
Ammon, Keith
Boyd, Bill
King, Bill
Colcombe, Riché
Cole, Brian
Corcoran, Travis
Cushman, Leah
Kelley, Diane
Erf, Keith
Fedolfi, Jim
Griffin, Gerald
Gagne, Larry
Gorski, Ted
Infantine, William
Kennedy, Stephen
Kenny, Catherine
Kofalt, Jim
Lewicke, John
Mazur, Lisa
McGough, Tim
McLean, Mark
Mooney, Maureen
Noble, Kristin
Notter, Jeanine
Pauer, Diane
Post, Lisa
Prout, Andrew
Reid, Karen
Renzullo, Andrew
Seidel, Sheila
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Mason, James
Polozov, Yury
Boyd, Stephen
Gould, Sherry
Seaworth, Brian
See, Alvin
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Guthrie, Joseph
Hobson, Deb
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lundgren, David
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Ford, Oliver
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Quaratiello, Arlene
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bailey, Glenn
Bickford, David
Burnham, Claudine
Granger, Michael
Harrington, Michael
Horgan, James
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

and floor amendment (2153h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Phinney requested a roll call; sufficiently seconded.

YEAS 212 - NAYS 155

YEAS - 212

BELKNAP

Bogert, Steven	Coker, Matthew	St. Clair, Charlie	Trottier, Douglas

CARROLL

Burroughs, Anita	Paige, David	McAleer, Chris	Woodcock, Stephen

CHESHIRE

Abbott, Michael	Ames, Richard	Harvey, Cathryn	Fox, Dru
Eaton, Daniel	Faulkner, Barry	Germana, Nicholas	Hunt, John
Jones, Philip	Monteil, Renee	Newell, Jodi	Parshall, Lucius
Schapiro, Joe	Tatro, Bruce	Thackston, Dick	Toll, Amanda
Weber, Lucy			

COOS

Kelley, Eamon	Noël, Henry	Tierney, James	

GRAFTON

Almy, Susan	Baldwin, Heather	Bolton, Bill	Cormen, Thomas
Fellows, Sallie	Fracht, David	Hakken-Phillips, Mary	Murphy, James
Sullivan, Jared	Lovett, Peter	Massimilla, Linda	Morse, Corinne
Stavis, Laurel	Stringham, Jerry	Sykes, George	

HILLSBOROUGH

Murray, Alissandra	King, Bill	Baroody, Benjamin	Beauchemin, Paige
Beaulieu, Jane	Booras, Efstathia	Bouchard, Donald	Bradley, Amy
Calabro, Karen	Chretien, Jacqueline	Cornell, Patricia	Creighton, Jim
Darby, Will	Devine, Shelley	DiSilvestro, Linda	Dutzy, Sherry
Elberger, Susan	Davis, Fred	Freitas, Mary	Gibbons, Candace
Goley, Jeffrey	Gregg, Alicia	Grill, Jessica	Harriott-Gathright, Linda
Healey, Robert	Heath, Mary	Herbert, Christopher	Jack, Martin
Smith, Juliet	Juris, Louis	Foxx, Loren	Gould, Linda
Lanza, Judi	Lascelles, Richard	Leapley, Nicole	LeClerc, Daniel
Leishman, Peter	Long, Patrick	Howard, Molly	Murray, Megan
MacKenzie, Mark	Mangipudi, Latha	McGhee, Kat	Ming, Ben
Morton, Jennifer	Murphy, Nancy	Nutter-Upham, Frances	Panek, Sandra
Pedersen, Michael	Petrigno, Peter	Plamondon, Marc	Plett, Fred
Preece, David	Proulx, Mark	Newman, Ray	Raymond, Heather
Rombeau, Catherine	Rung, Rosemarie	Ryan, Linda	Newman, Sue
Seibert, Christine	Seidel, Sheila	Sofikitis, Catherine	Spier, Carry
Staub, Kathy	Telerski, Laura	Tellez, Trinidad	Vail, Suzanne
Veilleux, Daniel	Thomas, Wendy	Wheeler, Jonah	Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
McGuire, Dan	Ebel, Karen	Gallager, Eric	Gibbs, Merryl
Hall, Muriel	Hicks, Matthew	Hoell, J.R.	Lane, Connie
Luneau, David	MacKay, James	McWilliams, Rebecca	Myler, Mel
Payeur, Stephanie	Richards, Beth	Roesener, James	Gould, Sherry
Schamberg, Thomas	Schuett, Dianne	Shurtleff, Steve	Soucy, Timothy
Wallner, Mary Jane	Wolf, Dan		

ROCKINGHAM

Balboni, Peggy	DiLorenzo, Charlotte	Edgar, Michael	Edwards, Jess
Emerick, Tracy	Gilman, Julie	Grossman, Gaby	Grote, Jaci
Hamblet, Joan	Harb, Robert	Haskins, Linda	Nelson, Jodi
Murray, Kate	Katsakiores, Phyllis	Knab, Allison	Lynn, Bob
Cahill, Michael	Paige, Mark	Pearson, Mark	Maggiore, Jim
Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe	McBeath, Rebecca
Meuse, David	Milz, David	Muns, Chris	O'Neil, Candice
Ford, Oliver	Pratt, Kevin	Prudhomme-O'Brien, Katherine	Rafter, Hal
Raynolds, Ned	Roy, Terry	Pearson, Stephen	Simpson, Alexis
Sytek, John	Turer, Eric	Vallone, Mark	MacDonald, Wayne
Ward, Gerald	Weyler, Kenneth		

STRAFFORD

Bay, Luz	Bixby, Peter	Rich, Cecilia	Cannon, Gerri
Conlin, Bill	Fitzpatrick, Daniel	Smith, Geoffrey	Grassie, Chuck

Howard, Heath
Horrigan, Timothy
Howland, Allan
Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Selig, Loren
Southworth, Thomas
Vincent, Kenneth
Wall, Janet

SULLIVAN

Sullivan, Brian
Cloutier, John
Damon, Hope
Merchant, Gary
Palmer, William
Smith, Steven
Tanner, Linda

NAYS - 155

BELKNAP

Bean, Harry
Bordes, Mike
Comtois, Barbara
Dumais, Russell
Harvey-Bolia, Juliet
McCarter, Nikki
Ploszaj, Tom
Beaudoin, Richard
Smart, Lisa
Terry, Paul
Varney, Peter

CARROLL

Avellani, Lino
Belcher, Mike
Cordelli, Glenn
Costable, Michael
MacDonald, John
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Qualey, James
Rhodes, Jennifer
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
Ouellet, Mike
King, Seth

GRAFTON

Berezhny, Lex
Brown, Carroll
Coulon, Matthew
Greeson, Jeffrey
Ladd, Rick
Rochefort, David
Sellers, John
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Abare, Kimberly
Alexander, Joe
Ammon, Keith
Boyd, Bill
Colcombe, Riché
Cole, Brian
Corcoran, Travis
Cushman, Leah
Kelley, Diane
Erf, Keith
Fedolfi, Jim
Griffin, Gerald
Gagne, Larry
Gorski, Ted
Infantine, William
Kennedy, Stephen
Kenny, Catherine
Kofalt, Jim
Lewicke, John
Mazur, Lisa
McGough, Tim
McLean, Mark
Mooney, Maureen
Noble, Kristin
Notter, Jeanine
Pauer, Diane
Post, Lisa
Prout, Andrew
Reid, Karen
Renzullo, Andrew
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
Gerhard, Jason
Hill, Gregory
Leavitt, John
Mason, James
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Seaworth, Brian
See, Alvin
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Foote, Charles
Guthrie, Joseph
Hobson, Deb
Janigian, John
Janvrin, Jason
Perez, Kristine
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lundgren, David
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Quaratiello, Arlene
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
Wallace, Scott
Yokela, Josh

STRAFFORD

Ankarberg, Aidan
Bailey, Glenn
Bickford, David
Burnham, Claudine
Connor, James
Granger, Michael
Harrington, Michael
Horgan, James
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

and the committee report was adopted, and the bill was ordered to third reading.

The House recessed at 1:50 p.m.

RECESS

The House reconvened at 2:10 p.m.

(Speaker Packard in the Chair)

MOTION TO REPRIMAND

Rep. Yokela moved to reprimand Rep. Roy.
Rep. Verville spoke against.

MOTION TO LAY ON THE TABLE

Rep. Hoell moved that the motion to reprimand Rep. Roy, be laid on the table.
Motion was adopted.

MOTION TO REPRIMAND

Rep. Yokela moved to reprimand Rep. Aures.

MOTION TO LAY ON THE TABLE

Rep. Hoell moved that the motion to reprimand Rep. Aures, be laid on the table.
On a division vote, with 314 members having voted in the affirmative, and 55 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 499-FN, relative to reduction of hunger for children, older adults, and people with disabilities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. J.R. Hoell for the Majority of Finance. The bill, as sent over from the Senate, was an unfunded omnibus collection of various supplemental food programs for both children and seniors. Some of these programs would be overseen by the Department of Education and some by the Department of Health and Human Services. The fiscal note on version passed by the Senate estimated the increase to state and federal spending would be over $12 million in FY25 and over $8 million for each of the following two years. The issue with the bill and for most of the programs contained in the bill was either no appropriation was made or there was a token $1 assigned to the fund with the hope of getting some money from the Federal Government to fund these programs. The version passed by the Senate did allocate $500,000 towards one of the reduced lunch programs. The bill was assigned to the House Education Committee which vacated it to the Finance Committee by-passing both the Education and Health and Human Services policy committees. While reviewing the costs and the programs, the entire Finance Committee agreed with one change relative to simplification of the process for seniors applying for SNAP benefits. This program had a modest cost to implement and there was a real possibility that the state would see a savings in reduced labor content of processing annual applications. This was a $37,500 expense. The majority of the committee thought that the balance of the other programs needed additional thought and if desired could be put into future legislation. The summer EBT card program to help children in low-income families while they did not have access to the free and reduced lunches had some appeal, but there was a $1,000,000 implementation cost. The majority thought that this program needed additional planning and created an amendment that asked DHHS to put together a request for quotes and a project plan on how to implement the summer EBT food program in time for legislation to be drafted for the following year. In addition to the costs of the program not being accounted for, Division III heard in public testimony that even if the summer EBT program passed and was signed into law in June of 2024, there was no effective way to have the program set up to transfer funds to these EBT cards for use over the summer of 2024 and the more likely time would be middle to late October when the children are already back in the school where they have access to the current free and reduced lunch programs. The majority thought that asking the Department to put together a workable plan was worth spending money on. The amendment authorized $50,000 to allow the department to use internal or external resources to develop a project plan that could be reviewed and put into next year's legislation. The other programs that were covered in the bill were not ready for implementation nor was there sufficient evidence that they would be successful. Vote 13-12.
Rep. Laura Telerski for the Minority of Finance. The bill, as amended, directs the Department of Health and Human Services (DHHS) to participate in the Elderly Simplified Application project within the Supplemental Nutrition Assistance Program (SNAP) which provides food assistance to eligible older adults and people with disabilities, as well as putting out RFPs to develop a plan for implementing summer EBT. The minority amendment also implements the Elderly Simplified Application but also directs DHHS to participate in the federal summer EBT program. Summer is a time when children whose families have low incomes are food insecure because they cannot eat free or reduced meals while at school. Food insecurity has negative effects on children's development and on their physical and mental health into adulthood. Summer EBT gives families a small amount of support ($40 per child, for each summer month) to help feed children while school is not in session. The benefits for summer EBT are 100% covered by the federal government and the costs to administer

the program are split between the state and the federal government. Based on current enrollment of New Hampshire students who receive free and reduced school meals, 37,329 children would be eligible. If they all participate in the program, an additional $4,479,480 in federal dollars will be brought into the state and be spent on food at our corner stores and local markets. The return on investment for these dollars is likely to be between $6.7-$8 million. Both programs are itemized in the bill at a cost of $1,103,000. The majority amendment leaves open the question about whether the program could even be implemented in Summer 2025 because the appropriated amount is just a fraction of what DHHS stated is needed. The minority believes the investment of these state funds to get the program off the ground are an integral investment to feed hungry kids, while making it easier for seniors and disabled persons to continue to receive SNAP.

Majority Amendment (1957h)

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

AN ACT relative to the elderly simplified application for the Supplemental Nutrition Assistance Program and the Summer EBT program and making appropriations therefor.

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

1 New Paragraph; Human Service; SNAP; Elderly Simplified Application. Amend RSA 161:2 by inserting after paragraph XIII-b the following new paragraph:

XIII-c. SNAP; Elderly Simplified Application. The department shall apply for and participate in the elderly simplified application project within the Supplemental Nutrition Assistance Program.

2 Appropriation. The sum of $37,500 for the biennium ending June 30, 2025, is appropriated to the department of health and human services for the purpose of funding the SNAP elderly simplified application project pursuant to section 1 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The department is authorized to accept and expend any available matching federal funds for this purpose without approval of the fiscal committee of the general court.

3 Summer EBT; Appropriation. To facilitate participation in the federal Summer EBT program so that families whose children are eligible for free and reduced price meals can receive benefits on an EBT card in the summer, the sum of $50,000 for the biennium ending June 30, 2025 is appropriated to the department of health and human services for the purpose of creating a request for proposals, soliciting bids, and developing a concrete implementation plan for a summer EBT program to begin in the summer of 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. The department is authorized to accept and expend any available matching federal funds for this purpose without approval of the fiscal committee of the general court. The commissioner of the department of health and human services shall submit the department's implementation plan for the Summer EBT program to the speaker, senate president, house and senate finance committees by October 1, 2024.

4 Effective Date. This act shall take upon its passage.

AMENDED ANALYSIS

This bill directs the department of health and human services to apply for and participate in the SNAP elderly simplified application project and makes an appropriation to the department for this purpose. The bill also makes an appropriation to the department of health and human services to begin participation in the Summer EBT program.

The question being adoption of the majority committee amendment (1957h).
Reps. Wolf and Telerski spoke against.
Rep. Mooney spoke in favor.
On a division vote, with 182 members having voted in the affirmative, and 185 in the negative, the majority committee amendment failed.

Rep. Telerski offered minority committee amendment (1917h).

Minority Amendment (1917h)

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

AN ACT relative to the summer EBT program and the SNAP elderly simplified application and making appropriations therefor.

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

1 New Paragraphs; Human Service; Summer EBT and Elderly Simplified Application. Amend RSA 161:2 by inserting after paragraph XIII-b the following new paragraphs:

XIII-c. Summer EBT. The department shall apply for and meet all deadlines to participate in the federal Summer EBT program so that families whose children are eligible for free and reduced price meals can receive benefits on an EBT card in the summer. The department shall include in its biennial budget request under RSA 9:4 funding for any administrative costs related to administering the federal Summer EBT program.

XIII-d. Elderly Simplified Application. The department shall apply for and participate in the elderly simplified application project within the Supplemental Nutrition Assistance Program (SNAP). The department shall include in its biennial budget request under RSA 9:4 funding for any administrative costs related to administering the SNAP elderly simplified application.

2 Appropriations.

I. The sum of $143,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding personnel costs associated with the summer EBT program established by section 1 of this act. The department may contract with external resources, fill unfunded positions, or take other appropriate actions to facilitate the administrative support required under the provisions of this bill. 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 $55,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding systems and technology costs associated with the summer EBT program established by section 1 of this act for the summer of 2024. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. The sum of $667,500 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding systems and technology costs associated with the summer EBT program established by section 1 of this act for the summer of 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

IV. The sum of $82,500 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding transaction fees in the issuance of EBT costs associated with the summer EBT program established by section 1 of this act for the summer of 2024. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

V. The sum of $82,500 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding transaction fees in the issuance of EBT costs associated with the summer EBT program established by section 1 of this act for the summer of 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

VI. The sum of $10,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding one-time set-up costs associated with the summer EBT program established by section 1 of this act for the summer of 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

VII. The sum of $25,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding outreach costs associated with the summer EBT program established by section 1 of this act for the summer of 2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

VIII. The sum of $37,500 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding technology costs associated with the SNAP elderly simplified application established by section 1 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

IX. In addition to the appropriations contained in paragraphs I through VIII of this section, the department of health and human services may accept and expend matching federal funds without prior approval of the fiscal committee of the general court for this purpose.

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

AMENDED ANALYSIS

This bill directs the department of health and human services to participate in the federal summer EBT program and the SNAP elderly simplified application program and makes appropriations to the department for this purpose.

The question being adoption of minority committee amendment (1917h).
Rep. Mooney spoke against.
Rep. Telerski spoke in favor.
Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 178

YEAS - 192

BELKNAP

Bordes, Mike	Coker, Matthew	St. Clair, Charlie	Trottier, Douglas

CARROLL

Burroughs, Anita	Paige, David	McAleer, Chris	Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Harvey, Cathryn
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Germana, Nicholas
Jones, Philip
Monteil, Renee
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Tatro, Bruce
Thackston, Dick
Toll, Amanda
Weber, Lucy

COOS

Cascadden, Corinne
Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Murphy, James
Sullivan, Jared
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Stavis, Laurel
Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Ford, Damond
Darby, Will
Devine, Shelley
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Freitas, Mary
Gibbons, Candace
Goley, Jeffrey
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Infantine, William
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Pedersen, Michael
Petrigno, Peter
Plamondon, Marc
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Veilleux, Daniel
Thomas, Wendy
Wheeler, Jonah
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Brennan, Angela
Caplan, Tony
Carey, Lorrie
Ebel, Karen
Gallager, Eric
Gibbs, Merryl
Hall, Muriel
Hicks, Matthew
Lane, Connie
Luneau, David
MacKay, James
Mason, James
McWilliams, Rebecca
Myler, Mel
Payeur, Stephanie
Richards, Beth
Roesener, James
Gould, Sherry
Schamberg, Thomas
Schuett, Dianne
Schultz, Kristina
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
DiLorenzo, Charlotte
Edgar, Michael
Edwards, Jess
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Hamblet, Joan
Haskins, Linda
Murray, Kate
Knab, Allison
Cahill, Michael
Paige, Mark
Maggiore, Jim
Malloy, Dennis
Mandelbaum, Jennifer
Manos, Zoe
McBeath, Rebecca
McMahon, Charles
Meuse, David
Muns, Chris
O'Neil, Candice
Rafter, Hal
Raynolds, Ned
Simpson, Alexis
Turer, Eric
Vallone, Mark
Ward, Gerald
Yokela, Josh

STRAFFORD

Bay, Luz
Bixby, Peter
Rich, Cecilia
Cannon, Gerri
Conlin, Bill
Fitzpatrick, Daniel
Smith, Geoffrey
Grassie, Chuck
Howard, Heath
Horrigan, Timothy
Howland, Allan
Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Selig, Loren
Southworth, Thomas
Vincent, Kenneth
Wall, Janet

SULLIVAN

Sullivan, Brian
Cloutier, John
Damon, Hope
Merchant, Gary
Palmer, William
Tanner, Linda

NAYS - 178

BELKNAP

Bean, Harry
Bogert, Steven
Comtois, Barbara
Dumais, Russell
Harvey-Bolia, Juliet
McCarter, Nikki
Ploszaj, Tom
Beaudoin, Richard
Smart, Lisa
Terry, Paul
Varney, Peter

CARROLL

Avellani, Lino	Belcher, Mike	Cordelli, Glenn	Costable, Michael
MacDonald, John	Smith, Jonathan	Peternel, Katy	Brown, Richard

CHESHIRE

Hunt, John	Qualey, James	Rhodes, Jennifer	Nutting, Zachary

COOS

Davis, Arnold	Durkin, Sean	Ouellet, Mike	King, Seth
Tierney, James			

GRAFTON

Berezhny, Lex	Brown, Carroll	Coulon, Matthew	Greeson, Jeffrey
Ladd, Rick	Rochefort, David	Sellers, John	Simon, Matthew

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Alexander, Joe	Ammon, Keith
Boyd, Bill	King, Bill	Colcombe, Riché	Cole, Brian
Corcoran, Travis	Creighton, Jim	Cushman, Leah	Kelley, Diane
Erf, Keith	Fedolfi, Jim	Griffin, Gerald	Gagne, Larry
Gorski, Ted	Healey, Robert	Kennedy, Stephen	Kenny, Catherine
Kofalt, Jim	Gould, Linda	Lascelles, Richard	Lewicke, John
Mazur, Lisa	McGough, Tim	McLean, Mark	Mooney, Maureen
Noble, Kristin	Notter, Jeanine	Panek, Sandra	Pauer, Diane
Plett, Fred	Post, Lisa	Proulx, Mark	Prout, Andrew
Reid, Karen	Renzullo, Andrew	Seidel, Sheila	Sheehan, Vanessa
Sirois, Shane	Lekas, Tony	Mannion, Tom	Tenczar, Jeffrey
Ulery, Jordan	Wherry, Robert		

MERRIMACK

Andrus, Louise	Aures, Cyril	Aylward, Deborah	McGuire, Carol
Cambrils, Jose	McGuire, Dan	Gerhard, Jason	Hill, Gregory
Hoell, J.R.	Leavitt, John	Moffett, Michael	Polozov, Yury
Boyd, Stephen	Seaworth, Brian	See, Alvin	Walsh, Thomas
Testerman, Dave	Wood, Clayton		

ROCKINGHAM

Ball, Lorie	Bernardy, JD	Brouillard, Jacob	Mannion, Dennis
Thomas, Douglas	DeSimone, Debra	Donnelly, Tanya	Doucette, Fred
Drago, Mike	Dunn, Ron	Emerick, Tracy	Foote, Charles
Guthrie, Joseph	Harb, Robert	Hobson, Deb	Nelson, Jodi
Janigian, John	Janvrin, Jason	Perez, Kristine	Katsakiores, Phyllis
Khan, Aboul	Kuttab, Katelyn	Walsh, Lilli	Layon, Erica
Love, David	Lundgren, David	Lynn, Bob	Pearson, Mark
McDonnell, Valerie	Melvin, Charles	Ford, Oliver	Osborne, Jason
Phillips, Emily	Piemonte, Tony	Popovici-Muller, Daniel	Porcelli, Susan
Potucek, John	Pratt, Kevin	Prudhomme-O'Brien, Katherine	Quaratiello, Arlene
Roy, Terry	Pearson, Stephen	Soti, Julius	Spillane, James
Summers, James	Sweeney, Joe	Sytek, John	Cahill, Tim
Dolan, Tom	Tripp, Richard	True, Chris	Tudor, Paul
Vandecasteele, Susan	Verville, Kevin	Vose, Michael	MacDonald, Wayne
Wallace, Scott	Weyler, Kenneth		

STRAFFORD

Bailey, Glenn	Bickford, David	Burnham, Claudine	Connor, James
Granger, Michael	Harrington, Michael	Horgan, James	Kaczynski, Thomas
Turcotte, Len	Newton, Clifford	Phinney, Brandon	Pitre, Joseph
Potenza, Kelley			

SULLIVAN

Aron, Judy	Drye, Margaret	Rollins, Skip	Smith, Steven
Spilsbury, Walter	Stapleton, Walter	Stone, Jonathan	

and minority committee amendment (1917h) was adopted.
Rep. Yokela voted Yea and intended to vote Nay.

The question being adoption of minority committee report of Ought to Pass with Amendment.
Rep. Aron offered floor amendment (2125h).

Floor Amendment (2125h)

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

AN ACT relative to the Supplemental Nutrition Assistance Program and the Summer EBT program and making appropriations therefor and relative to providing disaster relief funding to municipalities after a natural disaster.

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

4 Purpose. 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.

5 Emergency Management Powers; Governor; Disaster Declaration. Amend RSA 4:47, III to read as follows:

III. The power to make, amend, suspend, and rescind necessary orders, rules, and regulations to carry out the provisions of this subdivision in the event of a disaster beyond local control; provided that civil liberties shall on no account be suspended, nor shall the United States Constitution or the New Hampshire Constitution be suspended. ***The governor may declare a disaster in the event of a natural disaster or severe weather event in one or more municipalities.***

6 New Section; Homeland Security and Emergency Management; Municipal Road and Bridge Disaster Relief Funding. Amend RSA 21-P by inserting after section 37-d the following new section:

21-P:37-e Disaster Relief Procedures.

A municipality may request infrastructural disaster relief more than once in a calendar year, but shall not receive more than $100,000 in grant money in a calendar year. Requests shall be filed with the joint legislative fiscal committee within 45 days after the governor's declaration. 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.

7 Emergency Response and Recovery Fund; Disaster. Amend RSA 21-P:46 to read as follows:

21-P:46 New Hampshire Emergency Response and Recovery Fund. There is hereby established a New Hampshire emergency response and recovery fund. The fund shall provide a source for the matching funds required as a commitment to secure federal emergency management agency relief assistance grants for costs incurred in disasters declared by the president of the United States. ***The fund shall also provide a source for emergency funds to be dispersed to municipalities that have incurred damage from natural disasters.*** The fund shall be nonlapsing and continually appropriated to the department of safety.

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

AMENDED ANALYSIS

This bill directs the department of health and human services to apply for and participate in the SNAP elderly simplified application project and makes an appropriation to the department for this purpose. The bill also makes an appropriation to the department of health and human services to begin participation in the Summer EBT program.

This bill also authorizes disaster relief aid for municipalities that suffer certain damage in natural disasters.

The question being adoption of floor amendment (2125h).
Rep. Aron spoke in favor.
On a division vote, with 189 members having voted in the affirmative, and 181 in the negative, floor amendment (2125h) was adopted.

The question being adoption of the minority committee report of Ought to Pass with Amendment.
Rep. Harrington requested a roll call; not sufficiently seconded.
On a division vote, with 235 members having voted in the affirmative, and 136 in the negative, the minority committee report was adopted, and the bill was ordered to third reading.

(Rep. Steven Smith in the Chair)

REGULAR CALENDAR CONT'D

SB 553-FN, requiring that funds held by the public deposit investment pool be invested in New Hampshire. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**
Rep. Joe Sweeney for the Majority of Finance. This bill, as amended, encourages the retention of taxpayer funds to support New Hampshire's economy, adds additional protections through collateralized and insured funds while maintaining investment flexibility for municipal finance officers. This legislation will allow us to take advantage of the downstream impacts of keeping taxpayer funds local through increased lending capacity for families and small businesses, generating more economic activity and tax revenues to our cities, towns and the state. The amendment addresses concerns raised by municipalities and the State Treasurer and states the investment advisor "shall strive to maintain no less than 30% of funds" in insured or collateralized bank deposits within New Hampshire and sets a goal for the Treasurer and Advisory Committee to maintain the highest credit rating attainable. The new language will be repealed through a sunset provision on December 30, 2030. Similar requirements are present in other states like New York, Iowa, and Missouri,

where portions of the pool are invested in local banks. Notably, all three pools, like PDIP, hold an AAAm rating, and their rates of return are comparable to ours. Passing SB 553 with the amendment not only supports the New Hampshire economy by encouraging local investment but also maintains a high rate of return and pool rating. Vote 16-9.

Rep. Gerald Griffin for the Minority of Finance. The public deposit investment pool (PDIP) was created some 30 years ago, and it has been a great success. Its goal has always been to obtain the best return available with safe investments. In that time, it has never lost money, and has grown to nearly $700 million invested by counties and municipalities. SB 553 seeks to change the pool's investment policy in two ways: investments must be deposited in New Hampshire banks, and they must be "insured or collateralized." The committee's amendment softens those requirements by reducing the percentage from 100% to 30%. All the uses of the pool we heard from oppose the law due to the likely deterioration of their investment returns. In 2023 the law was amended to place the trust under the State Treasurer. The State Treasurer and the pool's advisory committee are currently reviewing and developing policies and objectives for the pool. The legislature should let that process play out without mandating a geographical constraint on that process that may limit the pool's returns. Support the judgment of your county, city and your town's treasurers by opposing this bill, so a motion of Interim Study may be made.

Majority Amendment (1910h)

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

AN ACT requiring the investment advisor for the public deposit investment pool to maintain funds in a particular manner.

Amend the bill by replacing section 1 with the following:

1 Public Deposit Investment Pool. Amend RSA 6:45, II to read as follows:

II. The public deposit investment pool shall be operated under contract with a private investment advisor, approved by the state treasurer and advisory committee. The state treasurer and advisory committee shall choose an investment advisor by requesting proposals from advisors and reviewing such proposals based on criteria [~~adopted by rule under RSA 6:46~~] ***established by the state treasurer.***

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-3 to read as 3-4, respectively:

2 New Paragraphs; Investment Advisor Obligations. Amend RSA 6:45 by inserting after paragraph II the following new paragraphs:

II-a. The investment advisor selected by the state treasurer and advisory committee shall strive to maintain no less than 30 percent of the funds held by the public deposit investment pool in insured or collateralized deposits that meet the requirements of RSA 6:8,I and 6:8,I-a.

II-b. The investment advisor selected by the state treasurer and advisory committee shall achieve and maintain the highest attainable rating for stable value local government investment pools. The credit rating is an indication of the ability to preserve principal as determined by a nationally recognized statistical ratings organization.

Amend the bill by replacing section 4 with the following:

4 Repeal. RSA 6:45, II-a and II-b, relative to investment advisor obligations, is repealed.

5 Effective Date.

I. Section 4 of this act shall take effect December 30, 2030.

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

AMENDED ANALYSIS

This bill encourages the investment advisor for the public deposit investment pool maintain no less than 30 percent of the funds held by the public deposit investment pool in insured or collateralized deposits and requires them to achieve and maintain the highest attainable rating for stable value local government investment pools.

The question being adoption of the majority committee amendment.

Rep. Griffin spoke in favor.

Majority committee amendment was adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Sweeney spoke in favor.

Reps. Bogert, Griffin and Grassie spoke against.

On a division vote, with 176 members having voted in the affirmative, and 190 in the negative, the majority committee report failed.

Rep. Griffin moved the minority committee report of Refer for Interim Study.

Minority committee report was adopted.

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. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jess Edwards for the Majority of Finance. This bill requires the department to proactively protect and expand access, increase outreach and education, and identify barriers to protecting or expanding access to only two by-name drugs privately manufactured and marketed. The bill is unnecessary and inappropriate. The bill is unnecessary because the Board of Pharmacy could have produced this report already had the bill sponsors asked them. The bill is inappropriate for a longer set of reasons. The Supreme Court is reviewing, in part, issues related to safety and effectiveness protocols. food and drug administration v. alliance for Hippocratic medicine was argued before the US Supreme Court on March 26, 2024. Prior to those arguments, the court received approximately 100 amici curiae. A key question before the court was whether FDA's 2016 and 2021 actions regarding mifepristone were arbitrary and capricious. The underlying bill intends to commit the executive branch to advocating for expanded access to two drugs that are commonly available. The physician/patient interaction is usually outside the legislature's purview. There are no known barriers to New Hampshire physicians counseling and facilitating access to these drugs despite the presumption taken by the bill. The New Hampshire General Court should suspend legislation regarding expanding access to mifepristone and misoprostol pending confirmation that the FDA's actions have been consistent with their obligations to assure the safety and effectiveness these drugs to avoid the possibility of placing the state's Department of Health and Human Services in the role of advocating for drugs that have not been vetted properly. The department does not have a role in promoting or dissuading expanded access to any medication. The bill proposes a new precedent whereby the department would become an arbiter in evaluating the quality of the FDA's federal role and would insert it into the private physician/patient relationship. The department is busy doing the work authorized in law in a nonpartisan manner. Bringing them into taking a position in a political debate would undermine their critical credibility. Tainting the department as just another overtly political actor on an extremely crowded stage would undermine the public's faith in time of declared emergency and it would jeopardize public health as the department's guidance would be viewed as political, rather than policy. Danco, the manufacturer, reported less than two years ago that it had ample supply and that it was working with federal regulators to make the drug available in pharmacies by the end of 2022. The bill would effectively cause the State of New Hampshire to partner with Danco whose only product is mifespristone. The drugmaker doesn't make its income statement public. Danco's leadership decided over two decades ago that they would keep its management, structure and finances private. The General Court should respect their privacy and not invest taxpayer money into supporting Danco's unknown marketing budget. US drug shortages reached a record high with 323 meds now in short supply. The shortages affect everything from generic cancer drugs to ADHD medication. There are strong arguments for identifying the barriers to protecting or expanding access to these other lifesaving, health-enhancing drugs. Vote 13-12.

Rep. Laura Telerski for the Minority of Finance. Medication abortion is a safe, legal, and important component of reproductive health care in New Hampshire. Mifepristone and misoprostol is the drug combination prescribed by health care providers for abortion early in pregnancy, up until the 11th week. Medication abortion, specifically mifepristone, is at risk due to a US Supreme Court ruling which could restrict access nationwide - including here in New Hampshire - as early as next month. Access to health care, and in particular, to reproductive health care, varies throughout the state. While members of the minority recognize that the Department of Health and Human Services (DHHS) could compile this report without legislation, we believe that this is an important policy area in which the legislature should give specific direction to DHHS about an initiative that could inform both DHHS and the legislature about any changes needed to ensure access to this important reproductive health care throughout the state. The fiscal impact is less than $10,000.

MOTION TO LAY ON THE TABLE

Rep. Weber moved that **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, be laid on the table.

On a division vote, with 302 members having voted in the affirmative, and 54 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 591-FN-A, modifying definitions, claims procedures, and funding relating to the youth development center settlement fund and claims administration. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Dan McGuire for the Majority of Finance. This bill adds $60 million to the settlement fund for the YDC lawsuits. This amount is expected to pay our expenses until July 1, 2025. The bill also makes various changes to the settlement terms. These changes were negotiated with the plaintiffs' attorneys. They include extending the settlement window by six months in hopes of getting more settlements and fewer court cases, putting a $75 million cap on the state's annual settlement costs, and a 5% interest rate on settlements that

are paid over time. We expect that level of expense to continue for many years. The majority's amendment simply removes the ability of those funds to be borrowed. Instead, they will have to be budgeted with the state's other operating expenses. While it is appropriate to borrow when necessary for capital projects such as roads, prisons or other infrastructure that will be used for many decades, it is not appropriate to borrow to pay current expenses such as this settlement fund. The annual $75 million cost cap means that we are effectively already borrowing from the victims and paying them 5% interest. To further borrow the annual $75 million cost itself and pay even more interest on that is fiscally unsound, to put it mildly. Vote 13-12.
Rep. Mary Jane Wallner for the Minority of Finance. This bill was brought forward after extensive negotiations and agreement between the Attorney General and attorneys representing over 1,000 survivors of childhood abuse at the Youth Development Center. The bill makes numerous changes in claims procedures, definitions and scope of conduct covered under the administrative process. The bill was carefully crafted by the Attorney General, the fund administrator and claimants' counsel. The majority amendment deletes from the legislation the ability of the State Treasurer, with the approval of the Joint Fiscal Committee and the Governor and Council, to issue bonds in order to meet the state's obligation if additional funds are needed. The amendment came to the committee at the last minute and there was no consultation with the Attorney General about the effect the deletion of this section will have on the settlement fund and the carefully crafted negotiations with claimants' counsel.

Majority Amendment (1911h)

Amend RSA 21-M:11-a, XIV-XVII as inserted by section 1 of the bill by replacing it with the following:

XIV. [~~The administrator may approve all fees and costs of attorneys who represent claimants in proceedings before the administrator. The administrator shall not approve any request of an attorney for fees or costs which are not reasonable. The administrator shall not approve an attorney's fee in excess of 33 1/3 percent of the amount of the award. All costs and attorney's fees paid to a claimant's attorney shall be paid from the amount awarded to the claimant.~~

~~XV. The administrator, in consultation with the attorney general, shall quarterly submit a report to the speaker of the house of representatives, the president of the senate, the joint fiscal committee and the governor providing information as to the number and nature of claims made and settled, the amounts requested and paid in settlement to date, the claim amounts pending, an estimate of the likely amounts which will be approved and paid, the administrative costs which have been paid, and an estimate of future administrative costs to be paid. The report shall be structured to protect the privacy and anonymity of the claimants. The attorney general shall also post the report on the department of justice's public website.~~] ***The costs of administration of the fund and any costs of the attorney general which are outside of the ordinary operational expenses of the department of justice shall be paid from the fund.***

XV. The administrator may approve all fees and costs of attorneys who represent claimants in proceedings before the administrator. The administrator shall not approve any request of an attorney for fees or costs which are not reasonable. The administrator shall not approve an attorney's fee in excess of 33.33 percent of the amount of the award. All costs and attorney's fees paid to a claimant's attorney shall be paid from the amount awarded to the claimant.

XVI. The administrator, in consultation with the attorney general, shall quarterly submit a report to the speaker of the house of representatives, the president of the senate, the joint fiscal committee and the governor providing information as to the number and nature of claims made and settled, the amounts requested and paid in settlement to date, the claim amounts pending, an estimate of the likely amounts which will be approved and paid, the administrative costs which have been paid, and an estimate of future administrative costs to be paid. The report shall be structured to protect the privacy and anonymity of the claimants. The attorney general shall also post the report on the department of justice's public website.

The question being adoption of majority committee amendment (1191h).
Rep. Ebel spoke against.
Rep. Dan McGuire spoke in favor.
On a division vote, with 187 members having voted in the affirmative, and 173 in the negative, the majority committee amendment was adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Majority committee report was adopted, and the bill was ordered to third reading.

SB 596-FN, relative to the definition of disability or special needs under the child care scholarship program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**
Rep. Jess Edwards for the Majority of Finance. The majority believes that this important program needs a study committee to ensure the services provided to children are included and that those services be integrated into a Medicaid and public-school set of services. This bill untethers RSA 167 to expand on the eligibility for receipt of childcare fee assistance to those children that "displays, or is at risk for, delayed social or emotional

development." The stated goal was to get more money to our childcare providers. Each additional child that can be construed to fit within a potentially boundless definition would result in about $100 per month/per child to childcare centers. There is nothing expected in return for the extra funding. There's been discussion of what might possibly happen if the childcare providers get the extra money, but it is all best-case thinking with nothing in the bill to spell out their obligations or even the General Court's expectations. The net to be cast to bring in more eligible kids is constructed by an assessment tool that has not been selected and for which no criteria for selection has been identified. The proponents want to adopt a "trust the department" approach when the department says there are a range of assessment tools that could be used. The guidelines for which professional is required to conduct the assessment is set at too low a threshold of "other approved licensed professional." The standard of care ought to at least be a Masters-level qualification. The bill would allow the childcare facility to do the assessment and have the certification generate more revenue without expectation of how they should spend it. A study committee ought to be formed if the goal is to help children as opposed to increasing the amount of money flowing to childcare centers and later to public schools for serving more "special needs" kids. The assessment, care provided, and integration with Medicaid and the schools was noticeably left out of the bill and requires thoughtful consideration to develop a reasonable financial estimate for the costs to the childcare fees, Medicaid services, and IEPs. A narrowly defeated policy committee recommendation was that the bill "should be studied to first determine state responsibility, second to determine need, and then, if a need and responsibility is found, it should be far more narrowly tailored as to mitigate potential iatrogenic risks." The majority of Finance concurs and has approved an amendment to create an appropriate study committee. Vote 13-12.

Rep. Mary Jane Wallner for the Minority of Finance. The minority opposes the majority position on SB 596. In contrast to the majority position, this bill does not create a new program but instead expands an existing initiative in the New Hampshire Childcare Scholarship Program to address the growing gap in access to childcare that children with disabilities and complex needs face. Without passage of SB 596 childcare providers in all settings will continue to be faced with the difficult decisions of ether excluding these children, reducing enrollments or increasing tuitions for all families. Federal funds are available to support the expanded initiative. The majority amendment creating a committee to study this issue only causes delay in meeting the needs of these very young children.

Majority Amendment (1933h)

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

AN ACT establishing a committee to study the definition of disability or special needs under the child care scholarship program.

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

1 Committee Established. There is established a committee to study the definition of disability or special needs under the child care scholarship program.

2 Membership and Compensation.

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

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, one from the majority and one from the minority, appointed by the president of the senate.

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

3 Duties. The committee shall:

I. Study the definition of disability or special needs under the child care scholarship program.

II. Study the standardized and/or approved early childhood developmental screening tools necessary to determine eligibility.

III. Study the verification process for the results of the screening tools used to determine eligibility.

IV. Determine the size of the population served by the program, identify how incremental changes to the program, including changes to the definition of disability or special needs, may affect its scope, and project associated costs and state and federal funding sources.

V. Study any other issues identified through legislative hearings on SB 596 (2024), including but not necessarily limited to:

(a) Minimal performance standards and metrics to be achieved in exchange for receipt of additional funds made available by this program.

(b) Issues associated with integrating this program with Medicaid or public-school service transitions.

VI. The committee may solicit information from any person or entity the committee deems relevant to its study, including, but not limited to:

(a) The commissioner of the department of health and human services, or designee.

(b) The commissioner of the department of education, or designee.

(c) A child care provider as appointed by the child care advisory council.

(d) A representative of a community mental health center that works with young children.

(e) A representative from an early supports and services program, as appointed by Community Support Network Inc.

(f) A representative from a public school preschool program.

(g) A representative from head start.

VII. Propose any legislation the committee deems appropriate as a result of its study.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2024.

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

AMENDED ANALYSIS

This bill establishes a committee to study the definition of disability or special needs under the child care scholarship program.

The question being adoption of the majority committee amendment.
Rep. Wallner spoke against.
Rep. Edwards spoke in favor.
On a division vote, with 180 members having voted in the affirmative, and 182 in the negative, the majority committee amendment failed.

Rep. Wallner moved the minority committee report of Ought to Pass.
On a division vote, with 181 members having voted in the affirmative, and 182 in the negative, the minority committee report failed.

Rep. Sweeney moved Inexpedient to Legislate.

MOTION TO LAY ON THE TABLE

Rep. Wilhelm moved that **SB 596-FN,** relative to the definition of disability or special needs under the child care scholarship program, be laid on the table.
On a division vote, with 182 members having voted in the affirmative, and 183 in the negative, the motion failed.

The question being adoption of the motion of Inexpedient to Legislate.
On a division vote, with 187 members having voted in the affirmative, and 178 in the negative, the motion was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Sweeney moved that the House reconsider its action whereby, on a division vote of 187-178, the House adopted the motion of Inexpedient to Legislate on **SB 596-FN,** relative to the definition of disability or special needs under the child care scholarship program.
Rep. Sweeney spoke against.
On a division vote, with 177 members having voted in the affirmative, and 188 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

SB 604-FN-A, providing a death benefit for a New Hampshire hospital security officer killed in the line of duty. **OUGHT TO PASS.**
Rep. Gerald Griffin for Finance. This bill will be called the Bradley Hass Act. It honors the memory of Bradley Hass, a retired police chief, who was shot and killed while working as a security guard at our state hospital. he bill provides a $100,000 death benefit to the family of Officer Hass. This is the amount that he would have been entitled to, had he been a sworn law enforcement officer at the time of his death. Vote 22-2.

The question being adoption of the committee report of Ought to Pass.
Rep. Dan McGuire offered floor amendment (1930h).

Floor Amendment (1930h)

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

AN ACT providing a death benefit for a New Hampshire hospital security officer killed in the line of duty and establishing a death benefit for state security officers killed in the line of duty.

Amend the bill by replacing all after section 2 with the following:

3 New Subparagraph; Death Benefit for Employees Killed in the Line of Duty; Police Officer; State Security Officers Added. Amend RSA 21-I:29-a, I(g) by inserting after subparagraph (5) the following new subparagraph:

(6) Security officers employed by the state of New Hampshire.

4 Effective Date. This act shall take effect June 30, 2024.

AMENDED ANALYSIS

This bill provides a death benefit for the family of a New Hampshire hospital security officer killed in the line of duty. The bill also includes security guards employed by the state of New Hampshire in the definition of police officer for purposes of the benefit provided to employees killed in the line of duty.

The question being adoption of floor amendment (1930h).
Rep. Dan McGuire spoke in favor.
Floor amendment (1930h) was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

(Speaker Packard in the Chair)
REGULAR CALENDAR CONT'D

SB 503, relative to requiring a criminal background check when applying for a fish and game guide license. **OUGHT TO PASS.**
Rep. David Paige for Fish and Game and Marine Resources. This bill requires that new applicants for a New Hampshire guide's license be fingerprinted and subject to a criminal history records check, including a check through the Federal Bureau of Investigation. Currently when the department runs background checks on applicants, they can only get the records for crimes within New Hampshire, not any criminal record from actions in other states. The committee agrees that this bill is necessary to ensure applicants with criminal records outside of New Hampshire that should preclude them from guiding are identified. Vote 16-0.

The question being adoption of the committee report of Ought to Pass.
Rep. Spillane offered floor amendment (1770h).

Floor Amendment (1770h)

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

AN ACT relative to requiring a criminal background check when applying for a fish and game guide license and modifying the penalties for the possession or sale of certain weapons.

Amend the bill by replacing all after section 2 with the following:

3 Pistols and Revolvers; Carrying or Selling Weapons. RSA 159:16 is repealed and reenacted to read as follows:

159:16 Carrying or Selling Weapons.

I. Any person under the age of 18 who carries on his or her person any blackjack, slung shot, or metallic knuckles shall be guilty of a violation; and such weapon or articles so carried by such a person shall be forfeited to the state.

II. Any person who sells, delivers, or otherwise transfers any blackjack, slung shot, or metallic knuckles to a person under the age of 18 shall be guilty of a violation.

4 Repeal. RSA 159:17, relative to exceptions to the prohibition against carrying or selling weapons, is repealed.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect January 1, 2025.

AMENDED ANALYSIS

This bill requires a criminal background check when applying for a fish and game guide license and modifies the penalties for the sale of certain weapons.

The question being adoption of floor amendment (1770h).
Rep. Meuse spoke against.
Rep. Spillane spoke in favor.
Rep. Janvrin requested a roll call; sufficiently seconded.

YEAS 183 - NAYS 181

YEAS - 183
BELKNAP

Bean, Harry	Bordes, Mike	Coker, Matthew	Comtois, Barbara
Dumais, Russell	Harvey-Bolia, Juliet	Nagel, David	Ploszaj, Tom
Beaudoin, Richard	Smart, Lisa	Terry, Paul	Varney, Peter

CARROLL

Avellani, Lino
Belcher, Mike
Costable, Michael
MacDonald, John
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Hunt, John
Qualey, James
Rhodes, Jennifer
Thackston, Dick
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
Ouellet, Mike
King, Seth
Tierney, James

GRAFTON

Berezhny, Lex
Brown, Carroll
Coulon, Matthew
Greeson, Jeffrey
Ladd, Rick
Rochefort, David
Sellers, John

HILLSBOROUGH

Lekas, Alicia
Abare, Kimberly
Alexander, Joe
Ammon, Keith
Boyd, Bill
King, Bill
Colcombe, Riché
Cole, Brian
Corcoran, Travis
Creighton, Jim
Cushman, Leah
Kelley, Diane
Erf, Keith
Fedolfi, Jim
Griffin, Gerald
Gagne, Larry
Gorski, Ted
Healey, Robert
Infantine, William
Kennedy, Stephen
Kenny, Catherine
Kofalt, Jim
Gould, Linda
Lascelles, Richard
Lewicke, John
Perez, Maria
Mazur, Lisa
McGough, Tim
McLean, Mark
Mooney, Maureen
Noble, Kristin
Notter, Jeanine
Panek, Sandra
Pauer, Diane
Plett, Fred
Post, Lisa
Proulx, Mark
Prout, Andrew
Reid, Karen
Renzullo, Andrew
Seidel, Sheila
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Ulery, Jordan
Wheeler, Jonah
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Gould, Sherry
Seaworth, Brian
See, Alvin
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Guthrie, Joseph
Harb, Robert
Hobson, Deb
Nelson, Jodi
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lundgren, David
Lynn, Bob
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Ford, Oliver
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Quaratiello, Arlene
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Sytek, John
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Bailey, Glenn
Bickford, David
Burnham, Claudine
Connor, James
Granger, Michael
Harrington, Michael
Horgan, James
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

NAYS - 181

BELKNAP

Bogert, Steven
St. Clair, Charlie

CARROLL

Burroughs, Anita
Cordelli, Glenn
Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Harvey, Cathryn
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Germana, Nicholas
Jones, Philip
Monteil, Renee
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Toll, Amanda
Weber, Lucy

COOS

Cascadden, Corinne
Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Murphy, James
Sullivan, Jared
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Simon, Matthew
Stavis, Laurel
Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Baroody, Benjamin
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Ford, Damond
Darby, Will
Devine, Shelley
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Freitas, Mary
Gibbons, Candace
Goley, Jeffrey
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Long, Patrick
Howard, Molly
Murray, Megan
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Pedersen, Michael
Petrigno, Peter
Plamondon, Marc
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Veilleux, Daniel
Thomas, Wendy
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Brennan, Angela
Caplan, Tony
Carey, Lorrie
Ebel, Karen
Gallager, Eric
Gibbs, Merryl
Hall, Muriel
Hicks, Matthew
Lane, Connie
Luneau, David
MacKay, James
Mason, James
McWilliams, Rebecca
Myler, Mel
Payeur, Stephanie
Richards, Beth
Roesener, James
Schamberg, Thomas
Schuett, Dianne
Schultz, Kristina
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
DiLorenzo, Charlotte
Edgar, Michael
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Hamblet, Joan
Haskins, Linda
Murray, Kate
Knab, Allison
Cahill, Michael
Paige, Mark
Maggiore, Jim
Malloy, Dennis
Mandelbaum, Jennifer
Manos, Zoe
McBeath, Rebecca
Meuse, David
Muns, Chris
O'Neil, Candice
Rafter, Hal
Raynolds, Ned
Simpson, Alexis
Turer, Eric
Vallone, Mark
Ward, Gerald

STRAFFORD

Bay, Luz
Bixby, Peter
Rich, Cecilia
Cannon, Gerri
Conlin, Bill
Fitzpatrick, Daniel
Smith, Geoffrey
Grassie, Chuck
Howard, Heath
Horrigan, Timothy
Howland, Allan
Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Selig, Loren
Southworth, Thomas
Vincent, Kenneth
Wall, Janet

SULLIVAN

Sullivan, Brian
Cloutier, John
Damon, Hope
Merchant, Gary
Palmer, William
Tanner, Linda

and floor amendment (1770h) was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Rep. McWilliams offered floor amendment (1905h).

Floor Amendment (1905h)

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

AN ACT relative to requiring a criminal background check when applying for a fish and game guide license and relative to zoning and planning regulations for municipal parking.

Amend the bill by replacing all after section 2 with the following:

3 New Paragraph; Zoning and Planning; Grant of Power; Parking. Amend RSA 674:16 by inserting after paragraph V the following new paragraph:

VI. In its exercise of the powers granted under this subdivision, the local legislative body of a city, town, or county in which there are located unincorporated towns or unorganized places may regulate accessory parking for vehicles, but shall not require more than one residential parking space per unit, provided that such local legislative bodies may require one and one-half parking spaces per 2-bedroom unit within complexes of 10 or more units.

4 Effective Date.

I. Section 3 of this act shall take effect January 1, 2025.

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

AMENDED ANALYSIS

This bill requires a criminal background check when applying for a fish and game guide license and provides that zoning and planning regulations shall not require more than one residential parking space per unit or one and one-half parking spaces per 2-bedroom unit for complexes of 10 or more units.

The question being adoption of floor amendment (1905h).
Rep. McWilliams spoke in favor.
On a division vote, with 262 members having voted in the affirmative, and 104 in the negative, floor amendment (1905h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Committee report was adopted, and the bill was ordered to third reading.

SB 402, relative to allowing pharmacists to administer influenza, COVID-19, and other FDA licensed vaccines without explicit approval from the general court. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Merchant for the Majority of Health, Human Services and Elderly Affairs. Pharmacists play a vital role in administering vaccines licensed by the Federal Drug Administration (FDA) and recommended by the United States Center for Disease Control and Prevention (CDC) for vaccination. Currently pharmacists are restricted to vaccines explicitly listed in statute, necessitating legislative action for each new vaccine added to the list of vaccines recommended by the CDC, which other health care providers may provide without legislative approval. This process introduces delays in patient access to crucial health care services, especially in rural and under-served areas of our state. This measure eliminates unnecessary legislative hurdles while enhancing convenience and timeliness for those individuals' seeking vaccination and which promotes wellness and disease prevention crucial for public health. With their extensive training and accessibility, pharmacists are well-positioned to contribute significantly to our health care efforts, especially in underserved communities where access to traditional health care providers may be limited. Vote 14-6.

Rep. Erica Layon for the Minority of Health, Human Services and Elderly Affairs. The minority believes that delegating the authority of the legislature, those elected by the people of New Hampshire, to those unelected people, who are subject to the same flaws as the rest of us, is not appropriate. Technology around vaccines and immunizations has taken a massive leap forward, and this is the wrong time to delegate this authority. The minority recognizes that other health care professionals don't face the same restrictions on which vaccinations can be given, however this is an issue which the minority believes should be addressed by a broader scope of practice examination rather than picking popular areas in which to expand authority for pharmacists, pharmacy interns, and licensed advanced pharmacy technicians, one at a time.

Majority Amendment (1810h)

Amend the bill by replacing section 1 with the following:

1 Pharmacist Administration of Vaccines. Amend RSA 318:16-b to read as follows:

I. A pharmacist, pharmacy intern, licensed advanced pharmacy technician, or certified pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer influenza and a COVID-19 vaccine, if available, to the general public.

II. A pharmacist, pharmacy intern, or licensed advanced pharmacy technician, under the supervision of an on-site immunizing pharmacist may administer [~~haemophilus influenza, hepatitis A, hepatitis B, hepatitis A and B, human papillomavirus, meningococcal, pneumococcal, tetanus and diphtheria, varicella, zoster, RSV (respiratory syncytial virus), MMR (measles, mumps, and rubella), and Tdap (tetanus, diphtheria and pertus-~~

~~sis) vaccines, which have been approved by the Food and Drug Administration~~] ***vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization,*** to individuals 18 years of age or older as ordered by an immunizing pharmacist.

III. The pharmacist, pharmacy intern, licensed advanced pharmacy technician, or certified pharmacy technician ***who administers the vaccine*** shall:

[~~I.~~] ***(a)*** Hold a current license to practice as a pharmacist, be registered as a pharmacy intern under RSA 318:15-b in New Hampshire, or be licensed as a licensed advanced pharmacy technician under RSA 318:15-c, or be a certified pharmacy technician and registered with the board pursuant to RSA 318:15-a.

[~~II.~~] ***(b)*** Possess at least $1,000,000 of professional liability insurance coverage.

[~~III.~~] ***(c)*** In order to administer vaccines, have completed training specific to administration of the respective vaccines that includes programs approved by the Accreditation Council for Pharmacy Education (ACPE) or curriculum-based programs from an ACPE-accredited college of pharmacy or state or local health department programs or programs recognized by the board. This training shall include hands-on injection technique and the recognition and treatment of emergency reactions to vaccinations.

[~~IV.~~] ***(d)*** Have a current certificate in basic cardiopulmonary resuscitation.

[~~V.~~] ***(e)*** Provide to the board evidence of compliance with [~~paragraphs I- IV~~] ***subparagraphs (a)-(d***).

[~~VI.~~] ***(f)*** Provide notice to the primary care provider, when designated by the patient, of the administration of any vaccine.

[~~VII.~~] ***(g)*** Record the vaccination in the state vaccine registry in accordance with RSA 141-C:20-f and/or when required by state and federal law and maintain a record of the vaccination as required by state and federal law.

[~~VIII.~~] ***(h)*** Submit reports of any adverse reactions following vaccination to the Centers for Disease Control (CDC) Vaccine Adverse Event Reporting System (VAERS).

[~~IX.~~] ***(i)*** Review the vaccine registry or other vaccination records before administering the vaccination.

Majority committee amendment was adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Layon offered floor amendment (2067h).

Floor Amendment (2067h)

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

AN ACT relative to allowing pharmacists to administer influenza, COVID-19, and other FDA licensed vaccines without explicit approval from the general court; the definition of noncommunicable disease; restricting data sharing through the state immunization registry; and removing the immunization requirements for child care agencies.

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

2 Immunization; Definition of Noncommunicable Disease. Amend RSA 141-C:20-a, III to read as follows:

III. Nothing in this section shall require an immunization/vaccination requirement for diseases that are noncommunicable***, other than tetanus***. Noncommunicable disease means a disease that is not [~~infectious or~~] transmissible from person-to-person.

3 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.

4 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.

5 Immunization; Optional for Child Care Agency. Amend RSA 141-C:20-a, II to read as follows:

II. No child shall be admitted or enrolled in any school [~~or child care agency, public or private~~], unless the following is demonstrated:

(a) Immunization under paragraph I;

(b) Partial immunization relative to the age of the child as specified in rules adopted by the commissioner; or

(c) Exemption under RSA 141-C:20-c.

6 Records. Amend RSA 141-C:20-b, II to read as follows:

II. Schools [~~and child care agencies~~] shall keep immunization records for all enrolled children. Such records shall be available for inspection during reasonable hours upon request by the commissioner or his designee.

7 Immunization Reports. Amend RSA 141-C:20-e to read as follows:

141-C:20-e Immunization Reports. Schools [~~and child care agencies, whether public or private,~~] shall make an annual report to the commissioner relative to the status of immunization of all enrolled children.

8 Effective Date.

I. Section 4 shall take effect upon its passage.

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

AMENDED ANALYSIS

This bill:

I. Allows pharmacists to administer influenza, COVID-19, and other FDA licensed vaccines without explicit approval from the general court.

II Removes the word infectious from the definition of noncommunicable disease.

III. 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.

IV. Establishes a position in the department of health and human services to assist in implementation and makes appropriations to the department therefor.

V. Removes the immunization requirements for child care agencies.

The question being adoption of floor amendment (2067h).
Rep. Layon spoke in favor.
Rep. Weber spoke against.
On a division vote, with 177 members having voted in the affirmative, and 185 in the negative, floor amendment (2067h) failed.

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Reps. Alicia Lekas and Kristine Perez spoke against.
Rep. Merchant spoke in favor.
On a division vote, with 231 members having voted in the affirmative, and 135 in the negative, the majority committee report was adopted, and the bill was ordered to third reading.

SB 419-FN, relative to the annual data report on the therapeutic use of cannabis program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Erica Layon for the Majority of Health, Human Services and Elderly Affairs. The majority of the committee agrees with the amendment supported by the minority of the committee and offers amendment 2024-1892h which combines the minority amendment and HB1231 as passed by the House. At the federal level, it appears likely that cannabis will be rescheduled from Schedule I to a different classification, which acknowledges its potential for medical benefit. While at first blush this appears to be a positive move for those who see medical merit for cannabis, it introduces significant complexity. Once cannabis falls within the FDA regulatory universe by leaving Schedule I, it will need expensive FDA marketing approval to be distributed or transported across state lines. This would deny therapeutic cannabis patients access to out of state dispensaries, leaving only cannabis cultivated within the state of New Hampshire available. Should regulatory challenges disrupt product availability at New Hampshire Alternative Treatment Centers, cultivation for personal use would be the only option left for patients. For this reason, the majority believes that it is critical to provide another opportunity for this language to become law. Vote 12-8.
Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. Members of the minority generally supported the additional reporting requirements in the original bill and the relatively minor tech-

nical changes contained in amendment 2024-1532h. The minority objects to the inclusion of the text of HB 1231, permitting qualifying patients and designated caregivers to cultivate cannabis for personal use, now in the majority amendment. Some members of the minority opposed the majority amendment because of their continued opposition to HB 1231; others opposed it because they were concerned that the tactical inclusion of this text could backfire and doom a useful bill.

Majority Amendment (1892h)

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

AN ACT relative to the annual data report on the therapeutic use of cannabis program and relative to permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

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

1 Use of Cannabis for Therapeutic Purposes; Annual Data Report; Release of Data. Amend RSA 126-X:10, IV to read as follows:

IV. The commissioner's data report shall include, but not be limited to the following information:

(a) The number of designated caregivers and the number of qualifying patients, by town or city and county.

(b) The ages of the qualifying patients and the ages of the designated caregivers.

(c) The qualifying medical conditions and the number of each qualifying medical condition.

(d) The symptoms or side effects and the number of each symptom or side effect.

(e) The number of physicians and the number of advanced practice registered nurses issuing written certifications.

(f) The number of providers in each medical specialty issuing written certifications.

(g) The number of inspections conducted of alternative treatment centers.

(h) The number of complaints that allege a violation of RSA 126-X or administrative rules in He-C 402 received.

(i) The number of investigations of complaints alleging a violation of RSA 126-X or administrative rules in He-C 402.

(j) The number of statements of findings that were issued when, as a result of any inspection, complaint, or monitoring, the department determines that the alternative treatment center is in violation of or not in compliance with any of the provisions of RSA 126-X, administrative rules in He-C 402, or any applicable code.

(k) The number of alternative treatment center plans of correction to address the areas of noncompliance cited in the statements of findings.

(l) The number of hearings the department held for violations of RSA 126-X or the administrative rules in He-C 402 and the number of enforcement actions taken.

[~~(g)~~] ***(m)*** Any other issues related to the therapeutic use of cannabis permitted under this chapter that the health and human services oversight committee shall request.

2 Use of Therapeutic Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, IV to read as follows:

IV. "Cultivation location" means a locked and enclosed site, under the control of an alternative treatment center where cannabis is cultivated, secured with one or more locks or other security devices in accordance with the provisions of this chapter***, or under the control of a qualifying patient or designated caregiver where cannabis is cultivated and which meets the requirements of this chapter.***

3 Use of Therapeutic Cannabis; Definitions. Amend RSA 126-X:1, VI to read as follows:

VI. "Designated caregiver" means an individual who:

(a) Is at least 21 years of age;

(b)***(1)*** Has agreed to assist with one or more (not to exceed 5) qualifying [~~patient's~~] ***patients in the*** therapeutic use of cannabis, except if the qualifying patient and designated caregiver each live greater than 50 miles from the nearest alternative treatment center, [~~in which case~~] the designated caregiver may assist with the therapeutic use of cannabis for up to 9 qualifying patients; ***or***

(2) Has agreed to cultivate cannabis for therapeutic use pursuant to this chapter for no more than one qualifying patient;

(c) Has never been convicted of a felony or any felony drug-related offense; and

(d) Possesses a valid registry identification card issued pursuant to RSA 126-X:4.

4 New Paragraphs; Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1 by inserting after paragraph VI-a the following new paragraphs:

VI-b. "Immature cannabis plant" means a cannabis plant that has not flowered and which does not have buds that may be observed by visual examination and which is at least 12 inches tall.

VI-c. "Mature cannabis plant" means a cannabis plant that has flowered and that has buds that may be observed by visual examination.

5 Use of Therapeutic Cannabis; Definitions. Amend RSA 126-X:1, XIII(c) to read as follows:

(c) Cultivation by a designated caregiver or qualifying patient***, except as provided under RSA 126-X:2, II-a and II-b***.

6 New Paragraphs; Use of Therapeutic Cannabis Purposes; Protections. Amend RSA 126-X:2 by inserting after paragraph II the following new paragraphs:

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

(a) Eight ounces of usable cannabis;

(b) Any amount of unusable cannabis; and

(c) Three mature cannabis plants, 3 immature cannabis plants, and 12 seedlings.

II-b. A cultivation location under the control of a qualifying patient or designated caregiver shall meet the following requirements:

(a) It shall be at the qualifying patient's or designated caregiver's residence.

(b) It shall be reported to the department, except that either the qualifying patient or their designated caregiver, but not both, shall report a cultivation location to the department.

(c) It shall be locked and enclosed.

(d) The cannabis plants shall not be subject to public view, including from another private property, without the use of optical aids.

(e) It shall have a canopy of no more than 50 square feet, except that if more than one qualifying patient, designated caregiver, or both, share a cultivation location, the total canopy of all cannabis plants shall not exceed 100 square feet.

7 Use of Therapeutic Cannabis; Purposes; Protections. Amend RSA 126-X:2, III to read as follows:

III. A designated caregiver may receive compensation for costs, ***not to exceed $500 per calendar year,*** not including labor, associated with assisting a qualifying patient who has designated the [~~designated~~] caregiver to assist him or her with the therapeutic use of cannabis. Such compensation shall not constitute the sale of [~~controlled substances~~] ***a controlled drug pursuant to RSA 318-B***.

8 Use of Therapeutic Cannabis; Protections. Amend RSA 126-X:2, XV to read as follows:

XV. A laboratory***, and the employees thereof,*** which conducts testing of cannabis [~~required under rules for~~] ***delivered to it by*** alternative treatment centers, [~~adopted under this chapter, and the employees thereof~~] ***qualifying patients, or designated caregivers***, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or search, for acting pursuant to this chapter and department rules to possess cannabis on the premises of the laboratory for the purposes of testing, and, in the case of a laboratory employee, denied any right or privilege for working for such a laboratory.

9 Use of Therapeutic Cannabis; Prohibitions and Limits. Amend RSA 126-X:3, I to read as follows:

I. A qualifying patient may use ***and a qualifying patient or designated caregiver may cultivate*** cannabis on privately-owned real property only with written permission of the property owner or, in the case of leased property, with the permission of the tenant in possession of the property, except that a tenant shall not allow a qualifying patient to smoke cannabis on rented property if smoking on the property violates the lease or the lessor's rental policies that apply to all tenants at the property. ***A tenant or guest of a tenant shall not cultivate cannabis on rented property if the lessor has prohibited therapeutic cannabis cultivation.*** However, a tenant may permit a qualifying patient to use cannabis on leased property by ingestion or inhalation through vaporization even if smoking is prohibited by the lease or rental policies. For purposes of this chapter, vaporization shall mean the inhalation of cannabis without the combustion of the cannabis.

10 New Subparagraph; Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4, I by inserting after subparagraph (h) the following new subparagraph:

(i) The qualifying patient's cultivation location, if any.

11 New Subparagraph; Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4, II by inserting after subparagraph (h) the following new subparagraph:

(i) The designated caregiver's cultivation location, where he or she may cultivate cannabis on behalf of a single qualifying patient who has not reported a cultivation location.

12 Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4, IX(a) to read as follows:

IX.(a) A qualifying patient shall notify the department before changing his or her designated caregiver ***or cultivation location***. ***A designated caregiver shall notify the department before changing his or her cultivation location.***

13 Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4, XI to read as follows:

XI.(a) The department shall create and maintain a confidential registry of each individual who has applied for and received a registry identification card as a qualifying patient or a designated caregiver in accordance with the provisions of this chapter. Each entry in the registry shall contain the qualifying patient's or designated caregiver's name, mailing address, date of birth, date of registry identification card issuance, effective date of ***the*** registry identification ***card***, date of registry identification card expiration, [~~and~~] random 10-digit identification number***, and cultivation location, if any***. The confidential registry and the information contained in it shall be exempt from disclosure under RSA 91-A.

(b)(1) Except as specifically provided in this chapter, no person shall have access to any information about qualifying patients or designated caregivers in the department's confidential registry, or any information otherwise maintained by the department about providers and alternative treatment centers, except for authorized employees of the department in the course of their official duties and local and state law enforcement personnel who have detained or arrested an individual who claims to be engaged in the therapeutic use of cannabis.

(2) If a local or state law enforcement officer submits a sworn affidavit to the department affirming that he or she has probable cause to believe cannabis is possessed ***or cultivated*** at a specific address, an authorized employee for the department may disclose whether the location is associated with a qualifying patient, designated caregiver, or cultivation location [~~of an alternative treatment center~~].

(3) If a local or state law enforcement officer submits a sworn affidavit to the department affirming that he or she has probable cause to believe a specific individual possesses ***or cultivates*** cannabis, an authorized employee for the department may disclose whether the person is a qualifying patient or a designated caregiver, provided that the law enforcement officer provides the person's name and address or name and date of birth.

(4) Requests by law enforcement officials under this section to the department pursuant to a sworn affidavit, search warrant, or court order, regardless of whether or not the name or address was found in the registry, shall be confidential under this chapter and exempt from disclosure under RSA 91-A. Aggregate data relative to such requests may be made public if it does not contain any identifying information regarding the specific law enforcement request.

(5) Counsel for the department may notify law enforcement officials about falsified or fraudulent information submitted to the department where counsel has reason to believe the information is false or falsified.

14 New Paragraph; Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4 by inserting after paragraph XII the following new paragraph:

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

(1) A qualifying patient may report a cultivation location only if he or she does not have a designated caregiver who has reported a cultivation location.

(2) A designated caregiver may report a cultivation location only if he or she does not have a qualifying patient who has reported a cultivation location.

(b) No individual shall report a cultivation location if such individual's permission to cultivate has been revoked pursuant to RSA 126-X:3, VIII(b).

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

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

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

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

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

16 New Subparagraph; Use of Therapeutic Cannabis; Alternative Treatment Centers. Amend RSA 126-X:8, XIII by inserting after subparagraph (c) the following new subparagraph:

(d) A qualifying patent or designated caregiver shall not obtain from an alternative treatment center more than 12 seedlings during a 3-month period.

17 Use of Cannabis for Therapeutic Purposes; Prohibitions and Limits. Amend RSA 126-X:3, VII to read as follows:

VII.***(a)*** The department may revoke the registry identification card of a qualifying patient or designated caregiver for violation of rules adopted by the department or for violation of any other provision of this chap-

ter, including for obtaining more than 2 ounces of cannabis in any 10-day period in violation of RSA 126-X:8, XIII(b), and the qualifying patient or designated caregiver shall be subject to any other penalties established in law for the violation.

(b) The department may revoke a qualifying patient's or designated caregiver's permission to cultivate cannabis for a violation of the rules adopted by the department or for a violation of any provision of this chapter.

18 Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers. Amend RSA 126-X:8, XV(a) to read as follows:

XV.(a)***(1)*** An alternative treatment center shall not possess or cultivate cannabis in excess of the following quantities:

[~~(1)~~] ***(A)*** Eighty ***mature*** cannabis plants, 160 [~~seedlings~~] ***immature cannabis plants***, and 80 ounces of usable cannabis[~~, or 6 ounces of usable cannabis per qualifying patient~~]; and

[~~(2)~~] ***(B)*** Three mature cannabis plants, 12 [~~seedlings~~] ***immature cannabis plants***, and 6 ounces ***of usable cannabis*** for each qualifying patient registered [~~as a qualifying patient~~] under this chapter.

(2) An alternative treatment center shall not be limited in the number of seedlings it can possess or cultivate.

19 Use of Cannabis for Therapeutic Purposes; Departmental Rules. Amend RSA 126-X:6, III(a)(15) to read as follows:

(15) Procedures for determining and enforcing the daily maximum amount of therapeutic cannabis which an alternative treatment center may cultivate or possess pursuant to RSA 126-X:8, XV(a)***(1)***.

20 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 July 1, 2024.

AMENDED ANALYSIS

This bill:

I. Requires additional information in the annual report on the therapeutic use of cannabis program from the commissioner of the department of health and human services.

II. Permits qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

The question being adoption of the majority committee amendment (1892h).
On a division vote, with 236 members having voted in the affirmative, and 122 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Majority committee report was adopted, and the bill was ordered to third reading.

SB 461, requiring health care providers to report certain information about abortions performed to their medical facility, and requiring those medical facilities to report the information to the department of health and human services. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for the Majority of Health, Human Services and Elderly Affairs. This bill initially repealed RSA 329:49, which provides that nothing in the fetal life protection act shall be construed as creating or recognizing a right to abortion. SB 461 came to the House as an entirely different bill, which requires the reporting and dissemination of abortion statistics. The bill requires any health care provider who performs abortions to report information to the facility in which the abortion was performed, including date and place of the abortion, age and state of residence of the patient, method of abortion, gestational age when the abortion was performed, and prescriptions written for the purpose of inducing the abortion. The medical facility in turn reports the information to the Commissioner of the Department of Health and Human Services (DHHS). The commissioner is to prepare statistical tables from this information "as the commissioner deems useful," and to report at least annually to the general court on maternal health, abortion procedures, and gestational age. Numerous privacy concerns were raised in the House hearing on the bill. An amendment proposed in committee resolved some, but not all, of the privacy concerns. The amendment provides that the facilities are prohibited from sharing protected health information with the commissioner about any identifiable individual patient, changes the gestational age reporting requirement to estimated gestational age with ranges of before 6 weeks, 6-15 weeks, 15-24 weeks and after 24 weeks, clarified that the name of the health care provider and the number of abortions performed by each provider would not be reported to the commissioner, included an opt-out provision, and a form for use when a patient did not want her information reported from the medical facility to the commissioner. Opponents of the bill have serious concerns even with the proposed amendment. Reporting the state of residence of the patient might lead to prosecution in the state of residence if the data is de-identified. The ranges for gestational age do not recognize that the limits on medical abortion are at 11 weeks, and one range overlaps this date. The appropriation of $1 for implementation does not cover costs to DHHS for implementation. Finally, and most importantly, increasing privacy protections and allowing opt-outs

necessarily decreases the public health value, if any, of the reporting, and the data tables and conclusions made by the commissioner. Finally, the majority was concerned by the lack of guidance to the commissioner as to what data tables might be deemed useful. Vote 13-7.
Rep. Mark McLean for the Minority of Health, Human Services and Elderly Affairs. This bill requires health care providers provide to the Department of Health and Human Services (DHHS) certain information about abortions performed. Currently, 47 of 50 states gather this important information and pass it on to the Centers for Disease Control and Prevention for surveillance monitoring. While committee members on all sides of the abortion issue agreed that there is great value in gathering surveillance data on abortions to help prevent unwanted pregnancies and assess trends in clinical practice, there were concerns with privacy in the bill as received by the House. The amended version of the bill addresses these privacy concerns by forbidding the communication of health information about individually identifiable patients to DHHS, and by giving the patients the right to fully opt out of having their information reported.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Weber spoke in favor.
Rep. McLean spoke against.
Rep. Sellers requested a roll call; not sufficiently seconded.
On a division vote, with 201 members having voted in the affirmative, and 164 in the negative, the majority committee report was adopted.

SB 505, relative to the prohibition on the sale of hemp products containing certain levels of THC. **OUGHT TO PASS.**
Rep. Lucy Weber for Health, Human Services and Elderly Affairs. Currently, there is a prohibition in New Hampshire on the sale of certain products derived from hemp which contain natural or synthetic tetrahydrocannabinol (THC) greater than 0.3 percent on a dry weight basis, and which appear in any formulation, including delta-8 THC, delta-9 THC, or any other THC isomer variant. That prohibition is due to sunset on October 7, 2024. We heard testimony in committee that these products are potentially harmful and are often packaged in materials which are misleading or would make them attractive to children. This bill repeals the sunset provision, which will simply have the effect of making the prohibition permanent. Vote 15-5.

The question being adoption of the committee report of Ought to Pass.
Rep. McLean offered floor amendment (2078h).

Floor Amendment (2078h)

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

1 Prospective Repeal; Prohibition on Hemp-Derived Products. Amend RSA 2023, 237:8, III to read as follows:

III. Section 7 of this act shall take effect [~~one year from the effective date of section 6 of this act~~] ***October 7, 2027***.

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

AMENDED ANALYSIS

This bill extends the effective date of the prospective repeal of the prohibition on the sale of hemp products containing certain levels of THC.

The question being adoption of floor amendment (2078h).
Rep. McLean spoke in favor.
Rep. Weber spoke against.
On a division vote, with 172 members having voted in the affirmative, and 190 in the negative, floor amendment (2078h) failed.

The question being adoption of the committee report of Ought to Pass.
Rep. Prout offered floor amendment (2143h).

Floor Amendment (2143h)

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

AN ACT relative to the prohibition on the sale of hemp products containing certain levels of THC and relative to the legalization and regulation of cannabis and making appropriations therefor.

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

2 Purpose and Findings.

I. The general court hereby finds that: the people of the state of New Hampshire find and declare that cannabis should be regulated so that:

(a) Individuals will have to show proof of age or qualifying patient status before entering a cannabis retail outlet or purchasing cannabis.

(b) Safe access to therapeutic cannabis is preserved and expanded in a manner that allows costs to come down, not increase, though integration of participants in the existing therapeutic cannabis program competing on an even footing with other applicants of similar qualifications.

(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.

(d) Driving under the influence of cannabis shall remain illegal, and funds shall be allocated for increased training of drug recognition experts to spot driving under the influence of substances including cannabis.

(e) Moving cannabis production and sales from the underground, sometimes dangerous, illicit market to legal businesses allows for appropriate regulations and control.

(f) Cannabis sold in this state will be tested, labeled, and subject to additional regulations to ensure that consumers are informed and protected.

(g) Some of the revenue generated from legal cannabis shall be used to support programs for education, prevention, treatment, and recovery related to the use of both legal and illegal drugs.

(h) Marketing and advertising to minors is prohibited.

(i) Advertising to the general public is prohibited.

II. Many years of work have led to this effort which addresses the following goals to put the state of New Hampshire in the driver's seat to focus on harm reduction, not profits, and:

(a) Allows the state to control distribution and access through state laws, administrative rules, and local control.

(b) Keeps cannabis away from children and schools by establishing 1,000 foot distance requirements for stores, limiting access to retail outlets to people 21 and older or qualified patients, and imposing limits on product design and packaging.

(c) Controls the marketing and messaging by prohibiting advertising which targets the general public, especially minors.

(d) Prohibits "marijuana miles" by restricting cannabis retail outlets to one per municipality or one for every 15,000 residents in larger municipalities, as well as empowering local zoning control for these businesses.

(e) Empowers towns to keep cannabis out through required ballot measures to allow cannabis retail outlets.

(f) Reduces access to poly-drugs by:

(1) Introducing 15 stores at first and allowing expanded licenses to reflect demand and allow retail outlets to reach Granite Staters who may still face a prohibitively long drive to reach licensed New Hampshire cannabis retail outlets or out of state options and may continue to turn to the illicit market if the placement of stores does not respond to market demands;

(2) Prohibiting beverages that combine alcohol and cannabis; and

(3) Prohibiting the inclusion of nicotine or other additives to products which are designed to make the product more addictive.

(g) Undercuts the cartels by:

(1) Imposing an agency fee of 10 percent on monthly gross total revenue of cannabis sales which is in line with the state excise tax in Massachusetts but well below the total tax burden of approximately 20 percent in that state.

(2) Keeping costs low by not requiring a particular store layout, construction, or building contractor to meet appearance guidelines for the exterior of state licensed cannabis retail outlets.

(3) Recognizing the need for expanded licenses in the future in order to accommodate locations in more rural areas of the state which are not well positioned to compete for limited licenses.

(h) Limiting initial cannabis retail outlet licenses to 15:

(1) While prohibiting a controlling interest in more than 3 cannabis retail outlets; and

(2) Providing a pathway for expanded licenses as the state establishes a successful long-term sustainable solution to cannabis legalization, while prioritizing harm reduction over profits.

(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.

3 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.

4 Alcoholic Beverages; Enforcement, Requirements and Penalties; Statement from Purchaser as to Age. Amend RSA 179:8, I(d) to read as follows:

(d) A valid passport [~~from~~] ***issued by the United States or by*** a country with whom the United States maintains diplomatic relations.

5 Model Drug Dealer Liability Act; Definition of Illegal Drug. Amend RSA 318-C:4, I to read as follows:

I. "Illegal drug" means any drug which is a schedule I-IV drug under RSA 318-B***, the possession, use, harvesting, cultivating, manufacture, sale, or transportation of which is not otherwise authorized by law***.

6 New Chapter; Regulation of Cannabis. Amend RSA by inserting after chapter 318-E the following new chapter:

CHAPTER 318-F
REGULATION OF CANNABIS

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.

318-F:2 Personal Use of Cannabis.

I. Except as otherwise provided in this chapter, the following acts, if undertaken by a person 21 years of age or older, shall not be illegal under New Hampshire law or the law of any political subdivision of the state or be a basis for seizure or forfeiture of assets under New Hampshire law:

(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 pursuant to RSA 318-F or an alternative treatment center licensed pursuant to RSA 126-X may perform volatile extractions.

(b) Transferring an amount of cannabis that does not exceed the possession limit to a person who is 21 years of age or older without remuneration. For purposes of this section, a transfer is for remuneration if cannabis is given away contemporaneously with another transaction between the same parties, if a gift of cannabis is offered or advertised in conjunction with an offer for sale of goods, services, or admission to an event, or if the gift of cannabis is contingent upon a separate transaction for goods, services, or the price of admission to an event.

(c) Transferring cannabis, including cannabis products, to a cannabis testing facility.

(d) Controlling property where the acts described under this section occur.

(e) Assisting another person who is 21 years of age or older in any of the acts described under this section.

II. No law enforcement officer employed by an agency that receives state or local government funds shall expend any state or local resources, including the officer’s time, to effect any arrest or seizure of cannabis, or conduct any investigation on the sole basis of activity the officer believes to constitute a violation of federal law if the officer has reason to believe that such activity is in compliance with this chapter.

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.

318-F:4 Consuming Cannabis While Operating a Moving Vehicle Prohibited; Penalty.

I. No person shall consume, smoke, or vaporize cannabis while driving or attempting to drive a motor vehicle on a way, or while operating or attempting to operate an off-highway recreational vehicle, snowmobile, boat, vessel, aircraft, or other motorized device used for transportation.

II. Any person who violates this section shall be guilty of a violation and shall be subject to a fine not to exceed $150. In addition, any person who violates paragraph I of this section while driving or attempting to drive a motor vehicle on a way may have his or her driver's license, if a resident, or driving privilege, if a nonresident, suspended for up to 60 days for a first offense and up to one year for a subsequent offense.

III. In this section, "way" shall have the same meaning as in RSA 265-A:44.

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.

V. A person may not be convicted of both a violation of this section and a violation of RSA 265-A based on the same incident.

318-F:5 Cannabis Accessories Authorized.

I. Except as provided by this section, it shall not be illegal under New Hampshire law or be a basis for seizure or forfeiture of assets under New Hampshire law for a person 21 years of age or older to manufacture, possess, or purchase cannabis accessories, or to distribute or sell cannabis accessories to a person who is 21 years of age or older.

II. Except as provided by this section, a person who is 21 years of age or older, or a business entity, may manufacture, possess, obtain, and purchase cannabis paraphernalia, and may distribute, deliver, or sell cannabis paraphernalia to a person who is 21 years of age or older.

III. No person or entity shall manufacture, distribute, or sell cannabis accessories that violate rules enacted by the commission. Any person or entity that violates this paragraph shall be guilty of a violation for a first offense and subject to a fine of up to $1,000 and forfeiture of the cannabis accessories. A person shall be guilty of a class A misdemeanor for a second or subsequent offense and shall forfeit the cannabis accessories.

318-F:6 Odor and Personal Possession of Cannabis Not Grounds for a Search.

I. Except as provided in paragraph II, the odor of cannabis or burnt cannabis, or the possession of a quantity of cannabis that the officer does not have probable cause to believe exceeds the possession limit of cannabis, shall not constitute in part or in whole probable cause or reasonable suspicion and shall not be used as a basis to support any stop or search of a person or motor vehicle.

II. Nothing in this section prevents a law enforcement official from conducting a test for impairment based in part on the odor of recently burnt cannabis if the law enforcement official would otherwise be permitted to do so under New Hampshire law.

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 determinate 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.

318-F:8 Cannabis Advisory Board.

I. There shall be a cannabis advisory board to study and make recommendations to the liquor commission consistent with the purpose and findings of this chapter on the regulation of cannabis and cannabis products in New Hampshire. The cannabis advisory board shall also consider educational and financing opportunities for participants in the New Hampshire cannabis market.

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.

III. Members of the board shall serve terms of 2 years. Members of the board shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their official duties, including mileage at the state employee rate for attendance to meetings and other official functions. Members forfeit their position on the cannabis advisory board and shall be removed if:

(a) They fail to attend any 2 consecutive meetings; or

(b) They fail to attend more than one out of every 3 meetings during a year with 4 or more meetings. A member may continue to serve after the expiration of his or her term until a replacement is appointed unless he or she was removed due to misconduct or inadequate attendance.

IV. The board shall meet at its discretion, provided it shall meet no less frequently than once every 2 months for the first 9 months after the effective date of this section, and that it shall meet no less frequently than once every 6 months thereafter. The chair of the board may appoint subcommittees.

V.(a) A majority of the appointed members of the board shall constitute a quorum of the cannabis advisory board.

(b) A quorum is only required for voting matters.

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.

318-F:9 Regulation 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 agency stores which keeps all operational control distinct from regulatory control. 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.

318-F:10 Prohibitions: Advertising Cannabis Sales.

I. Except as provided in this section, no person may advertise cannabis sales.

(a) The prohibition includes, but is not limited to advertising by radio, television, billboard advertising, sound trucks, outdoor internally illuminated screen displays, in print, broadcast, and in-person solicitation of customers outside of the premises of the cannabis retail outlet or alternative treatment center.

(b) This does not prohibit appropriate signs on the property of the cannabis retail outlet or alternative treatment center, listings in business directories including online business listings, advertising on platforms or publications that are solely focused on cannabis, listings in trade or medical publications, the sponsorship of health or not-for-profit charity or advocacy events, or communications with previous customers of the retail outlet or alternative treatment center.

(c) This does not prohibit cannabis establishments from directly soliciting other cannabis establishments.

II. A violation of this section is punishable by a civil fine of up to $1,000 for a first offense. A subsequent violation is punishable by a civil fine of up to $5,000. These penalties are in addition to possible suspension or revocation of a cannabis establishment license.

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.

318-F:12 Licensing Procedures for Cannabis Establishments.

I. Each application for a license to operate a cannabis establishment shall be submitted to the commission.

II. Each application shall include the fee established by the commission and a $500 fee for the municipality to review the application, except that the municipal fee shall be $75 in the case of the smallest tier of cultivation facilities and limited manufacturers.

III. The commission shall:

(a) Accept and process applications beginning no later than 2 months after the issuance of rules governing the category of cannabis establishment for which the rules were adopted.

(b) Immediately forward a copy of each application and the municipal fee to the municipality in which the applicant desires to operate the cannabis establishment; and

(c) Issue a license to the applicant within 120 days after receipt of an application unless:

(1) The commission finds the applicant is not in compliance with the requirements of this chapter or rules adopted under this chapter;

(2) The commission has not been notified by the relevant municipality that the applicant is in compliance with an ordinance adopted pursuant to this chapter and in effect at the time of application; or

(3) More qualified applicants have applied than the number of licenses available for that category of cannabis establishment, and the applicant was not selected.

(d) Accept and process applications on an ongoing basis.

IV. Each license applies to a single parcel of real property, and multiple licenses per property are permitted. Any additional address which is not contiguous with the licensed property requires a separate application and license.

V. A renewal application may be submitted up to 90 days prior to the expiration of the cannabis establishment's license. The renewal application shall be granted within 30 days of its submission unless the applicant has not paid the fee, the cannabis establishment's license is suspended or revoked, or the cannabis establishment has a pattern of violations of this law, the rules issued pursuant to it, or municipal regulations.

VI. Conditional approval pending securing property.

(a) An applicant may not be rejected on the basis that the applicant has not purchased or leased the property where the cannabis establishment would be located. However, the applicant may be required to specify the municipality in which it intends to operate.

(b) The commission shall provide conditional approval for applicants that have not yet purchased or leased the property where the cannabis establishment would be located, or who require additional work on the business.

(c) Once the applicant provides the commission with a completed, supplemental application that identifies the property where the cannabis establishment is to be located, the commission shall forward the information to the local regulatory authority and approve or reject the final application within 45 days.

VII. Except as provided in RSA 318-F:14, nothing in this chapter prevents a person or entity from holding multiple types of cannabis licenses and from co-locating the businesses.

318-F:13 Enactment of Municipal Ordinances.

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 or other 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.

III. A municipality may enact an ordinance limiting the number of each type of cannabis establishment that may be permitted within the municipality and regulating the time, place, and manner of operation of a cannabis establishment, which is permitted within the municipality.

IV. A municipality may enact an ordinance specifying the entity within the municipality that shall be responsible for reviewing applications submitted for a license to operate a cannabis establishment within the municipality. The entity designated by the municipality, or the municipality if no such entity is designated, shall be responsible for indicating whether the application is in compliance with municipal ordinances and notifying the applicant and the commission within 90 days.

V. A municipality may not negotiate or enter into an agreement with a cannabis establishment or a cannabis establishment applicant requiring that the cannabis establishment or applicant provide money, donations, in-kind contributions, services, or anything of value to the locality.

VI. If a municipality has passed an innovative land use control relative to cannabis establishments, it shall notify the liquor commission within 90 days of passage. Municipalities without zoning ordinances or which have failed to pass an innovative land use control relative to cannabis establishments will be governed by the provisions of RSA 318-F and administrative rules relating to cannabis establishments enacted pursuant to RSA 541-A. No local ordinance may be less restrictive than the provisions of RSA 318-F or administrative rules enacted pursuant to RSA 541-A.

318-F:14 Financial Interests Prohibited.

I. No cannabis testing facility or individual with a controlling interest in a cannabis testing facility shall have a direct or indirect financial interest in an alternative treatment center, a cannabis retail outlet, a cannabis cultivation facility, a limited manufacturer, or a cannabis product manufacturing facility.

II. Prior to 2 years after the effective date of this chapter, no person or business entity may have a controlling interest in more than 3 cannabis establishments of any single category.

III. Beginning 2 years after the effective date of this chapter, no person or business entity may have a controlling interest in more than 20 percent of operational cultivation facilities, limited manufacturers, product manufacturing facilities, or cannabis retail outlets, unless the person or business entity has a controlling interest in no more than 3 cannabis establishments of a single category.

IV. Beginning 2 years after the effective date of this chapter, no person or business entity may have a controlling interest in more than 50 percent of cannabis testing facilities, unless the person or entity has a controlling interest in no more than 3 cannabis testing facilities.

V. No cannabis establishment or individual with a controlling interest in a cannabis establishment may hold a controlling interest in a vendor that provides cannabis inventory tracking in New Hampshire.

VI. No vendor that provides cannabis inventory tracking in New Hampshire and no individual with a controlling interest in a vendor that provides cannabis inventory tracking in New Hampshire may hold a controlling interest in a cannabis establishment.

318-F:15 Residency Required.

I. Except as provided in this section, any person applying for a cannabis establishment license shall have been a resident, or shall have at least one director, officer, or partner who has been a New Hampshire resident, for at least 3 years immediately preceding the date of application.

II. This section shall not apply to an applicant for a testing facility license.

III. Each cannabis establishment must be registered with the secretary of state's office with its principal place of business located in New Hampshire.

318-F:16 Restrictions on Location Near Schools. No cannabis establishment shall operate, nor shall a prospective cannabis establishment apply for a license, if the establishment would be located within 1,000 feet of the property line of a pre-existing public or private elementary or secondary school.

318-F:17 Informational Materials, Warning Labels, and Medical Lock Boxes.

I. The commission, in consultation with the department, shall design at least 2 versions of informational handout, one of which is specific to high potency products.

II. A cannabis retail outlet and any other cannabis establishment selling directly to consumers shall include an informational handout designed by the commission in consultation with the department and the cannabis advisory board with all cannabis and cannabis products sold to consumers, and shall include the high potency version in all cannabis concentrates and other high potency sales. The informational handouts shall include scientifically accurate information, including:

(a) Advice about the potential risks of cannabis, and, in the case of the high potency handout, risks specific to high potency products, including:

(1) The risks of driving under the influence of cannabis, and the fact that doing so is illegal;

(2) Any adverse effects unique to adolescents or young adults, including effects related to the developing mind;

(3) Potential adverse events and other risks, including related to mental health; and

(4) Risks of using cannabis during pregnancy or breastfeeding. This may be identical to that required under RSA 126-X:8, XVI(c)(7).

(b) Information about methods for administering cannabis;

(c) How long cannabis may impair a person after it is ingested in each manner;

(d) How to recognize cannabis use disorder and how to obtain appropriate services or treatment;

(e) Information regarding safe storage and disposal of cannabis and paraphernalia to prevent accidental poisonings, including the contact information for the Northern New England Poison Control Center. This may be identical to that required under RSA 126-X:8, XVI(c)(8); and

(f) Subject to federal statutory law or case law, a disclosure that:

(1) Cannabis is illegal under U.S. federal law, and

(2) The ability of users of cannabis to purchase or own a gun under federal law is currently in the federal courts, and the ultimate resolution is uncertain.

III. The commission shall require cannabis retail outlets to display informational posters in conspicuous locations about the risks of cannabis use, including regarding risks during pregnancy and breastfeeding and risks of cannabis use in adolescents or by younger adults. The posters shall be scientifically accurate.

IV. All cannabis and cannabis products sold by a cannabis retail outlet shall include warning labels that provide the following information: "Warning: This product has intoxicating effects. For use by adults 21 and older. Keep out of reach of children." The commission may require a standard, recognizable symbol on all cannabis packaging to signify that THC or other cannabinoids are included in the product.

V. All cannabis products sold by cannabis retail outlets shall include:

(a) A warning label that provides, "Caution: When eaten or swallowed, the intoxicating effects of this product may be delayed," unless the commission determines that a specific time frame should be specified.

(b) A disclosure of ingredients and possible allergens.

(c) A nutritional fact panel, if the cannabis product is a food-based product.

(d) Opaque, child-resistant packaging, which shall be designed or constructed to be significantly difficult for children under 5 years of age to open and not difficult for normal adults to use properly as defined by 16 C.F.R. section 1700.20.

VI. All cannabis retail outlets shall include in their inventory medical lock boxes for sale to help keep cannabis and cannabis products away from children.

318-F:18 Lawful Operation of Cannabis-Related Facilities.

I. Except as provided in this section, if undertaken by a person 21 years of age or older, the following acts shall not be illegal under New Hampshire law or be a basis for seizure or forfeiture of assets under New Hampshire law:

(a) Possessing, displaying, warehousing, transporting, or distributing cannabis or cannabis products; obtaining or purchasing cannabis from a cannabis cultivation facility; delivering or transferring cannabis to a cannabis testing facility; obtaining or purchasing cannabis or cannabis products from a cannabis product manufacturing facility or limited manufacturer; or sale, delivery, or distribution of cannabis or cannabis products

to an adult who is 21 years of age or older, a qualifying patient, a designated caregiver or to cannabis retail outlets or alternative treatment centers, if the person or business entity conducting the activities described in this paragraph has obtained a current, valid license to operate a cannabis retail outlet or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis retail outlet.

(b) Cultivating, harvesting, processing, packaging, transporting, distributing, displaying, or possessing cannabis; obtaining or purchasing cannabis seeds from any adult 21 years of age or older; delivering or transferring cannabis to a cannabis testing facility; selling or transferring cannabis that has not been processed into extracts, concentrates, or other preparations to a cannabis cultivation facility, a cannabis product manufacturing facility, a limited manufacturer, or a cannabis retail outlet or alternative treatment center; or obtaining or purchasing cannabis from a cannabis cultivation facility, if the person or business entity conducting the activities described in this paragraph has obtained a current, valid license to operate a cannabis cultivation facility or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis cultivation facility.

(c) Packaging, processing, transporting, manufacturing, displaying, or possessing cannabis or cannabis products; 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 cannabis product manufacturing facility or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis product manufacturing facility.

(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.

(e) Possessing, obtaining, cultivating, processing, storing, transporting, receiving, or displaying cannabis or cannabis products if the person or business entity has obtained a current, valid license to operate a cannabis testing facility or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis testing facility.

(f) Engaging in any activities involving cannabis or cannabis products if the person or business entity conducting the activities has obtained a current, valid license to operate a cannabis establishment or is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis establishment, and the activities are within the scope of activities allowed by the commission for that type of cannabis establishment.

(g) Possessing, obtaining, cultivating, processing, storing, distributing transporting, or receiving cannabis obtained from a cannabis establishment or transporting, delivering, or transferring cannabis to a cannabis establishment if the person or business entity has obtained a current, valid license to operate a cannabis transporter or cannabis distributor is acting in his or her capacity as an owner, employee, or agent of a licensed cannabis transporter.

(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.

(i) Leasing or otherwise allowing the use of property owned, occupied, or controlled by any person, corporation, or other entity for any of the activities conducted lawfully in accordance with this chapter.

(j) Selling, offering for sale, transferring, transporting, or delivering cannabis to establishments licensed to process or sell cannabis under the laws of other states if the person or business entity has obtained a current, valid license to operate a cannabis transporter, cannabis product manufacturing facility, limited manufacturer, or cannabis cultivation facility or is acting in his or her capacity as an owner, employee, or agent of a cannabis transporter, cannabis product manufacturing facility, or cannabis cultivation facility.

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.

318-F:19 Proof of Purchaser's Identity.

I. For the purposes of this chapter, any person or entity making the sale of cannabis, cannabis products, or cannabis accessories to any purchaser whose age is in question shall require and may accept any official documentation listed in RSA 179:8 as proof that the purchaser is 21 years of age or older.

II. Photographic identification presented under this section shall be consistent with the appearance of the person and shall not be expired and shall be correct and free of alteration, erasure, blemish, or other impairment.

III. The establishment of all of the following facts by a cannabis retail outlet or an agent or employee of a cannabis retail outlet making a sale of cannabis or cannabis accessories to a person under the age of 21 shall constitute an affirmative defense to any prosecution for such sale:

(a) That the person presented what an ordinary and prudent person would believe to be valid documentation of a type listed in RSA 179:8.

(b) That the sale was made in good faith relying upon such documentation and appearance in the reasonable belief that the person was 21 years of age or older.

318-F:20 Enforcement Activity Verifying Noncompliance.

I. Except as provided in this section, it shall be a violation to sell any cannabis, cannabis product, cannabis accessories or cannabis paraphernalia to a minor during enforcement activity initiated solely for the purpose of verifying noncompliance with RSA 318-F:19. It shall be a misdemeanor to knowingly sell cannabis, cannabis product, or cannabis paraphernalia to a minor at the time of any such enforcement activity. The commission shall retain the right to require the licensee in such a circumstance to initiate additional training of its staff or individual employee. This section shall not apply to law enforcement initiatives involving surveillance, investigations, or criminal complaints of violations of RSA 318-F:19.

II. This section does not apply if the minor:

(a) Presented what an ordinary and prudent person would believe to be valid documentation showing the minor was a qualifying patient or designated patient who is allowed to purchase cannabis pursuant to RSA 126-X; and

(b) The sale was made in good faith relying upon such documentation and appearance in the reasonable belief that the person was allowed to purchase cannabis pursuant to RSA 126-X.

318-F:21 Driving; Minors; Control of Property.

I. Nothing in this chapter shall be construed to permit driving or operating under the influence of drugs or liquor pursuant to RSA 265-A, nor shall this section prevent the state from enacting and imposing penalties for driving under the influence of or while impaired by cannabis.

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.

III. Nothing in this chapter shall prohibit a state or county correctional facility from prohibiting the possession, consumption, use, display, transfer, distribution, sale, transportation, or growing of cannabis on or in the correctional facility's property.

IV. Control of Property.

(a) Except as provided in this section, this chapter does not require any person, corporation, or any other entity that occupies, owns, or controls a property to allow the consumption, cultivation, display, sale, or transfer of cannabis on or in that property.

(b) In the case of the rental of a residential dwelling, a landlord shall not prohibit the possession of cannabis or the consumption of cannabis by non-smoked means unless:

(1) The tenant is a roomer who is not leasing the entire residential dwelling;

(2) The residence is incidental to the provision of educational, counseling, religious, or similar service;

(3) The residence is a transitional housing facility; or

(4) Failing to prohibit cannabis possession or consumption would violate federal law or regulations or cause the landlord to lose a monetary or licensing-related benefit under federal law or regulations.

(c) This chapter shall not prevent a landlord from prohibiting cannabis smoking.

(d) An adult who is 21 or older may use cannabis on privately owned real property only with permission of the property owner or, in the case of leased or rented property, with the permission of the tenant in possession of the property, except that a tenant shall not allow a person to smoke cannabis on rented property if smoking on the property violates the lease or the lessor's rental policies that apply to all tenants at the property. However, a tenant may permit an adult who is 21 or older to use cannabis on leased property by ingestion or inhalation through vaporization even if smoking is prohibited by the lease or rental policies. For purposes of this chapter, vaporization shall mean the inhalation of cannabis without the combustion of the cannabis.

318-F:22 Enforcement of Contracts. Contracts related to the operation of a cannabis establishment licensed pursuant to this chapter shall be enforceable. No contract entered into by a licensed cannabis establishment or its employees or agents as permitted pursuant to a valid license, or by those who allow property to be used

by an establishment, its employees, or its agents as permitted pursuant to a valid license, shall be unenforceable on the basis that cultivating, obtaining, manufacturing, distributing, dispensing, transporting, selling, possessing, or using cannabis is prohibited by federal law.

318-F:23 Non-Discrimination for State-Legal Cannabis Activities and Prior Convictions.

I. Except as provided in this section, a holder of a professional or occupational license may not be subject to professional discipline for:

(a) Providing advice or services related to cannabis establishments or applications to operate cannabis establishments on the basis that cannabis is illegal under federal law; or

(b) Engaging in activities allowed by this chapter.

II. An applicant for a professional or occupational license may not be denied a license based on:

(a) Previous employment related to cannabis establishments operating in accordance with state law;

(b) A prior conviction for a non-violent cannabis offense that does not involve distribution, or

(c) Engaging in activities allowed by this chapter.

III. Except as provided in this section, neither the state nor any of its political subdivisions may impose any penalty or deny any benefit or entitlement for conduct permitted under this chapter or for the presence of cannabinoids or cannabinoid metabolites in the urine, blood, saliva, breath, hair, or other tissue or fluid of a person who is 21 years of age or older.

IV. Except as provided in this section, neither the state nor any of its political subdivisions may deny a driver's license, a professional license, housing assistance, social services, or other benefits based on cannabis use or for the presence of cannabinoids or cannabinoid metabolites in the urine, blood, saliva, breath, hair, or other tissue or fluid of a person who is 21 years of age or older.

V. A person shall not be denied custody of or visitation with a minor for acting in accordance with this act, unless the person's behavior is such that it creates an unreasonable danger to the minor that can be clearly articulated and substantiated.

VI. Except as provided in this section, neither the state nor any of its political subdivisions may discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person in employment or contracting, if the discrimination is based upon either of the following:

(a) Engaging in activities allowed by this chapter;

(b) A prior conviction for a non-violent cannabis offense that does not involve distribution; or

(c) Testing positive for the presence of cannabinoids or cannabinoid metabolites in the urine, blood, saliva, breath, hair, or other tissue or fluid of the individual's body.

VII. Employer and employee protections.

(a) This section does not prevent an employer from disciplining an employee or contractor for ingesting cannabis in the workplace or for working while impaired by cannabis.

(b) The protections provided by this section do not apply to the extent that they conflict with a governmental employer's obligations under federal law or regulations or to the extent that they would disqualify the entity from a monetary or licensing-related benefit under federal law or regulations.

(c) This section does not authorize any person to engage in, and does not prevent the imposition of any civil, criminal, disciplinary, or other penalties, including discipline or termination by a governmental employer, any task while under the influence of cannabis, when doing so would constitute negligence or professional misconduct.

VIII. For the purposes of medical care, including organ and tissue transplants, the use of cannabis does not constitute the use of an illicit substance or otherwise disqualify a person from needed medical care and may only be considered with respect to evidence-based clinical criteria.

IX. Notwithstanding any other provision of law, unless there is a specific finding that the individual's use, cultivation, or possession of cannabis could create a danger to the individual or another person, it shall not be a violation of conditions of parole, probation, or pre-trial release to:

(a) Engage in conduct allowed by this chapter; or

(b) Test positive for cannabis, tetrahydrocannabinol, or any other cannabinoid or metabolite of cannabis.

X. This section does not authorize any person to engage in, and does not prevent the imposition of any penalties for engaging in, the following conduct:

(a) Undertaking any task under the influence of cannabis, when doing so would constitute negligence or professional misconduct.

(b) Operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat while under the influence of cannabis.

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.

318-F:25 Agency Fee Imposed.

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:

(a) The agency fee shall not apply to sales to qualifying patients, directly or via their designated caregivers.

(b) The agency fee shall not apply to the sale of cannabis accessories, or any product other than cannabis and cannabis product.

II. The commission shall adopt rules under RSA 541-A relative to the agency fee procedures needed to implement the provisions of this section.

318-F:26 Cannabis Fund Established.

I. There is established a nonlapsing fund to be known as the cannabis fund. The fund shall be kept distinct and separate from all other funds in the state treasury, and the moneys credited to the fund shall be held distinct and separate from all other funds over which the state treasurer has control. Moneys in the fund shall be deposited with any financial institution as defined in RSA 383-A:2-201(a)(27-a), with a branch in the state. Moneys credited to the fund shall include deposits into the fund by the commission pursuant to this chapter and deposits into the fund by the commissioner of the department of revenue administration pursuant to RSA 77-H.

II. For the biennium ending June 30, 2025, and every biennium thereafter, the commission shall include the cost of administration of this chapter in the commission's efficiency expenditure request pursuant to RSA 9:4.

III. For the biennium ending June 30, 2025, the sum of $8,000,000 is hereby appropriated to the commission for the cost of administration of this chapter. Said sum shall be a charge against the fund.

IV. The commission shall credit all fees and civil penalties imposed under this chapter, including agency fees levied pursuant to 318-F:25, and all other related moneys received from public or private sources to the fund.

V. After deducting appropriations charged to the fund for the cost of administration of this chapter and RSA 77-H, the remaining funds shall be appropriated and distributed by the commission on a quarterly basis as follows:

(a) The sum of $100,000 annually to the department of health and human services, for data collection and reporting related to the health impacts of cannabis legalization and regulation under RSA 318-F:24; and

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

7 Controlled Drug Act; Definitions. Amend the introductory paragraph in RSA 318-B:1, X-a(k) to read as follows:

(k) Objects used or intended for use or customarily intended for use in ingesting, inhaling, or otherwise introducing [~~marijuana,~~] cocaine[~~, hashish, or hashish oil~~] into the human body, such as:

8 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, I to read as follows:

I. Any person who manufactures, sells, prescribes, administers, or transports or possesses with intent to sell, dispense, or compound any controlled drug, controlled drug analog or any preparation containing a controlled drug, except as authorized in this chapter ***or as otherwise authorized by law***; or manufactures, sells, or transports or possesses with intent to sell, dispense, compound, package or repackage (1) any substance which he ***or she*** represents to be a controlled drug, or controlled drug analog, or (2) any preparation containing a substance which he ***or she*** represents to be a controlled drug, or controlled drug analog, shall be sentenced as follows, except as otherwise provided in this section:

9 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II to read as follows:

II. Any person who knowingly or purposely obtains, purchases, transports, or possesses actually or constructively, or has under his or her control, any controlled drug or controlled drug analog, or any preparation containing a controlled drug or controlled drug analog, except as authorized in this chapter ***or as otherwise authorized by law***, shall be sentenced as follows, except as otherwise provided in this section:

10 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(c)-(e) to read as follows:

(c) In the case of more than 3/4 ounce of marijuana or more than 5 grams of hashish, including any adulterants or dilutants[~~,~~] ***is possessed by a person who is under 21 years of age, or, in the case of an amount exceeding the possession limit defined in RSA 318-F:1, possessed by a person who is 21 years of age or older,*** the person shall be guilty of a misdemeanor. [~~In the case of marijuana-infused products possessed by persons under the age of 21 or marijuana-infused products as defined in RSA 318-B:2-e, other than a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), that are possessed by a person 21 years of age or older, the person shall be guilty of a misdemeanor.~~]

(d) In the case of 3/4 ounce or less of marijuana or 5 grams or less of hashish, including any adulterants or dilutants, ***that is possessed by a person who is under 21 years of age,*** the person shall be guilty of a violation pursuant to RSA 318-B:2-c. [~~In the case of a person 21 years of age or older who possesses a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b), the person shall be guilty of a violation pursuant to RSA 318-B:2-c.~~]

(e) In the case of a residual amount of a controlled [~~substance,~~] ***drug, other than marijuana,*** as defined in RSA 318-B:1, XXIX-a, a person shall be guilty of a misdemeanor if the person is not part of a service syringe program under RSA 318-B:43.

11 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) [~~Except as provided in RSA 318-B:2-c,~~] Controls any premises or vehicle where he or she knows a controlled drug or its analog***, other than marijuana,*** is illegally kept or deposited;

12 Controlled Drug Act; Personal Possession of Marijuana. Amend RSA 318-B:2-c to read as follows:

318.B-2:c [~~Personal~~] Possession of Marijuana ***by a Person Under 21 Years of Age.***

[~~I.~~] In this section:

I. [~~In this section:~~

~~(a)~~] "Marijuana" ***means "cannabis" as defined in RSA 318-F:1, II.*** [~~includes the leaves, stems, flowers, and seeds of all species of the plant genus cannabis, but shall not include the resin extracted from any part of such plant and every compound, manufacture, salt, derivative, mixture, or preparation from such resin including hashish, and further, shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination. Marijuana shall not include hemp grown, processed, marketed, or sold under RSA 439-A.~~

~~(b) "Personal-use amount of a regulated marijuana-infused product" means one or more products that is comprised of marijuana, marijuana extracts, or resins and other ingredients and is intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures, which was obtained from a state where marijuana sales to adults are legal and regulated under state law, and which is in its original, child-resistant, labeled packaging when it is being stored, and which contains a total of no more than 300 milligrams of tetrahydrocannabinol.~~]

II. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly possesses 3/4 of an ounce or less of marijuana, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

III. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly possesses 5 grams or less of hashish, including adulterants or dilutants, shall be guilty of a violation, and subject to the penalties provided in paragraph V.

IV. Except as provided in RSA 126-X, any person [~~21 years of age or older possessing a personal-use amount of a regulated marijuana-infused product shall be guilty of a violation, and subject to the penalties provided in paragraph V. Persons~~] 18 years of age or older and under 21 years of age who knowingly possess marijuana-infused products shall be guilty of a [~~misdemeanor~~] ***violation, and subject to the penalties provided in paragraph V***.

V.(a) Except as provided in this paragraph, any person 18 years of age or older who is convicted of violating paragraph II or III[~~, or any person 21 years of age or older who is convicted of violating paragraph IV~~] shall be subject to a fine of $100 for a first or second offense under this paragraph, or a fine of up to $300 for any subsequent offense within any 3-year period; however, any person convicted based upon a complaint which alleged that the person had 3 or more prior convictions for violations of paragraph II[~~,~~] ***or*** III [~~or IV~~], or under reasonably equivalent offenses in an out-of-state jurisdiction since the effective date of this paragraph, within a 3-year period preceding the fourth offense shall be guilty of a class B misdemeanor. The offender shall forfeit the marijuana[~~, regulated marijuana-infused products,~~] or hashish to the state. A court shall waive the fine for a single conviction within a 3-year period upon proof that person has completed a substance abuse assessment by a licensed drug and alcohol counselor within 60 days of the conviction. A person who intends to seek an assessment in lieu of the fine shall notify the court, which shall schedule the matter for review after 180 days. Should proof of completion of an assessment be filed by or before that time, the court shall vacate the fine without a hearing unless requested by a party.

(b) Any person under 18 years of age who is convicted of violating paragraph II or III shall forfeit the marijuana or hashish and shall be subject to a delinquency petition under RSA 169-B:6.

VI.(a) Except as provided in this section, no person shall be subject to arrest for a violation of paragraph II[~~,~~] ***or*** III[~~, or IV~~] and shall be released provided the law enforcement officer does not have lawful grounds for arrest for a different offense.

(b) Nothing in this chapter shall be construed to prohibit a law enforcement agency from investigating or charging a person for a violation of RSA 265-A.

(c) Nothing in this chapter shall be construed as forbidding any police officer from taking into custody any minor who is found violating paragraph II[~~,~~] ***or*** III[~~, or IV~~].

(d) Any person ***under 21 years of age who is*** in possession of an identification card, license, or other form of identification issued by the state or any state, country, city, or town, or any college or university, who fails to produce the same upon request of a police officer or who refuses to truthfully provide his or her name, address, and date of birth to a police officer who has informed the person that he or she has been found to be

in possession of what appears to the officer to be 3/4 of an ounce or less of marijuana[~~, a personal-use amount of a regulated marijuana-infused product,~~] or 5 grams or less of hashish, may be arrested for a violation of paragraph II[~~,~~] ***or*** III[~~, or IV~~].

VII. All fines imposed pursuant to this section shall be deposited into the alcohol abuse prevention and treatment fund established in RSA 176-A:1 and utilized for evidence-informed substance abuse prevention programs.

VIII.(a) No record that includes personally identifiable information resulting from a violation of this section shall be made accessible to the public, federal agencies, or agencies from other states or countries.

(b) Every state, county, or local law enforcement agency that collects and reports data for the Federal Bureau of Investigation Uniform Crime Reporting Program shall collect data on the number of violations of paragraph II[~~,~~] ***or*** III[~~, or IV~~]. The data collected pursuant to this paragraph shall be available to the public. A law enforcement agency may update the data annually and may make this data available on the agency's public Internet website.

13 Alcohol or Drug Impairment; Other Alcohol and Drug Offenses; Possession of Drugs. Amend RSA 265-A:43 to read as follows:

265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly having in his or her possession or in any part of the vehicle a controlled drug or controlled drug analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her license shall be revoked or his or her right to drive denied for a period of 60 days and at the discretion of the court for a period not to exceed 2 years. This section shall not apply to the possession of marijuana or hashish [~~as provided in RSA 318-B:2-c, or a personal-use amount of a regulated marijuana-infused product as defined in RSA 318-B:2-c, I(b)~~].

14 Sentences; General Provisions; Annulment of Criminal Records; Annulment of Arrests and Convictions for Cannabis Offenses. Amend RSA 651:5-b to read as follows:

651:5-b Annulment of Arrests and Convictions for [~~Marijuana Possession.~~] ***Cannabis Offenses.***

I. As used in this section:

(a) "Cannabis" or "marijuana" means "cannabis" as defined in RSA 318-F:1, II.

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

II. Any person who was arrested or convicted for knowingly or purposely obtaining, purchasing, transporting, or possessing, actually or constructively, or having under his or her control, ***no more than the possession limit*** [~~3/4~~] of [~~an ounce of~~] marijuana [~~or less~~] where the offense occurred before ***the effective date of RSA chapter 318-F*** [~~September 16, 2017~~] may, at any time, petition the court in which the person was convicted or arrested to annul the arrest record, court record, or both. The petition shall state that the amount of marijuana was ***no more than the possession limit***[~~ 3/4 of an ounce or less.~~] The petitioner shall furnish a copy of the petition to the office of the prosecutor of the underlying offense. The prosecutor may object within 10 days of receiving a copy of the petition and request a hearing. If the prosecutor does not object within 10 days, the court shall grant the petition for annulment. If the prosecutor timely objects, the court shall hold a hearing. In a hearing on the petition for annulment, the prosecutor shall be required to prove beyond a reasonable doubt that the petitioner knowingly or purposely obtained, purchased, transported, or possessed, actually or constructively, or had under his or her control, marijuana in an amount exceeding ***the possession limit***[~~ 3/4 of an ounce~~]. At the close of the hearing, the court shall grant the petition unless the prosecutor has proven that the amount of marijuana exceeded ***the possession limit***[~~ 3/4 of an ounce~~]. If the petition is granted, and an order of annulment is entered, the provisions of RSA 651:5, X-XI shall apply to the petitioner.

15 New Section; Certain Crimes Not to be Pursued; Dismissal. Amend RSA 651 by inserting after section 5-b the following new section:

651:5-c Certain Crimes Not to be Pursued; Dismissal.

I. As used in this section:

(a) "Cannabis" means "cannabis" as defined in RSA 318-F:1, II.

(b) "Possession limit" means "possession limit" as defined in RSA 318-F:1, XVIII.

II.(a) Except to the extent required to dismiss, withdraw, or terminate the charge, no prosecutor shall pursue any charge based on crimes or offenses pending with a court that occurred prior to the effective date of RSA 318-F, involving a person 21 years of age or older knowingly or purposely obtaining, purchasing, transporting, manufacturing or possessing, actually or constructively, or having under his or her control, no more than the possession limit of cannabis where the offense occurred before the effective date of RSA 318-F.

(b) The existence of convictions in other counts within the same case that are not eligible for dismissal pursuant to this section or other applicable laws shall not prevent any conviction otherwise eligible for dismissal under this section from being dismissed pursuant to this section.

III. On the first day of the fifth month next following the effective date of RSA 318-F, any guilty verdict, plea, placement in a diversionary program, or other entry of guilt on a matter that was entered prior to that effective date, but the judgment of conviction or final disposition on the matter was not entered prior to that date, and the guilty verdict, plea, placement in a diversionary program, or other entry of guilt solely involved

one or more crimes or offenses involving a person 21 years of age or older knowingly or purposely obtaining, purchasing, transporting, manufacturing or possessing, actually or constructively, or having under his or her control, no more than the possession limit of cannabis, shall be vacated by operation of law. The judicial branch, in consultation with the attorney general, may take any administrative action as may be necessary to vacate the guilty verdict, plea, placement in a diversionary program, or other entry of guilt.

16 New Paragraph; Business Profits Tax; Additions and Deductions. Amend RSA 77-A:4 by inserting after paragraph XX the following new paragraph:

XXI. A deduction from gross business profits of an amount equal to all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade or business as a cannabis establishment as defined by RSA 318-F:1 or an alternative treatment center as defined by RSA 126-X:1, including reasonable allowance for salaries or other compensation for personal services actually rendered, notwithstanding any federal tax law to the contrary.

17 Apportionment, Assessment and Abatement of Taxes; Assessment; Education Tax. Amend RSA 76:3 to read as follows:

76:3 Education Tax. Beginning July 1, 2005, and every fiscal year thereafter, the commissioner of the department of revenue administration shall set the education tax rate at a level sufficient to generate revenue of $363,000,000***, less any amount credited to the education trust fund pursuant to RSA 318-F:26,*** when imposed on all persons and property taxable pursuant to RSA 76:8, except property subject to tax under RSA 82 and RSA 83-F. The education property tax rate shall be effective for the following fiscal year. The rate shall be set to the nearest 1/2 cent necessary to generate the revenue required in this section.

18 Public Health; Use of Cannabis for Therapeutic Purposes; Definitions; Alternative Treatment Center. Amend RSA 126-X:1, I to read as follows:

I. "Alternative treatment center" means a ***domestic business corporation organized under RSA 293-A, a domestic limited liability company organized under RSA 304-C, or a*** not-for-profit [~~entity~~] ***voluntary corporation organized under RSA 292 that is*** registered under RSA 126-X:7 ***and*** that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, and dispenses cannabis, and related supplies and educational materials, to qualifying patients, designated caregivers, other alternative treatment centers, and visiting qualifying patients.

19 Public Health; Use of Cannabis for Therapeutic Purposes; Departmental Administration; Alternative Treatment Centers; Application Form. Amend RSA 126-X:7, IV(a)(4) to read as follows:

(4) The name, address, and date of birth of each principal officer and board member of the alternative treatment center. The board of directors ***or board of managers, as applicable,*** for the [~~nonprofit~~] ***alternative treatment center*** shall include at least one physician, advance practice registered nurse, or pharmacist licensed to practice in New Hampshire and at least one patient qualified to register as a qualifying patient. The majority of board members ***or managers, as applicable,*** shall be New Hampshire residents. A medical professional listed in this subparagraph may be a member of the alternative treatment center board ***of directors or managers, as applicable,*** but shall not maintain an ownership interest in the center.

20 Public Health; Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers; Requirements. Amend RSA 126-X:8, I to read as follows:

I. An alternative treatment center [~~shall~~] ***may*** be operated on a ***for-profit or*** not-for-profit basis for the benefit of its patients. An alternative treatment center need not be recognized as a tax-exempt organization by the Internal Revenue Service.

21 New Paragraphs; Public Health; Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers; Requirements. Amend RSA 126-X:8 by inserting after paragraph XVIII the following new paragraphs:

XIX. Except as otherwise provided in this chapter, an alternative treatment center shall be subject to RSA 293-A if organized as a domestic business corporation, RSA 304-C if organized as a domestic limited liability company, and RSA 292 if organized as a voluntary corporation.

XX. An alternative treatment center organized as a voluntary corporation under RSA 292 may convert from a voluntary corporation under RSA 292 to either a domestic business corporation organized under RSA 293-A or a limited liability company organized under RSA 304-C in any of the following ways:

(a) By adopting a plan of entity conversion in accordance with RSA 293-A or RSA 304-C, as applicable, that includes a provision prohibiting the sale of memberships or shares to a foreign corporation for a period of 3 years, provided that each such conversion shall be authorized by a vote of 2/3 of the members of the board of directors at a meeting duly called for the purpose or by unanimous written consent.

(b) By adopting a plan of merger in accordance with RSA 293-A that includes a provision prohibiting the sale of memberships or shares to a foreign corporation for a period of 3 years, for which the domestic business corporation shall be the surviving entity, provided that, such merger shall be authorized by a vote of 2/3 of the members of the board of directors of the alternative treatment center at a meeting duly called for the purpose or by unanimous written consent.

(c) By adopting a plan of merger in accordance with RSA 304-C that includes a provision prohibiting the sale of memberships or shares to a foreign corporation for a period of 3 years, for which the domestic

limited liability company shall be the surviving entity, provided that, such merger shall be authorized by a vote of 2/3 of the members of the board of directors at a meeting duly called for the purpose or by unanimous written consent.

XXI. Articles of entity conversion or articles of merger, as applicable, shall be signed and submitted to the secretary of state pursuant to RSA 293-A or RSA 304-C, as applicable, and the secretary of state shall approve all such filings submitted pursuant to this section.

XXII. The secretary of state shall certify such articles of entity conversion or articles of merger and shall provide them to the department. Upon receipt, the department shall update the existing licenses held by the converted or merged alternative treatment center.

XXIII. For the purposes of converting or merging an alternative treatment center pursuant to this section, notwithstanding any provision in the articles of agreement or alternative treatment center license applications to the contrary, the members of an alternative treatment center's board of directors may determine that a plan of entity conversion or merger is consistent with its corporate charter, and such voluntary corporation may surrender its articles of agreement in connection with the plan of entity conversion or merger.

XXIV. Conversion and merger requirements:

(a) Any alternative treatment center choosing to convert or merge pursuant to this section shall obtain an independent fair market valuation of its total assets as of 180 days prior to the conversion or merger. The valuation of the total assets of such alternative treatment center, if positive, shall be distributed to one or more charitable organizations solely for charitable purposes. The director of charitable trusts shall receive a copy of the valuation and may file any objection relating thereto with the court within 60 days. Except as set forth in this section and notwithstanding any other law to the contrary, no portion of the assets of such alternative treatment center after the conversion or merger, as applicable, shall be deemed to be charitable assets.

(b) Any alternative treatment center choosing to convert or merge pursuant to this section shall submit a copy of the plan of conversion or merger to the director of charitable trusts. The director may file an objection relating to the plan with the court within 60 days.

(c) Any alternative treatment center that has converted or merged pursuant to this section shall, within 2 months and thereafter for 2 years, annually file a letter with the director of charitable trusts certifying compliance with the requirements of RSA 126-X:8, XX.

22 Voluntary Corporations and Associations; Powers of Corporations; Change of Name; Amending Articles; Conversion and Merger. Amend RSA 292:7 to read as follows:

292:7 Change of Name; Amending Articles.

I. Any corporation now or hereafter organized or registered in accordance with the provisions of this chapter, and any existing corporation which may have been so organized or registered, may change its name, increase or decrease its capital stock or membership certificates, merge with or acquire any other corporation formed pursuant to this chapter, or amend its articles of agreement, by a majority vote of such corporation's board of directors or trustees, at a meeting duly called for that purpose, and by recording a certified copy of such vote in the office of the secretary of state and in the office of the clerk of the town or city in this state which is its principal place of business. In the case of a foreign nonprofit corporation registered in New Hampshire, a copy of the amendment or plan of merger, certified by the proper officer of the state of incorporation, shall be filed with the secretary of state, together with the fee provided in RSA 292:5. The surviving corporation in a merger shall continue to have all the authority and powers vested in the merging corporations, including any powers previously conferred upon them by the legislature.

II. An alternative treatment center registered pursuant to RSA 126-X and organized under this chapter may, pursuant to RSA 126-X:8, XX, convert to either a domestic corporation organized under RSA 293-A or a limited liability company organized under to RSA 304-C, and may merge with a domestic business corporation organized under RSA 293-A or a limited liability company organized under RSA 304-C.

23 New SubParagraph; New Hampshire Business Corporation Act; Domestication and Conversion; Entity Conversion Authorized. Amend RSA 293-A:9.50 by inserting after paragraph (f) the following new subparagraph:

(g) Alternative treatment centers registered pursuant to RSA 126-X and organized pursuant to RSA 292 may become a domestic corporation pursuant to a plan of conversion in accordance with RSA 126-X:8, XX and this subdivision. The alternative treatment center shall be deemed to be a domestic unincorporated entity for purposes of applying RSA 293-A:9.50 through RSA 293-A:9.56, except that approval of the conversion shall be as outlined in RSA 126-X:8, XX.

24 Limited Liability Companies; Statutory Conversions; Statutory Conversions of Other Business Entities to Limited Liability Companies. Amend RSA 304-C:149, I to read as follows:

I. Any other business entity***, including alternative treatment centers pursuant to RSA 126-X:8, XX,*** may make a statutory conversion of its business organization form to the limited liability company business organization form under this act by complying with the requirements of this section and with applicable law governing the other business entity. ***Approval of a conversion of an alternative treatment center pursuant to this paragraph shall be as outlined in RSA 126-X:8, XX.***

25 New Paragraph; Limited Liability Companies; Statutory Conversions; Statutory Conversions of Other Business Entities to Limited Liability Companies; Approvals of Statutory Conversion. Amend RSA 304-C:149 by inserting after paragraph VIII the following new paragraph:

IX. In the case of the conversion of an alternative treatment center registered under RSA 126-X and organized pursuant to RSA 292, such conversion shall be approved by the board of directors in accordance with RSA 126-X:8, XX.

26 The Liquor Commission; Liquor Investigator; Training. Amend RSA 176:9 to read as follows:

176:9 Liquor Investigator; Training.

I. The commission may, subject to rules adopted by the director of personnel, employ and dismiss liquor investigators. Liquor investigators shall, under the direction of the commission, investigate any or all matters arising under this title ***and under RSA 318-F***.

II. Any new liquor investigator employed by the commission under this section after August 13, 1985, shall, within 6 months of employment, satisfactorily complete a preparatory police training program as provided by RSA 106-L:6, unless he or she has already completed such a program.

III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter any place where liquor, beverages, tobacco products, e-cigarettes***, or cannabis*** are sold***,*** [~~or~~] manufactured, ***or cultivated*** at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.

27 Enforcement Proceedings and Penalties; Prosecutions. Amend RSA 179:59 to read as follows:

179:59 Prosecutions. The commission shall appoint liquor investigators whose primary function shall be the proper prosecution of this title ***and RSA 318-F***. 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 liquor and beverage laws ***and cannabis laws*** upon premises where liquor***,*** [~~and~~] beverages***, and cannabis*** are lawfully sold, stored, distributed, or manufactured ***or cultivated***. 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.

28 New Paragraph; Retail Tobacco License. Amend RSA 178:19-a by inserting after paragraph V the following new paragraph:

VI. A retail tobacco license is authorized to sell cannabis accessories and cannabis paraphernalia as defined in RSA 318-F.

29 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.

30 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.

31 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.

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

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

AMENDED ANALYSIS

This bill repeals the prospective repeal of the prohibition on the sale of hemp products containing certain levels of THC.

This bill establishes procedures for the legalization, regulation, and taxation of cannabis; the licensing and regulation of cannabis establishments; and makes appropriations therefor.

The question being adoption of floor amendment (2143h).
Rep. Prout spoke in favor.
On a division vote, with 87 members having voted in the affirmative, and 278 in the negative, floor amendment (2143h failed.

The question now being adoption of the committee report of Ought to Pass.
Rep. Granger requested a roll call; sufficiently seconded.

YEAS 242 - NAYS 124

YEAS - 242

BELKNAP

Bogert, Steven	Bordes, Mike	Coker, Matthew	Dumais, Russell
Nagel, David	Ploszaj, Tom	St. Clair, Charlie	Varney, Peter

CARROLL

Burroughs, Anita	Cordelli, Glenn	Paige, David	McAleer, Chris
Woodcock, Stephen			

CHESHIRE

Abbott, Michael	Ames, Richard	Harvey, Cathryn	Fox, Dru
Eaton, Daniel	Faulkner, Barry	Germana, Nicholas	Jones, Philip
Monteil, Renee	Newell, Jodi	Parshall, Lucius	Qualey, James
Rhodes, Jennifer	Schapiro, Joe	Thackston, Dick	Toll, Amanda
Weber, Lucy			

COOS

Davis, Arnold	Cascadden, Corinne	Kelley, Eamon	Noël, Henry
King, Seth			

GRAFTON

Almy, Susan	Baldwin, Heather	Bolton, Bill	Brown, Carroll
Cormen, Thomas	Fellows, Sallie	Fracht, David	Hakken-Phillips, Mary
Murphy, James	Sullivan, Jared	Ladd, Rick	Lovett, Peter
Massimilla, Linda	Morse, Corinne	Sellers, John	Simon, Matthew
Stavis, Laurel	Stringham, Jerry	Sykes, George	

HILLSBOROUGH

Murray, Alissandra	Baroody, Benjamin	Beauchemin, Paige	Beaulieu, Jane
Booras, Efstathia	Bouchard, Donald	Bradley, Amy	Calabro, Karen
Chretien, Jacqueline	Cornell, Patricia	Creighton, Jim	Cushman, Leah
Ford, Damond	Darby, Will	Devine, Shelley	DiSilvestro, Linda
Dutzy, Sherry	Elberger, Susan	Davis, Fred	Freitas, Mary
Gagne, Larry	Gibbons, Candace	Goley, Jeffrey	Gorski, Ted
Gregg, Alicia	Grill, Jessica	Harriott-Gathright, Linda	Healey, Robert
Heath, Mary	Herbert, Christopher	Jack, Martin	Smith, Juliet
Juris, Louis	Kennedy, Stephen	Foxx, Loren	Gould, Linda
Lanza, Judi	Leapley, Nicole	LeClerc, Daniel	Leishman, Peter
Lewicke, John	Long, Patrick	Howard, Molly	Murray, Megan
Perez, Maria	MacKenzie, Mark	Mangipudi, Latha	Mazur, Lisa
McGhee, Kat	Ming, Ben	Mooney, Maureen	Morton, Jennifer
Murphy, Nancy	Nutter-Upham, Frances	Pauer, Diane	Pedersen, Michael
Petrigno, Peter	Plamondon, Marc	Plett, Fred	Preece, David
Newman, Ray	Raymond, Heather	Rombeau, Catherine	Rung, Rosemarie
Ryan, Linda	Newman, Sue	Seibert, Christine	Seidel, Sheila
Sofikitis, Catherine	Spier, Carry	Staub, Kathy	Telerski, Laura
Tellez, Trinidad	Vail, Suzanne	Veilleux, Daniel	Thomas, Wendy
Wheeler, Jonah	Wilhelm, Matthew		

MERRIMACK

Turcotte, Alisson	Andrus, Louise	Brennan, Angela	Caplan, Tony
Carey, Lorrie	Ebel, Karen	Gallager, Eric	Gibbs, Merryl
Hall, Muriel	Hicks, Matthew	Lane, Connie	Luneau, David
MacKay, James	Mason, James	McWilliams, Rebecca	Myler, Mel
Payeur, Stephanie	Richards, Beth	Roesener, James	Gould, Sherry
Schamberg, Thomas	Schuett, Dianne	Schultz, Kristina	Shurtleff, Steve
Soucy, Timothy	Wallner, Mary Jane	Wolf, Dan	

ROCKINGHAM

Balboni, Peggy	Bernardy, JD	Mannion, Dennis	DeSimone, Debra
DiLorenzo, Charlotte	Donnelly, Tanya	Drago, Mike	Edgar, Michael

Foote, Charles
Guthrie, Joseph
Hobson, Deb
Knab, Allison
Paige, Mark
Mandelbaum, Jennifer
McMahon, Charles
Ford, Oliver
Read, Ellen
Cahill, Tim
MacDonald, Wayne
Gilman, Julie
Hamblet, Joan
Nelson, Jodi
Walsh, Lilli
Pearson, Mark
Manos, Zoe
Meuse, David
Potucek, John
Roy, Terry
Tudor, Paul
Wallace, Scott
Grossman, Gaby
Harb, Robert
Murray, Kate
Lundgren, David
Maggiore, Jim
McBeath, Rebecca
Muns, Chris
Rafter, Hal
Pearson, Stephen
Turer, Eric
Ward, Gerald
Grote, Jaci
Haskins, Linda
Katsakiores, Phyllis
Cahill, Michael
Malloy, Dennis
McDonnell, Valerie
O'Neil, Candice
Raynolds, Ned
Simpson, Alexis
Vallone, Mark
Weyler, Kenneth

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Johnson, Erik
Levesque, Cassandra
Pitre, Joseph
Bickford, David
Conlin, Bill
Howard, Heath
Kenney, Cam
Smith, Marjorie
Selig, Loren
Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
Turcotte, Len
Schmidt, Peter
Southworth, Thomas
Rich, Cecilia
Smith, Geoffrey
Howland, Allan
LaMontagne, Jessica
Pare, Gail
Wall, Janet

SULLIVAN

Sullivan, Brian
Merchant, Gary
Cloutier, John
Palmer, William
Damon, Hope
Tanner, Linda
Drye, Margaret

NAYS - 124

BELKNAP

Bean, Harry
Smart, Lisa
Comtois, Barbara
Terry, Paul
Harvey-Bolia, Juliet
Beaudoin, Richard

CARROLL

Avellani, Lino
Smith, Jonathan
Belcher, Mike
Peternel, Katy
Costable, Michael
Brown, Richard
MacDonald, John

CHESHIRE

Hunt, John
Nutting, Zachary

COOS

Durkin, Sean
Ouellet, Mike
Tierney, James

GRAFTON

Berezhny, Lex
Coulon, Matthew
Greeson, Jeffrey
Rochefort, David

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Corcoran, Travis
Griffin, Gerald
Lascelles, Richard
Notter, Jeanine
Prout, Andrew
Sirois, Shane
Ulery, Jordan
Abare, Kimberly
King, Bill
Kelley, Diane
Infantine, William
McGough, Tim
Panek, Sandra
Reid, Karen
Lekas, Tony
Wherry, Robert
Alexander, Joe
Colcombe, Riché
Erf, Keith
Kenny, Catherine
McLean, Mark
Post, Lisa
Renzullo, Andrew
Mannion, Tom
Ammon, Keith
Cole, Brian
Fedolfi, Jim
Kofalt, Jim
Noble, Kristin
Proulx, Mark
Sheehan, Vanessa
Tenczar, Jeffrey

MERRIMACK

Aures, Cyril
McGuire, Dan
Leavitt, John
Seaworth, Brian
Wood, Clayton
Aylward, Deborah
Gerhard, Jason
Moffett, Michael
See, Alvin
McGuire, Carol
Hill, Gregory
Polozov, Yury
Walsh, Thomas
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

ROCKINGHAM

Ball, Lorie
Dunn, Ron
Janvrin, Jason
Layon, Erica
Osborne, Jason
Porcelli, Susan
Spillane, James
Dolan, Tom
Verville, Kevin
Brouillard, Jacob
Edwards, Jess
Perez, Kristine
Love, David
Phillips, Emily
Pratt, Kevin
Summers, James
Tripp, Richard
Vose, Michael
Thomas, Douglas
Emerick, Tracy
Khan, Aboul
Lynn, Bob
Piemonte, Tony
Prudhomme-O'Brien, Katherine
Sweeney, Joe
True, Chris
Yokela, Josh
Doucette, Fred
Janigian, John
Kuttab, Katelyn
Melvin, Charles
Popovici-Muller, Daniel
Soti, Julius
Sytek, John
Vandecasteele, Susan

STRAFFORD

Bailey, Glenn	Burnham, Claudine	Connor, James	Granger, Michael
Harrington, Michael	Horgan, James	Kaczynski, Thomas	Newton, Clifford
Phinney, Brandon	Potenza, Kelley		

SULLIVAN

Aron, Judy	Rollins, Skip	Smith, Steven	Spilsbury, Walter
Stapleton, Walter	Stone, Jonathan		

and the committee report was adopted, and the bill was ordered to third reading.
Rep. Wallace voted Yea and intended to vote Nay.

SB 559-FN, relative to the New Hampshire vaccine association. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Gary Merchant for the Majority of Health, Human Services and Elderly Affairs. New Hampshire has a universal state vaccine program aimed at providing widespread access to vaccinations for individuals under the age of 18. The program design is to ensure equitable access to vaccines by making them readily available, affordable, and accessible to individuals, regardless of factors such as income, ethnicity, or geographic location. Insurance programs offered in the state of New Hampshire, including the state Medicaid program, contribute financial support so the program may acquire vaccines at a reduced cost using federal contracts and distribute the vaccines to providers to administer at minimal cost to eligible individuals. Respiratory syncytial virus, or RSV, is a common respiratory virus that usually causes mild, cold-like symptoms; however, infants are more likely to develop severe RSV that requires hospitalization. The bill simply adds one vaccine, RSV vaccine, to the list of vaccines included in the program. The program does not mandate use of any vaccine. Vote 11-9.
Rep. Mark McLean for the Minority of Health, Human Services and Elderly Affairs. This bill defines biological products for the purpose of assessment determination by the New Hampshire vaccine association. The bill definition is very sweeping and includes all biological products approved by the FDA and those recommended to be added to the Vaccines for Children program by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention. The principal stated reason for bringing this bill forward was to allow the New Hampshire Vaccine Association to procure and distribute the new RSV vaccine. In order to address committee concerns about the broad expanse of the new inclusion, the committee amendment reduced the scope of the bill to just allow for the inclusion of the RSV vaccine. While many on the committee agreed that the RSV vaccine is promising, and that the amended version is vastly superior to the original bill, there were still concerns expressed about the lack of efficacy data, and the fact that the bill would open the state up to liability. The federal, legal immunity offered to vaccine providers of traditional vaccines has not yet been extended to these new biological products, and while the federal government is engaged in updating the immunity language, it is still only under development and not yet in effect. The minority of the committee therefore felt that it would be prudent to hold off on passage of the bill until the efficacy and liability concerns are better understood.

Majority Amendment (1831h)

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

1 New Hampshire Vaccine Association; Definitions; Definition of Biological Product Added. Amend RSA 126-Q:1, III - X to read as follows:

III. “Assessable lives” means all children under 19 years of age residing in the state who have assessable coverage written or administered by an assessable entity, with the exception of children whose vaccines ***and respiratory syncytial virus biological product*** are paid for under the federal Vaccines for Children program, established under 42 U.S.C. section 1396s.

IV. “Assessment” means the assessable entity’s liability with respect to childhood vaccines ***and the respiratory syncytial virus biological product*** determined in accordance with this chapter. For purposes of rate setting and medical loss ratio calculations, all association assessments are considered pharmaceutical or medical benefit costs and not regulatory costs. In the event of any insolvency or similar proceeding affecting any payer, assessments shall be included in the highest priority of obligations to be paid by or on behalf of such payer.

V. “Association” means the New Hampshire vaccine association.

VI. “Board” means the board of directors of the New Hampshire vaccine association.

VII. “Commissioner” means the commissioner of the department of health and human services.

VIII. “Estimated vaccine cost” means the estimated cost to the state over the course of a state fiscal year of the purchase, distribution, and administration of vaccines ***and the respiratory syncytial virus biological product*** purchased at the federal discount rate by the department of health and human services.

IX. “Provider” means a person licensed by this state to provide health care services to persons or a partnership or corporation made up of those persons.

IX-a. “Respiratory syncytial virus biological product” means a respiratory syncytial virus biological product that has been approved by the federal Food and Drug Administration and recom-

mended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention to be added to the Vaccines for Children program and has been authorized by the commissioner of the department of health and human services for administration to children of the state of New Hampshire under the age of 19 years for the purposes of protecting against the respiratory syncytial virus.

X. "Total non-federal program cost" means the estimated vaccine ***and the respiratory syncytial virus biological product*** cost less the amount of federal revenue available to the state for the purchase, distribution, and administration of vaccines ***and respiratory syncytial virus biological product***.

2 New Hampshire Vaccine Association; Assessment Determination. Amend RSA 126-Q:4, II(c) to read as follows:

(c) Add a reserve of up to 10 percent of the anticipated cost under subparagraph (a) for unanticipated costs associated with providing vaccines ***and the respiratory syncytial virus biological product*** to children covered; and

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

AMENDED ANALYSIS

This bill defines respiratory syncytial virus biological product for purposes of assessment by the New Hampshire vaccine association.

Majority committee amendment was adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Phillips offered floor amendment (2070h).

Floor Amendment (2070h)

Amend RSA 126-Q:1, IX-a as inserted by section 1 of the bill by replacing it with the following:

IX-a. "Respiratory syncytial virus biological product" means a respiratory syncytial virus biological product that has been approved by the federal Food and Drug Administration and recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention to be added to the Vaccines for Children program and has been authorized by the commissioner of the department of health and human services for administration to children of the state of New Hampshire under the age of 19 years for the purposes of protecting against the respiratory syncytial virus.

(a) Prior to any authorization of a vaccine by the commissioner, the department of health and human services shall review the available summaries of scientific data for all vaccines' safety and efficacy from the approval by the federal Food and Drug Administration and the recommendation by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, verify the available scientific data supports the vaccines' claims for safety and efficacy, and post a publicly available report on the findings of their review prior to the commissioner's authorization.

(b) Prior to any purchase of a vaccine by the New Hampshire vaccine association, they shall review the available summaries of scientific data for all vaccines' safety and efficacy from the approval by the federal Food and Drug Administration and the recommendation by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, and verify the available scientific data supports the vaccines' claims for safety and efficacy.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Paragraph; New Hampshire Vaccine Association; Meetings. Amend RSA 126-Q:3 by inserting after paragraph V the following new paragraph:

VI. The New Hampshire vaccine association shall video record all meetings in their entirety and make these video recordings in their entirety available to the public.

AMENDED ANALYSIS

This bill defines respiratory syncytial virus biological product for purposes of assessment by the New Hampshire vaccine association and requires the New Hampshire vaccine association to video record all meetings.

The question being adoption of floor amendment (2070h).

Rep. Weber spoke against.

Rep. Phillips spoke in favor and requested a roll call; sufficiently seconded.

YEAS 176 - NAYS 185

YEAS - 176

BELKNAP

Bean, Harry	Bogert, Steven	Comtois, Barbara	Dumais, Russell
Harvey-Bolia, Juliet	Nagel, David	Ploszaj, Tom	Beaudoin, Richard
Smart, Lisa	Terry, Paul	Varney, Peter	

CARROLL

Avellani, Lino
Belcher, Mike
Cordelli, Glenn
Costable, Michael
MacDonald, John
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Qualey, James
Rhodes, Jennifer
Thackston, Dick
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
Ouellet, Mike
King, Seth
Tierney, James

GRAFTON

Berezhny, Lex
Brown, Carroll
Coulon, Matthew
Greeson, Jeffrey
Ladd, Rick
Rochefort, David
Sellers, John
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Abare, Kimberly
Alexander, Joe
Ammon, Keith
Boyd, Bill
King, Bill
Colcombe, Riché
Cole, Brian
Corcoran, Travis
Creighton, Jim
Cushman, Leah
Kelley, Diane
Erf, Keith
Fedolfi, Jim
Griffin, Gerald
Gagne, Larry
Gorski, Ted
Healey, Robert
Infantine, William
Kennedy, Stephen
Kenny, Catherine
Kofalt, Jim
Gould, Linda
Lascelles, Richard
Lewicke, John
Mazur, Lisa
McGough, Tim
McLean, Mark
Mooney, Maureen
Noble, Kristin
Notter, Jeanine
Panek, Sandra
Pauer, Diane
Plett, Fred
Post, Lisa
Proulx, Mark
Prout, Andrew
Reid, Karen
Seidel, Sheila
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Seaworth, Brian
See, Alvin
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Hobson, Deb
Nelson, Jodi
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lundgren, David
Lynn, Bob
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Ford, Oliver
Osborne, Jason
Phillips, Emily
Piemonte, Tony
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Raynolds, Ned
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Sytek, John
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Bailey, Glenn
Burnham, Claudine
Connor, James
Granger, Michael
Harrington, Michael
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

NAYS - 185

BELKNAP

Bordes, Mike
St. Clair, Charlie

CARROLL

Burroughs, Anita
Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael	Ames, Richard	Fox, Dru	Eaton, Daniel
Faulkner, Barry	Germana, Nicholas	Hunt, John	Jones, Philip
Monteil, Renee	Newell, Jodi	Parshall, Lucius	Schapiro, Joe
Toll, Amanda	Weber, Lucy		

COOS

Cascadden, Corinne	Kelley, Eamon	Noël, Henry

GRAFTON

Almy, Susan	Baldwin, Heather	Bolton, Bill	Cormen, Thomas
Fellows, Sallie	Fracht, David	Hakken-Phillips, Mary	Murphy, James
Sullivan, Jared	Lovett, Peter	Massimilla, Linda	Morse, Corinne
Stavis, Laurel	Stringham, Jerry	Sykes, George	

HILLSBOROUGH

Murray, Alissandra	Baroody, Benjamin	Beauchemin, Paige	Beaulieu, Jane
Booras, Efstathia	Bouchard, Donald	Bradley, Amy	Calabro, Karen
Chretien, Jacqueline	Cornell, Patricia	Ford, Damond	Darby, Will
Devine, Shelley	DiSilvestro, Linda	Dutzy, Sherry	Elberger, Susan
Davis, Fred	Freitas, Mary	Gibbons, Candace	Goley, Jeffrey
Gregg, Alicia	Grill, Jessica	Harriott-Gathright, Linda	Heath, Mary
Herbert, Christopher	Jack, Martin	Smith, Juliet	Juris, Louis
Foxx, Loren	Lanza, Judi	Leapley, Nicole	LeClerc, Daniel
Leishman, Peter	Long, Patrick	Howard, Molly	Murray, Megan
Perez, Maria	MacKenzie, Mark	Mangipudi, Latha	McGhee, Kat
Ming, Ben	Morton, Jennifer	Murphy, Nancy	Nutter-Upham, Frances
Petrigno, Peter	Plamondon, Marc	Preece, David	Newman, Ray
Raymond, Heather	Renzullo, Andrew	Rombeau, Catherine	Rung, Rosemarie
Ryan, Linda	Newman, Sue	Seibert, Christine	Sofikitis, Catherine
Spier, Carry	Staub, Kathy	Telerski, Laura	Tellez, Trinidad
Vail, Suzanne	Veilleux, Daniel	Thomas, Wendy	Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Hall, Muriel
Hicks, Matthew	Lane, Connie	Luneau, David	MacKay, James
Mason, James	McWilliams, Rebecca	Myler, Mel	Payeur, Stephanie
Richards, Beth	Roesener, James	Schamberg, Thomas	Schuett, Dianne
Schultz, Kristina	Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane
Wolf, Dan			

ROCKINGHAM

Balboni, Peggy	DiLorenzo, Charlotte	Edgar, Michael	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Guthrie, Joseph	Hamblet, Joan
Harb, Robert	Haskins, Linda	Murray, Kate	Knab, Allison
Cahill, Michael	Paige, Mark	Maggiore, Jim	Malloy, Dennis
Mandelbaum, Jennifer	Manos, Zoe	McBeath, Rebecca	Meuse, David
Muns, Chris	O'Neil, Candice	Rafter, Hal	Read, Ellen
Simpson, Alexis	Turer, Eric	Vallone, Mark	Ward, Gerald

STRAFFORD

Bay, Luz	Bickford, David	Bixby, Peter	Rich, Cecilia
Cannon, Gerri	Conlin, Bill	Fitzpatrick, Daniel	Smith, Geoffrey
Grassie, Chuck	Howard, Heath	Horgan, James	Horrigan, Timothy
Howland, Allan	Johnson, Erik	Kenney, Cam	LaMontagne, Jessica
Levesque, Cassandra	Smith, Marjorie	Schmidt, Peter	Pare, Gail
Selig, Loren	Southworth, Thomas	Wall, Janet	

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Merchant, Gary
Palmer, William	Smith, Steven	Tanner, Linda	

and floor amendment (2070h) failed

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Reps. Wherry and McLean spoke against.
Rep. Merchant spoke in favor.
On a division vote, with 192 members having voted in the affirmative, and 171 in the negative, the majority committee report was adopted, and the bill was ordered to third reading.

SB 330-FN, relative to allowing the ability to work from home to count toward unemployment benefits eligibility. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Brian Sullivan for the Majority of Labor, Industrial and Rehabilitative Services. The underlying bill directs the Department of Employment Security to allow unemployed individuals to seek employment opportunities that involve work from home. Presently job searches for work from home employment result in disqualification for unemployment benefits. The pandemic resulted in an explosion of home-based work. This bill addresses what has become a common form of employment even in the post pandemic era. The non-germane amendment attaches the content of the amended version of HB 1522 which remains on the table. There was a bipartisan agreement to table HB 1522 due to the anticipated arrival of a bill on the same topic from the other body. That bill did not make it to the House. The amendment is being brought forward because it provides for a long overdue update of the unemployment benefits table. The current benefit table, adopted in 2007, has a maximum weekly benefit of $427. The new table adds 19 new tiers to the benefit table extending to annual earnings of $60,000 and a maximum weekly benefit of $672. The current outdated table provides unemployed individuals with an average benefit of approximately 30% of income. The new table would provide an average benefit of approximately 55% of income. An overwhelming majority of the committee supports passage of the underlying bill, and a majority of the committee supports passage of the underlying bill and the amendment. Vote 11-8.

Rep. Brian Seaworth for the Minority of Labor, Industrial and Rehabilitative Services. The minority of the committee recommends passage of the original bill without the amendment. This is a simple bill that allows the Department of Employment Security to consider the special circumstances that may impact an unemployed worker who had and expects to continue to work from home. Current law categorically denies unemployment payments to anyone focusing on remote work opportunities. This bill empowers the department to consider the relevant details. The minority fears that the additional amendment proposed by the majority would jeopardize what is otherwise a well-supported bill.

Majority Amendment (1865h)

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

AN ACT relative to allowing the ability to work from home to count toward unemployment benefits eligibility and updated weekly unemployment benefit amount for total unemployment and maximum total amount of benefits payable with effective dates through January 1, 2027.

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

2 Unemployment Compensation; Weekly Benefit Amount; Maximum Total Amount of Benefits. RSA 282-A:25 is repealed and reenacted to read as follows:

282-A:25 Weekly Benefit Amount for Total Unemployment and Maximum Total Amount of Benefits Payable During any Benefit Year. The maximum weekly benefit amount and maximum benefits payable to an eligible individual, the first day of whose individual benefit year is on or after the effective date of this paragraph, shall be determined by the individual's annual earnings, of which in each of 2 calendar quarters the individual must have earned not less than $1,400, as follows:

Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
$2800	$32	$840
3100	35	910
3400	39	1020
3900	45	1170
4200	48	1260
4500	52	1350
4800	55	1400
5100	59	1530
5600	64	1664
6100	69	1794
6600	75	1950
7000	80	2080
7400	83	2158
7800	88	2288
8200	92	2392
8600	96	2496
9000	101	2626
9500	106	2756
10000	112	2912
10500	117	3042

11000	122	3172
11500	128	3328
12500	141	3666
13500	154	4004
14500	164	4264
15500	177	4602
16500	183	4758
17500	194	5044
18500	205	5330
19500	216	5616
20500	230	5980
21500	238	6188
22500	249	6474
23500	262	6812
24500	271	7046
25500	283	7358
26500	294	7644
27500	306	7956
28500	317	8242
29500	327	8502
30500	341	8866
31500	351	9126
32500	360	9360
33500	372	9672
34500	383	9958
35500	395	10270
36500	410	10660
37500	415	10790
38500	427	11102
39500	443	11518
40500	449	11674
41500	460	11960

3 New Section; Weekly Benefit Amount. Amend RSA 282-A by inserting after section 282-A:25 the following new section:

282-A:25-a Weekly Benefit Amount.

I. In addition to RSA 281-A:25, effective January 1, 2025 the maximum weekly benefit amount and maximum benefits payable to an eligible individual, the first day of whose individual benefit year is on or after the effective date of this paragraph, shall be determined by the individual's annual earnings, of which in each of 2 calendar quarters the individual must have earned not less than $1,400, as follows:

Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
$42500	$471	$12246
43500	482	12532
44500	499	12974
45500	505	13130
46500	516	13416
47500	532	13832
48500	537	13962

II. In addition to RSA 281-A:25, and RSA 281-A:25-a, I, effective January 1, 2026 the maximum weekly benefit amount and maximum benefits payable to an eligible individual, the first day of whose individual benefit year is on or after the effective date of this paragraph, shall be determined by the individual's annual earnings, of which in each of 2 calendar quarters the individual must have earned not less than $1,400, as follows:

Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
$49500	$556	$14456
50500	568	14768
51500	570	14820
52500	582	15132
53500	600	15600
54500	610	15860

III. In addition to RSA 281-A:25, and RSA 281-A:25-a, I, and II, effective January 1, 2027 the maximum weekly benefit amount and maximum benefits payable to an eligible individual, the first day of whose individual benefit year is on or after the effective date of this paragraph, shall be determined by the individual's annual earnings, of which in each of 2 calendar quarters the individual must have earned not less than $1,400, as follows:

Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
$55500	$623$16198	
56500	625	16250
57500	639	16614
58500	650	16900
59500	659	17134
60000	672	17472

4 Effective Date.

I. Section 1 of this act shall take effect upon its passage.

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

AMENDED ANALYSIS

This bill allows the ability to work from home to count toward unemployment benefits eligibility and updated weekly unemployment benefit amount for total unemployment and maximum total amount of benefits payable with effective dates through January 1, 2027.

Pursuant to House Rule 66, the Speaker declared majority committee amendment (1865h) out of order.

The question now being adoption of the minority committee report of Ought to Pass.
Minority committee report was adopted, and the bill was ordered to third reading.

SB 431, relative to wake surfing. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Suzanne Vail for the Majority of Resources, Recreation and Development. This bill restricts the activity of wake surfing on lakes and ponds that are less than 50 acres in size, codifies provision of existing wake surfing education by the Department of Safety, and mandates a 200-foot distance from shorelines and docks, versus the present distance in statute, which is 150 feet. The committee amendment changes this setback to 300 feet, a distance the majority of boaters would be able to judge from open water, as 300 feet is the length of a football field, it's the distance that ski craft must maintain, and it is a distance that Marine Patrol enforces. The bipartisan majority of the committee believes that unamended, the bill does not take sufficient action to address the observable environmental and recreational impacts presented to us in peer reviewed research relative to the impacts of wake surfing in extensive public testimony. We learned that the ocean-like waves created for wake surfing pack energy that takes a far greater distance to dissipate. It strikes other vessels and swimmers, and damages docks. Those in support of the bill, without the amendment, offer a claim there is a scientific study supporting 200 feet will improve matters, but that study is refuted by opposing research. The majority knows that with the committee amendment, a 300-foot distance from shoreline, will enable some progress with the mitigation of the cumulative environmental and recreational challenges that our committee oversees. With the 200-foot setback that is already the distance the motorsports industry recommends in their "Wake Responsibly" campaign, erosion of shoreline, damage of docks and boats, and interference with other lake recreational activities continues to be reported, and the public outcry from both perspectives continues. It is our position that we must preserve our lakes for the future, and that to not act on this issue would neglect consideration of the public and of all of our problems with balancing lake health and clean water. Our recommendation supports sustainable recreation on NH lakes. As amended, this bill establishes a meaningful compromise and represents progress, but without the amendment the bill falls short of solving any problems. Vote 11-9.

Rep. Robert Harb for the Minority of Resources, Recreation and Development. The minority of the committee believes this bill proposes a reasonable solution to a debate ongoing for almost five years — how to address concerns relative to wake surfing too close to shore. We believe the bill codifies a national award-winning education campaign called "Wake Responsibly" promoting best practices for wake surfing. It creates a 200-foot minimum setback for wake surfing. It does not regulate any type of specific boat – just the act of wake surfing. The bill also encourages additional education through the Department of Safety on best practices for wake surfing to protect New Hampshire shorelines. The minority believes the opposition to the bill came from those who wanted more restrictions, which the House has already tabled. New Hampshire's marine and boating industry, along with experts in the tourism industry, have committed their efforts and resources to getting these messages out to the boating public. Public service announcements, social media, boaters' education, and signage at boat launches are all part of an ongoing effort to communicate proper operations for the sport. Nearly 600 boaters and water sport families recorded support for the bill. It is the compromise

needed to protect New Hampshire's shorelines while maintaining the right of the public to access the state waterways. It is a buffer, not a ban. The committee minority recommends rejecting the committee amendment and vote Ought to Pass.

Majority Amendment (1598h)

Amend RSA 270-D:3, VIII as inserted by section 1 of the bill by replacing it with the following:

VIII. No person shall engage in wake surfing within 300 feet of a shoreline, dock, pier, boathouse, or other boats.

The question being adoption of majority committee amendment (1598h).
Rep. Harb spoke against.
Rep. Wolf spoke in favor.
On a division vote, with 193 members having voted in the affirmative, and 164 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Harb spoke against.
Rep. Wolf spoke in favor.
Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 214 - NAYS 148

YEAS - 214

BELKNAP

Nagel, David	Ploszaj, Tom	St. Clair, Charlie	Terry, Paul

CARROLL

Avellani, Lino	Belcher, Mike	Burroughs, Anita	Cordelli, Glenn
Costable, Michael	Paige, David	Smith, Jonathan	McAleer, Chris
Brown, Richard	Woodcock, Stephen		

CHESHIRE

Abbott, Michael	Ames, Richard	Fox, Dru	Eaton, Daniel
Faulkner, Barry	Germana, Nicholas	Jones, Philip	Monteil, Renee
Newell, Jodi	Parshall, Lucius	Schapiro, Joe	Toll, Amanda
Weber, Lucy			

COOS

Cascadden, Corinne	Kelley, Eamon	Noël, Henry	King, Seth
Tierney, James			

GRAFTON

Almy, Susan	Baldwin, Heather	Bolton, Bill	Cormen, Thomas
Fellows, Sallie	Fracht, David	Hakken-Phillips, Mary	Murphy, James
Sullivan, Jared	Lovett, Peter	Massimilla, Linda	Morse, Corinne
Stavis, Laurel	Stringham, Jerry	Sykes, George	

HILLSBOROUGH

Murray, Alissandra	Nutting-Wong, Allison	Baroody, Benjamin	Beauchemin, Paige
Beaulieu, Jane	Booras, Efstathia	Bouchard, Donald	Bradley, Amy
Calabro, Karen	Chretien, Jacqueline	Corcoran, Travis	Cornell, Patricia
Ford, Damond	Darby, Will	DiSilvestro, Linda	Dutzy, Sherry
Elberger, Susan	Davis, Fred	Fedolfi, Jim	Freitas, Mary
Gibbons, Candace	Goley, Jeffrey	Gregg, Alicia	Grill, Jessica
Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher	Jack, Martin
Smith, Juliet	Juris, Louis	Kennedy, Stephen	Foxx, Loren
Lanza, Judi	Leapley, Nicole	LeClerc, Daniel	Leishman, Peter
Long, Patrick	Howard, Molly	Murray, Megan	Perez, Maria
MacKenzie, Mark	Mangipudi, Latha	McGhee, Kat	McGough, Tim
Ming, Ben	Mooney, Maureen	Morton, Jennifer	Murphy, Nancy
Nutter-Upham, Frances	Panek, Sandra	Petrigno, Peter	Plamondon, Marc
Preece, David	Newman, Ray	Raymond, Heather	Rombeau, Catherine
Rung, Rosemarie	Ryan, Linda	Newman, Sue	Seibert, Christine
Seidel, Sheila	Sofikitis, Catherine	Spier, Carry	Staub, Kathy
Telerski, Laura	Tellez, Trinidad	Vail, Suzanne	Veilleux, Daniel
Thomas, Wendy	Wheeler, Jonah	Wilhelm, Matthew	

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Hall, Muriel
Hicks, Matthew	Lane, Connie	Leavitt, John	Luneau, David

MacKay, James
Richards, Beth
Schuett, Dianne
Wolf, Dan
McWilliams, Rebecca
Roesener, James
Schultz, Kristina
Myler, Mel
Gould, Sherry
Shurtleff, Steve
Payeur, Stephanie
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Gilman, Julie
Hamblet, Joan
Knab, Allison
Paige, Mark
Mandelbaum, Jennifer
Meuse, David
Popovici-Muller, Daniel
Simpson, Alexis
Wallace, Scott
DiLorenzo, Charlotte
Grossman, Gaby
Haskins, Linda
Love, David
Pearson, Mark
Manos, Zoe
Muns, Chris
Pratt, Kevin
Dolan, Tom
Ward, Gerald
Donnelly, Tanya
Grote, Jaci
Murray, Kate
Lynn, Bob
Maggiore, Jim
McBeath, Rebecca
O'Neil, Candice
Raynolds, Ned
Turer, Eric
Edgar, Michael
Guthrie, Joseph
Perez, Kristine
Cahill, Michael
Malloy, Dennis
McMahon, Charles
Ford, Oliver
Read, Ellen
Vallone, Mark

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Howland, Allan
Levesque, Cassandra
Selig, Loren
Bickford, David
Conlin, Bill
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Bixby, Peter
Fitzpatrick, Daniel
Harrington, Michael
Kenney, Cam
Schmidt, Peter
Wall, Janet
Rich, Cecilia
Smith, Geoffrey
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail

SULLIVAN

Aron, Judy
Drye, Margaret
Stapleton, Walter
Sullivan, Brian
Merchant, Gary
Tanner, Linda
Cloutier, John
Palmer, William
Damon, Hope
Spilsbury, Walter

NAYS - 148

BELKNAP

Bean, Harry
Comtois, Barbara
Smart, Lisa
Bogert, Steven
Dumais, Russell
Varney, Peter
Bordes, Mike
Harvey-Bolia, Juliet
Coker, Matthew
Beaudoin, Richard

CARROLL

MacDonald, John
Peternel, Katy

CHESHIRE

Hunt, John
Nutting, Zachary
Qualey, James
Rhodes, Jennifer
Thackston, Dick

COOS

Davis, Arnold
Durkin, Sean
Ouellet, Mike

GRAFTON

Berezhny, Lex
Ladd, Rick
Brown, Carroll
Rochefort, David
Coulon, Matthew
Sellers, John
Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Cushman, Leah
Gagne, Larry
Kenny, Catherine
Lewicke, John
Notter, Jeanine
Proulx, Mark
Sheehan, Vanessa
Tenczar, Jeffrey
Abare, Kimberly
Colcombe, Riché
Kelley, Diane
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Pauer, Diane
Prout, Andrew
Sirois, Shane
Ulery, Jordan
Alexander, Joe
Cole, Brian
Erf, Keith
Healey, Robert
Gould, Linda
McLean, Mark
Plett, Fred
Reid, Karen
Lekas, Tony
Wherry, Robert
Ammon, Keith
Creighton, Jim
Griffin, Gerald
Infantine, William
Lascelles, Richard
Noble, Kristin
Post, Lisa
Renzullo, Andrew
Mannion, Tom

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Walsh, Thomas
Aures, Cyril
McGuire, Dan
Mason, James
Seaworth, Brian
Testerman, Dave
Aylward, Deborah
Gerhard, Jason
Moffett, Michael
See, Alvin
Wood, Clayton
McGuire, Carol
Hill, Gregory
Polozov, Yury
Soucy, Timothy

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Bernardy, JD
DeSimone, Debra
Brouillard, Jacob
Doucette, Fred
Mannion, Dennis
Drago, Mike

Dunn, Ron	Edwards, Jess	Emerick, Tracy	Foote, Charles
Harb, Robert	Hobson, Deb	Nelson, Jodi	Janigian, John
Janvrin, Jason	Katsakiores, Phyllis	Khan, Aboul	Kuttab, Katelyn
Walsh, Lilli	Layon, Erica	McDonnell, Valerie	Melvin, Charles
Osborne, Jason	Phillips, Emily	Piemonte, Tony	Porcelli, Susan
Potucek, John	Prudhomme-O'Brien, Katherine	Rafter, Hal	Roy, Terry
Pearson, Stephen	Soti, Julius	Spillane, James	Summers, James
Sweeney, Joe	Sytek, John	Cahill, Tim	Tripp, Richard
True, Chris	Tudor, Paul	Vandecasteele, Susan	Verville, Kevin
Vose, Michael	MacDonald, Wayne	Weyler, Kenneth	Yokela, Josh

STRAFFORD

Bailey, Glenn	Burnham, Claudine	Connor, James	Granger, Michael
Horgan, James	Kaczynski, Thomas	Turcotte, Len	Newton, Clifford
Phinney, Brandon	Pitre, Joseph	Potenza, Kelley	

SULLIVAN

Rollins, Skip	Smith, Steven	Stone, Jonathan

and the majority committee report was adopted, and the bill was ordered to third reading.

(Rep. Steven Smith in the Chair)
REGULAR CALENDAR CONT'D

SB 527, relative to student housing. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ellen Read for Special Committee on Housing. This bill creates a study committee to study potential solutions to challenges students face finding housing. The committee agrees with the intent of the bill but also felt that the intent behind the existing House bill (HB 1281) would at least provide one low-hanging fruit solution that would offer some immediate relief while the issue is studied further. The amendment attaches HB 1281, with language improvements from Municipal committee members to the student housing study committee. The amendment would prohibit towns from discriminating against students by either restricting rental occupancy to less than 2 people per bedroom (which still allows towns to restrict rentals to less than state building and fire code occupancy limits), or by passing ordinances that restrict renters on the basis of familial/marital status, a practice that the committee understands is already illegal on the federal and state level (Fair Housing Act, RSA 354-A:8-15). Further, upon review of the actual language of certain town ordinances that this amendment seeks to address, it seems that some of the town ordinances passed have been illegally enforced as they also directly violate RSA 674:72, VIII. The committee felt strongly that, while this amendment is not a silver bullet to solve the scarcity of affordable student housing, at a bare minimum, towns should not discriminate against students in rental housing thereby exacerbating the housing crisis, and that any behaviors that towns seek to address via discrimination based on stereotype are actually issues amongst a wide range of residents and are more effectively, equitably, and appropriately addressed through ordinances dealing with those behaviors themselves, such as noise and garbage ordinances. Vote 8-2.

Amendment (1752h)

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

AN ACT relative to student housing and zoning authority.

Amend the bill by replacing all after section 2 with the following:

3 New Paragraph; Zoning; Authority; Occupancy. Amend RSA 674:16 by inserting after paragraph V the following new paragraph:

VI.(a) In its exercise of the powers granted under this subdivision, the legislative body of a city, town, village, district, or county in which there are located unincorporated towns or unorganized places, shall not adopt nor shall the governing body thereof enforce any ordinance related to the occupancy of any existing or new single-family, duplex, or multi-family dwelling unit that:

(1) Is based on the familial or non-familial relationships or marital status among the occupants of such property; or

(2) Restricts the number of occupants of a single bedroom to less than 2.

(b) Nothing in this paragraph shall prohibit the enforcement of the state building code or state fire code.

4 Effective Date.

I. Section 1 of this act shall take effect July 1, 2025.

II. Section 3 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill includes student housing in municipal workforce housing regulations, creates a committee to study student housing, and prohibits certain zoning ordinances.

The question being adoption of committee amendment (1752h).
Reps. Hakken-Phillips and Len Turcotte spoke against.
Rep. Pauer spoke in favor.
On a division vote, with 173 members having voted in the affirmative, and 179 in the negative, committee amendment (1752h) failed.

The question now being adoption of the committee report of Ought to Pass.
On a division vote, with 199 members having voted in the affirmative, and 154 in the negative, the committee report was adopted, and the bill was ordered to third reading.

(Speaker Packard in the Chair)

REGULAR CALENDAR CONT'D

SB 358-FN, relative to invalidating out-of-state driver's licenses issued to undocumented immigrants. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Daniel Veilleux for the Majority of Transportation. This bill invalidates driver's licenses issued by other states when the license is specifically marked as being issued to undocumented immigrants for driving in New Hampshire. Failure to recognize driver's licenses issued by other states jeopardizes the Interstate Driver's License Compact. Overriding legal documents issued by other states also violates the Full Faith and Credit Clause of the Constitution. It makes driving in New Hampshire a criminal offense for individuals who have not otherwise committed a criminal act. The bill would put pressure on law enforcement to detain out of state drivers and increase the chance of racial profiling, which could severely hurt the state's tourism industry. Vote 10-9.
Rep. Matthew Coker for the Minority of Transportation. This is a bill in which New Hampshire will not honor out of state driver's licenses issued exclusively to individuals unable to prove lawful presence in the United States. While undoubtedly difficult to enforce, the minority of this committee feels the underlying policy is important to implement. Legal immigration benefits our state; however, turning a blind eye to illegal immigration is not something our state should do, even if some of our neighbors have chosen that path. There were arguments suggesting that allowing people who are unlawfully in our country to obtain driver's licenses improves the safety of our roadways. There is little evidence to support this, and the dangers of accepting a government ID and the driving privileges it confers to unvetted individuals pose a much greater risk to public safety. Ultimately, the question regarding this bill is whether New Hampshire stands by the rule of law. Allowing or even tacitly condoning illegal immigration by honoring licenses specifically issued to unlawfully present individuals is not in the best interest of this state and is an affront to the millions of immigrants who have legally come to this country. Changing the status quo of state reciprocity on driver's licenses should not be taken lightly. However, we have a duty to protect the rule of law and safeguard the citizens of our state from the reckless, shortsighted decisions made by some of our neighbors.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Coker spoke against.
Rep. Veilleux spoke in favor.
Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 176 - NAYS 174

YEAS - 176

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita | Paige, David | McAleer, Chris | Woodcock, Stephen

CHESHIRE

Abbott, Michael | Ames, Richard | Fox, Dru | Eaton, Daniel
Faulkner, Barry | Germana, Nicholas | Jones, Philip | Newell, Jodi
Parshall, Lucius | Schapiro, Joe | Toll, Amanda | Weber, Lucy

COOS

Cascadden, Corinne | Kelley, Eamon | Noël, Henry

GRAFTON

Almy, Susan | Baldwin, Heather | Bolton, Bill | Cormen, Thomas
Fellows, Sallie | Fracht, David | Hakken-Phillips, Mary | Sullivan, Jared
Lovett, Peter | Massimilla, Linda | Morse, Corinne | Stavis, Laurel
Stringham, Jerry | Sykes, George

HILLSBOROUGH

Murray, Alissandra | Nutting-Wong, Allison | Beauchemin, Paige | Beaulieu, Jane
Booras, Efstathia | Bouchard, Donald | Bradley, Amy | Calabro, Karen

Chretien, Jacqueline
Cornell, Patricia
Ford, Damond
Darby, Will
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Freitas, Mary
Gibbons, Candace
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Petrigno, Peter
Plamondon, Marc
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Veilleux, Daniel
Thomas, Wendy
Wheeler, Jonah
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Brennan, Angela
Caplan, Tony
Carey, Lorrie
Ebel, Karen
Gallager, Eric
Gibbs, Merryl
Hall, Muriel
Hicks, Matthew
Lane, Connie
Luneau, David
MacKay, James
Mason, James
McWilliams, Rebecca
Myler, Mel
Payeur, Stephanie
Richards, Beth
Roesener, James
Gould, Sherry
Schamberg, Thomas
Schuett, Dianne
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
DiLorenzo, Charlotte
Edgar, Michael
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Hamblet, Joan
Haskins, Linda
Murray, Kate
Knab, Allison
Cahill, Michael
Paige, Mark
Maggiore, Jim
Malloy, Dennis
Mandelbaum, Jennifer
Manos, Zoe
McBeath, Rebecca
Meuse, David
Muns, Chris
O'Neil, Candice
Rafter, Hal
Raynolds, Ned
Read, Ellen
Simpson, Alexis
Turer, Eric
Ward, Gerald

STRAFFORD

Bay, Luz
Bickford, David
Bixby, Peter
Rich, Cecilia
Cannon, Gerri
Conlin, Bill
Fitzpatrick, Daniel
Smith, Geoffrey
Granger, Michael
Grassie, Chuck
Howard, Heath
Horrigan, Timothy
Howland, Allan
Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Selig, Loren
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian
Cloutier, John
Damon, Hope
Merchant, Gary
Palmer, William
Tanner, Linda

NAYS - 174

BELKNAP

Bean, Harry
Bogert, Steven
Coker, Matthew
Comtois, Barbara
Dumais, Russell
Harvey-Bolia, Juliet
Nagel, David
Ploszaj, Tom
Smart, Lisa
Terry, Paul

CARROLL

Avellani, Lino
Belcher, Mike
Cordelli, Glenn
Costable, Michael
MacDonald, John
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Qualey, James
Rhodes, Jennifer
Thackston, Dick
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
Ouellet, Mike
King, Seth
Tierney, James

GRAFTON

Berezhny, Lex
Brown, Carroll
Coulon, Matthew
Greeson, Jeffrey
Ladd, Rick
Rochefort, David
Sellers, John
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Abare, Kimberly
Alexander, Joe
Ammon, Keith
Boyd, Bill
Baroody, Benjamin
Colcombe, Riché
Cole, Brian
Corcoran, Travis
Creighton, Jim
Cushman, Leah
Kelley, Diane
Erf, Keith
Griffin, Gerald
Gagne, Larry
Gorski, Ted

Healey, Robert
Infantine, William
Kennedy, Stephen
Kenny, Catherine
Kofalt, Jim
Gould, Linda
Lascelles, Richard
Lewicke, John
Mazur, Lisa
McGough, Tim
McLean, Mark
Mooney, Maureen
Noble, Kristin
Notter, Jeanine
Panek, Sandra
Pauer, Diane
Plett, Fred
Post, Lisa
Proulx, Mark
Prout, Andrew
Reid, Karen
Renzullo, Andrew
Seidel, Sheila
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Seaworth, Brian
See, Alvin
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Harb, Robert
Hobson, Deb
Nelson, Jodi
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lynn, Bob
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Ford, Oliver
Osborne, Jason
Phillips, Emily
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Sytek, John
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Bailey, Glenn
Burnham, Claudine
Connor, James
Harrington, Michael
Horgan, James
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Smith, Steven
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

and the majority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Weber moved that the House reconsider its action whereby, on a roll call vote of 176-174, the House adopted the majority committee report of Inexpedient to Legislate on **SB 358-FN,** relative to invalidating out-of-state driver's licenses issued to undocumented immigrants. Rep. Weber spoke against.

Rep. Phillips requested a roll call; sufficiently seconded.

YEAS 176 - NAYS 175

YEAS - 176

BELKNAP

Bean, Harry
Bogert, Steven
Coker, Matthew
Comtois, Barbara
Dumais, Russell
Harvey-Bolia, Juliet
Nagel, David
Ploszaj, Tom
Smart, Lisa
Terry, Paul

CARROLL

Avellani, Lino
Belcher, Mike
Cordelli, Glenn
Costable, Michael
MacDonald, John
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Qualey, James
Rhodes, Jennifer
Thackston, Dick
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
Ouellet, Mike
King, Seth
Tierney, James

GRAFTON

Berezhny, Lex
Brown, Carroll
Coulon, Matthew
Greeson, Jeffrey
Ladd, Rick
Rochefort, David
Sellers, John
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Abare, Kimberly
Alexander, Joe
Ammon, Keith
Boyd, Bill
Colcombe, Riché
Cole, Brian
Corcoran, Travis
Creighton, Jim
Cushman, Leah
Kelley, Diane
Erf, Keith
Griffin, Gerald
Gagne, Larry
Gorski, Ted
Healey, Robert
Infantine, William
Kennedy, Stephen
Kenny, Catherine
Kofalt, Jim
Gould, Linda
Lascelles, Richard
Lewicke, John
Mazur, Lisa
McGough, Tim
McLean, Mark
Mooney, Maureen
Noble, Kristin
Notter, Jeanine
Panek, Sandra
Pauer, Diane
Plett, Fred
Post, Lisa
Proulx, Mark
Prout, Andrew
Reid, Karen
Renzullo, Andrew
Seidel, Sheila
Sheehan, Vanessa
Sirois, Shane
Lekas, Tony
Mannion, Tom
Tenczar, Jeffrey
Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Gould, Sherry
Seaworth, Brian
See, Alvin
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Harb, Robert
Hobson, Deb
Nelson, Jodi
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lynn, Bob
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Ford, Oliver
Osborne, Jason
Packard, Sherman
Phillips, Emily
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Sytek, John
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Bailey, Glenn
Burnham, Claudine
Connor, James
Granger, Michael
Harrington, Michael
Horgan, James
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Smith, Steven
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

NAYS - 175

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita
Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Germana, Nicholas
Jones, Philip
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Toll, Amanda
Weber, Lucy

COOS

Cascadden, Corinne
Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Sullivan, Jared
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Stavis, Laurel
Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Ford, Damond

Darby, Will
Davis, Fred
Grill, Jessica
Jack, Martin
Lanza, Judi
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, Wendy
DiSilvestro, Linda
Freitas, Mary
Harriott-Gathright, Linda
Smith, Juliet
Leapley, Nicole
Howard, Molly
Mangipudi, Latha
Murphy, Nancy
Preece, David
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Wheeler, Jonah
Dutzy, Sherry
Gibbons, Candace
Heath, Mary
Juris, Louis
LeClerc, Daniel
Murray, Megan
McGhee, Kat
Nutter-Upham, Frances
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Foxx, Loren
Leishman, Peter
Perez, Maria
Ming, Ben
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

MERRIMACK

Turcotte, Alisson
Ebel, Karen
Hicks, Matthew
Mason, James
Richards, Beth
Shurtleff, Steve
Brennan, Angela
Gallager, Eric
Lane, Connie
McWilliams, Rebecca
Roesener, James
Soucy, Timothy
Caplan, Tony
Gibbs, Merryl
Luneau, David
Myler, Mel
Schamberg, Thomas
Wallner, Mary Jane
Carey, Lorrie
Hall, Muriel
MacKay, James
Payeur, Stephanie
Schuett, Dianne
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Maggiore, Jim
McBeath, Rebecca
Rafter, Hal
Turer, Eric
DiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Malloy, Dennis
Meuse, David
Raynolds, Ned
Ward, Gerald
Edgar, Michael
Hamblet, Joan
Cahill, Michael
Mandelbaum, Jennifer
Muns, Chris
Read, Ellen
Gilman, Julie
Haskins, Linda
Paige, Mark
Manos, Zoe
O'Neil, Candice
Simpson, Alexis

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Bickford, David
Conlin, Bill
Howard, Heath
Kenney, Cam
Schmidt, Peter
Wall, Janet
Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail
Rich, Cecilia
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren

SULLIVAN

Sullivan, Brian
Palmer, William
Cloutier, John
Tanner, Linda
Damon, Hope
Merchant, Gary

and the motion was adopted.

CLERK'S NOTE

The Speaker voted to break the tie, pursuant to House Rule 23, the motion passed.

The question now being adoption of the majority committee report of Inexpedient to Legislate. Rep. Phillips requested a roll call; sufficiently seconded.

YEAS 176 - NAYS 174

YEAS - 176

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita
Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Parshall, Lucius
Ames, Richard
Germana, Nicholas
Schapiro, Joe
Fox, Dru
Jones, Philip
Toll, Amanda
Eaton, Daniel
Newell, Jodi
Weber, Lucy

COOS

Cascadden, Corinne
Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Fellows, Sallie
Lovett, Peter
Stringham, Jerry
Baldwin, Heather
Fracht, David
Massimilla, Linda
Sykes, George
Bolton, Bill
Hakken-Phillips, Mary
Morse, Corinne
Cormen, Thomas
Sullivan, Jared
Stavis, Laurel

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Ford, Damond
Darby, Will
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Freitas, Mary
Gibbons, Candace
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Petrigno, Peter
Plamondon, Marc
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Veilleux, Daniel
Thomas, Wendy
Wheeler, Jonah
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
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Caplan, Tony
Carey, Lorrie
Ebel, Karen
Gallager, Eric
Gibbs, Merryl
Hall, Muriel
Hicks, Matthew
Lane, Connie
Luneau, David
MacKay, James
Mason, James
McWilliams, Rebecca
Myler, Mel
Payeur, Stephanie
Richards, Beth
Roesener, James
Schamberg, Thomas
Schuett, Dianne
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
DiLorenzo, Charlotte
Edgar, Michael
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Hamblet, Joan
Haskins, Linda
Murray, Kate
Knab, Allison
Cahill, Michael
Paige, Mark
Maggiore, Jim
Malloy, Dennis
Mandelbaum, Jennifer
Manos, Zoe
McBeath, Rebecca
Meuse, David
Muns, Chris
O'Neil, Candice
Rafter, Hal
Raynolds, Ned
Read, Ellen
Simpson, Alexis
Turer, Eric
Ward, Gerald

STRAFFORD

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Bickford, David
Bixby, Peter
Rich, Cecilia
Cannon, Gerri
Conlin, Bill
Fitzpatrick, Daniel
Smith, Geoffrey
Granger, Michael
Grassie, Chuck
Howard, Heath
Horrigan, Timothy
Howland, Allan
Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Selig, Loren
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian
Cloutier, John
Damon, Hope
Merchant, Gary
Palmer, William
Tanner, Linda

NAYS - 174

BELKNAP

Bean, Harry
Bogert, Steven
Coker, Matthew
Comtois, Barbara
Dumais, Russell
Harvey-Bolia, Juliet
Nagel, David
Ploszaj, Tom
Smart, Lisa
Terry, Paul

CARROLL

Avellani, Lino
Belcher, Mike
Cordelli, Glenn
Costable, Michael
MacDonald, John
Smith, Jonathan
Peternel, Katy
Brown, Richard

CHESHIRE

Qualey, James
Rhodes, Jennifer
Thackston, Dick
Nutting, Zachary

COOS

Davis, Arnold
Durkin, Sean
Ouellet, Mike
King, Seth
Tierney, James

GRAFTON

Berezhny, Lex
Brown, Carroll
Coulon, Matthew
Greeson, Jeffrey
Ladd, Rick
Rochefort, David
Sellers, John
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Abare, Kimberly
Alexander, Joe
Ammon, Keith
Boyd, Bill
Colcombe, Riché
Cole, Brian
Corcoran, Travis

Creighton, Jim	Cushman, Leah	Kelley, Diane	Erf, Keith
Griffin, Gerald	Gagne, Larry	Gorski, Ted	Healey, Robert
Infantine, William	Kennedy, Stephen	Kenny, Catherine	Kofalt, Jim
Gould, Linda	Lascelles, Richard	Lewicke, John	Mazur, Lisa
McGough, Tim	McLean, Mark	Mooney, Maureen	Noble, Kristin
Notter, Jeanine	Panek, Sandra	Pauer, Diane	Plett, Fred
Post, Lisa	Proulx, Mark	Prout, Andrew	Reid, Karen
Renzullo, Andrew	Seidel, Sheila	Sheehan, Vanessa	Sirois, Shane
Lekas, Tony	Mannion, Tom	Tenczar, Jeffrey	Ulery, Jordan
Wherry, Robert			

MERRIMACK

Andrus, Louise	Aures, Cyril	Aylward, Deborah	McGuire, Carol
Cambrils, Jose	McGuire, Dan	Gerhard, Jason	Hill, Gregory
Hoell, J.R.	Leavitt, John	Moffett, Michael	Polozov, Yury
Boyd, Stephen	Gould, Sherry	Seaworth, Brian	See, Alvin
Walsh, Thomas	Testerman, Dave	Wood, Clayton	

ROCKINGHAM

Ball, Lorie	Bernardy, JD	Brouillard, Jacob	Mannion, Dennis
Thomas, Douglas	DeSimone, Debra	Donnelly, Tanya	Doucette, Fred
Drago, Mike	Dunn, Ron	Edwards, Jess	Emerick, Tracy
Foote, Charles	Harb, Robert	Hobson, Deb	Nelson, Jodi
Janigian, John	Janvrin, Jason	Perez, Kristine	Katsakiores, Phyllis
Khan, Aboul	Kuttab, Katelyn	Walsh, Lilli	Layon, Erica
Love, David	Lynn, Bob	Pearson, Mark	McDonnell, Valerie
McMahon, Charles	Melvin, Charles	Ford, Oliver	Osborne, Jason
Phillips, Emily	Popovici-Muller, Daniel	Porcelli, Susan	Potucek, John
Pratt, Kevin	Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen
Soti, Julius	Spillane, James	Summers, James	Sweeney, Joe
Sytek, John	Cahill, Tim	Dolan, Tom	Tripp, Richard
True, Chris	Tudor, Paul	Vandecasteele, Susan	Verville, Kevin
Vose, Michael	MacDonald, Wayne	Wallace, Scott	Weyler, Kenneth
Yokela, Josh			

STRAFFORD

Bailey, Glenn	Burnham, Claudine	Connor, James	Harrington, Michael
Horgan, James	Kaczynski, Thomas	Turcotte, Len	Newton, Clifford
Phinney, Brandon	Pitre, Joseph	Potenza, Kelley	

SULLIVAN

Aron, Judy	Drye, Margaret	Rollins, Skip	Smith, Steven
Spilsbury, Walter	Stapleton, Walter	Stone, Jonathan	

and the majority committee report was adopted.

SB 469, relative to allowing surveillance of a park and ride facility in certain circumstances. **OUGHT TO PASS.** Rep. Marc Plamondon for Transportation. This bill will allow video surveillance at New Hampshire Department of Transportation (DOT) Park and Ride locations by private entities providing commuting bus service. This bill, as recommended by DOT, will provide expeditious video to law enforcement as well as equipment, software upgrades, and maintenance. Vote 16-4.

The question being adoption of the committee report of Ought to Pass.
Committee report was adopted, and the bill was ordered to third reading.

SB 501, relative to driver licenses for noncitizens residing in New Hampshire. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. George Sykes for the Majority of Transportation. This bill brings into RSAs, language requested by the New Hampshire Division of Motor Vehicles (DMV). It mirrors current language and practice. There are approximately 55,000 non-citizens who hold a New Hampshire driver's license. In detail, the bill will allow the Director of the DMV to issue a license to a non-citizen who has been issued conditional or permanent residence by the U.S. government, who has been granted an Employment Authorization document by the U.S. government, and to a non-citizen who is living in New Hampshire on a temporary basis. These licenses expire on the same date as the U.S. government issued documents. Vote 10-9.
Rep. Ted Gorski for the Minority of Transportation. This bill would grant licenses to non-citizens residing in New Hampshire. The minority has several issues with this bill. First, the bill changes the term "Non-Resident Alien" to 'Non-Citizen." Second, it mentions the term "granted conditional residence" but does not describe what it means. We could not get an answer directly even during testimony. Third and most importantly, the bill states that "once licensed, the individual shall be subject to the same provisions of the law as all other licenses." This is a back door to allowing non-citizens to vote. The minority feels that this bill will have an adverse effect to election integrity.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Gorski spoke against.
Rep. Sykes spoke in favor.
Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 169

YEAS - 181

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita
Costable, Michael
Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Germana, Nicholas
Jones, Philip
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Toll, Amanda
Weber, Lucy

COOS

Cascadden, Corinne
Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Sullivan, Jared
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Stavis, Laurel
Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Baroody, Benjamin
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Ford, Damond
Darby, Will
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Freitas, Mary
Gibbons, Candace
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Ming, Ben
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Petrigno, Peter
Plamondon, Marc
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Veilleux, Daniel
Thomas, Wendy
Wheeler, Jonah
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson
Brennan, Angela
Caplan, Tony
Carey, Lorrie
Ebel, Karen
Gallager, Eric
Gibbs, Merryl
Hall, Muriel
Hicks, Matthew
Lane, Connie
Luneau, David
MacKay, James
Mason, James
McWilliams, Rebecca
Myler, Mel
Payeur, Stephanie
Polozov, Yury
Richards, Beth
Roesener, James
Gould, Sherry
Schamberg, Thomas
Schuett, Dianne
Shurtleff, Steve
Soucy, Timothy
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
DiLorenzo, Charlotte
Edgar, Michael
Gilman, Julie
Grossman, Gaby
Grote, Jaci
Hamblet, Joan
Haskins, Linda
Murray, Kate
Knab, Allison
Cahill, Michael
Paige, Mark
Maggiore, Jim
Malloy, Dennis
Mandelbaum, Jennifer
Manos, Zoe
McBeath, Rebecca
Meuse, David
Muns, Chris
O'Neil, Candice
Phillips, Emily
Popovici-Muller, Daniel
Rafter, Hal
Raynolds, Ned
Read, Ellen
Simpson, Alexis
Turer, Eric
Ward, Gerald

STRAFFORD

Bay, Luz
Bickford, David
Bixby, Peter
Rich, Cecilia
Cannon, Gerri
Conlin, Bill
Fitzpatrick, Daniel
Smith, Geoffrey
Granger, Michael
Grassie, Chuck
Howard, Heath
Horrigan, Timothy
Howland, Allan
Johnson, Erik
Kenney, Cam
LaMontagne, Jessica
Levesque, Cassandra
Smith, Marjorie
Schmidt, Peter
Pare, Gail
Selig, Loren
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian | Cloutier, John | Damon, Hope | Merchant, Gary
Palmer, William | Tanner, Linda

NAYS - 169

BELKNAP

Bean, Harry | Bogert, Steven | Coker, Matthew | Comtois, Barbara
Dumais, Russell | Harvey-Bolia, Juliet | Nagel, David | Ploszaj, Tom
Smart, Lisa | Terry, Paul

CARROLL

Avellani, Lino | Belcher, Mike | Cordelli, Glenn | MacDonald, John
Smith, Jonathan | Peternel, Katy | Brown, Richard

CHESHIRE

Qualey, James | Rhodes, Jennifer | Thackston, Dick | Nutting, Zachary

COOS

Davis, Arnold | Durkin, Sean | Ouellet, Mike | King, Seth
Tierney, James

GRAFTON

Berezhny, Lex | Brown, Carroll | Coulon, Matthew | Greeson, Jeffrey
Ladd, Rick | Rochefort, David | Sellers, John | Simon, Matthew

HILLSBOROUGH

Lekas, Alicia | Abare, Kimberly | Alexander, Joe | Ammon, Keith
Boyd, Bill | Colcombe, Riché | Cole, Brian | Corcoran, Travis
Creighton, Jim | Cushman, Leah | Kelley, Diane | Erf, Keith
Griffin, Gerald | Gagne, Larry | Gorski, Ted | Healey, Robert
Infantine, William | Kennedy, Stephen | Kenny, Catherine | Kofalt, Jim
Gould, Linda | Lascelles, Richard | Lewicke, John | Mazur, Lisa
McGough, Tim | McLean, Mark | Mooney, Maureen | Noble, Kristin
Notter, Jeanine | Panek, Sandra | Pauer, Diane | Plett, Fred
Post, Lisa | Proulx, Mark | Prout, Andrew | Reid, Karen
Renzullo, Andrew | Seidel, Sheila | Sheehan, Vanessa | Sirois, Shane
Lekas, Tony | Mannion, Tom | Tenczar, Jeffrey | Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise | Aures, Cyril | Aylward, Deborah | McGuire, Carol
Cambrils, Jose | McGuire, Dan | Gerhard, Jason | Hill, Gregory
Hoell, J.R. | Leavitt, John | Moffett, Michael | Boyd, Stephen
Seaworth, Brian | See, Alvin | Walsh, Thomas | Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie | Bernardy, JD | Brouillard, Jacob | Mannion, Dennis
Thomas, Douglas | DeSimone, Debra | Donnelly, Tanya | Doucette, Fred
Drago, Mike | Dunn, Ron | Edwards, Jess | Emerick, Tracy
Foote, Charles | Harb, Robert | Hobson, Deb | Nelson, Jodi
Janigian, John | Janvrin, Jason | Perez, Kristine | Katsakiores, Phyllis
Khan, Aboul | Kuttab, Katelyn | Walsh, Lilli | Layon, Erica
Love, David | Lynn, Bob | Pearson, Mark | McDonnell, Valerie
McMahon, Charles | Melvin, Charles | Ford, Oliver | Osborne, Jason
Porcelli, Susan | Potucek, John | Pratt, Kevin | Prudhomme-O'Brien, Katherine
Roy, Terry | Pearson, Stephen | Soti, Julius | Spillane, James
Summers, James | Sweeney, Joe | Sytek, John | Cahill, Tim
Dolan, Tom | Tripp, Richard | True, Chris | Tudor, Paul
Vandecasteele, Susan | Verville, Kevin | Vose, Michael | MacDonald, Wayne
Wallace, Scott | Weyler, Kenneth | Yokela, Josh

STRAFFORD

Bailey, Glenn | Burnham, Claudine | Connor, James | Harrington, Michael
Horgan, James | Kaczynski, Thomas | Turcotte, Len | Newton, Clifford
Phinney, Brandon | Pitre, Joseph | Potenza, Kelley

SULLIVAN

Aron, Judy | Drye, Margaret | Rollins, Skip | Smith, Steven
Spilsbury, Walter | Stapleton, Walter | Stone, Jonathan

and the majority committee report was adopted, and the bill was ordered to third reading.
Rep. Phillips voted Yea and intended to vote Nay.

SB 510, relative to sale of a vehicle to a Massachusetts resident. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Matthew Coker for the Majority of Transportation. This bill eliminates the requirement that a retail motor vehicle dealer submit a form notifying the New Hampshire Division of Motor Vehicles of a vehicle sale to a Massachusetts resident. The current process places a burden on auto dealers because people from Massachusetts cannot take the vehicle home until they are registered by the dealer causing a delay. This burdensome process was previously established when Massachusetts did not have a temporary license plate system in place. That has changed and by passing this bill we can put New Hampshire dealerships on an equal footing with Massachusetts dealerships. The committee also felt adding the amendment, which attaches the House position of two bills, HB 1391 and HB 1637, regarding consumer-friendly reforms to our inspection laws balances this bill out and allows a win for consumers and the auto dealer industry in this state. Vote 16-3.

Rep. George Sykes for the Minority of Transportation. This bill adds a substantive amendment to the original bill. The minority supports the original bill. The minority does not support the amendment in its entirety. Specifically, adding language that will allow new vehicles to not be required to be inspected until the last day of the purchase anniversary month in the second year after purchase. In practical terms, a vehicle could have an excessive number of miles driven.

Majority Amendment (1925h)

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

AN ACT relative to sale of a vehicle to a Massachusetts resident, changes to vehicle inspections, and allowing new vehicles purchased in the model year or before to be inspected in the second year after purchase.

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

2 Motor Vehicles; Inspection Exempt. Amend RSA 266:1, II to read as follows:

II. Any vehicle registered under this title, except an OHRV, snowmobile, moped, roadable aircraft, or other exempt vehicle, shall be inspected once a year***, except as provided in paragraph IV-a,*** during the month in which the birth date of the owner is observed, if the owner is a natural person. An inspection sticker shall be valid for the same duration as the vehicle's registration, which shall not exceed 16 months. If the month in which the anniversary of the owner's birth occurs will be one of the next 4 months, an inspection sticker may be issued, with an expiration date of the birth month in the following year, of the first person named on the title application. Nothing in this paragraph shall require any person who has registered and had inspected a vehicle with temporary plates to have the vehicle reinspected upon receipt of permanent motor vehicle plates. An inspection sticker shall not expire when a vehicle is transferred to a licensed dealer.

3 Model Year Purchase Excepted. Amend RSA 266:1, II-a to read as follows:

II-a. Notwithstanding RSA 266:1, II, if the month in which the anniversary of the owner's birth occurs will be one of the next 4 months, and the vehicle owner provides written verification of absence from New Hampshire during the entire anniversary month, an inspection sticker may be issued, with an expiration date of the birth month in the following year, ***except as provided in paragraph IV-a***, of the first person named on the title application.

4 Newly Registered Vehicles. Amend RSA 266:1, IV to read as follows:

IV. ***Except as provided in paragraph IV-a,*** notwithstanding paragraphs II and III, newly registered vehicles, other than vehicles transferred to a licensed dealer, OHRVs, snowmobiles, mopeds, roadable aircraft, and vehicles, other than vehicles transferred to a licensed dealer, OHRVs, snowmobiles, mopeds, and roadable aircraft, the ownership of which has been transferred, shall be inspected not later than 10 days after the registration or transfer of ownership of said vehicle. However, if a new vehicle ***not described in paragraph IV-a*** is purchased at retail from a licensed dealer, as defined in RSA 259:18, the vehicle shall be inspected not later than 20 days after the date of transfer. A used vehicle for which a dealer has issued a 20-day plate pursuant to RSA 261:109 shall be inspected by the dealer or an authorized inspection station on behalf of the dealer at the time of the attachment of the plate unless a valid inspection sticker issued by the dealer is in place, in which case the vehicle shall be inspected within 20 days or before the sticker expires, whichever occurs first. All other expired motor vehicle inspections shall be subject to the 10-day grace period in RSA 266:5.

5 New Paragraph; New Model Year Vehicle. Amend RSA 266:1 by inserting after paragraph IV the following new paragraph:

IV-a. A vehicle purchased prior to or during the vehicle's model year, from a licensed dealer by a natural person as the first owner, shall be exempt from inspection until the last day of the registered owner's birth month in second year after purchase. A vehicle purchased prior to or during the vehicle's model year, from a licensed dealer by a corporation as the first owner, shall be exempt from inspection until the last day of the purchase anniversary month in the second year after purchase.

6 New Paragraph; Prohibition of Inspection Performance Within a Specified Amount of Time. Amend RSA 266:1 by inserting after paragraph XII the following new paragraph:

XIII. The department shall not require an inspection station to perform inspections within any minimum or maximum amount of time. No penalty or audit shall result based on the amount of time spent on inspections, whether individually or on average.

7 Thirty-Day Inspection Grace Period. Amend RSA 266:I, IV to read as follows:

IV. Notwithstanding paragraphs II and III, newly registered vehicles, other than vehicles transferred to a licensed dealer, OHRVs, snowmobiles, mopeds, roadable aircraft, and vehicles, other than vehicles transferred to a licensed dealer, OHRVs, snowmobiles, mopeds, and roadable aircraft, the ownership of which has been transferred, shall be inspected not later than [~~10~~] ***30*** days after the registration or transfer of ownership of said vehicle. However, if a new vehicle is purchased at retail from a licensed dealer, as defined in RSA 259:18, the vehicle shall be inspected not later than 20 days after the date of transfer. A used vehicle for which a dealer has issued a 20-day plate pursuant to RSA 261:109 shall be inspected by the dealer or an authorized inspection station on behalf of the dealer at the time of the attachment of the plate unless a valid inspection sticker issued by the dealer is in place, in which case the vehicle shall be inspected within [~~20~~] ***30*** days or before the sticker expires, whichever occurs first. All other expired motor vehicle inspections shall be subject to the [~~10-day~~] ***30-day*** grace period in RSA 266:5.

8 Penalty for Failing to Obey Inspection Requirements; Thirty-Day Grace Period. Amend RSA 266:5 to read as follows:

266:5 Penalty for Failing to Obey Inspection Requirements. The driver or owner of any motor vehicle failing to comply with the requirements of the director relative to inspection shall be guilty of a violation, and the director may refuse to register, or may suspend or revoke the registration of, any motor vehicle, trailer, or semi-trailer which has not been inspected as required or which is unsafe or unfit to be driven; provided, however, no person shall be charged with a violation of this section until a period of [~~10~~] ***30*** days has elapsed from the date the inspection was due. It shall be a rebuttable presumption that a vehicle that is required to be inspected is in violation of this section if the vehicle fails to display a valid inspection sticker. This section shall not apply to those vehicles required to be inspected under the provisions of RSA 266:1, IV. The fine for a violation of this section shall be $60.

9 New Paragraph; Time Allotted for Inspections. Amend RSA 266:1-a by inserting after paragraph II the following new paragraph:

III. A law enforcement officer shall not require inspections within any minimum or maximum amount of time nor shall any penalty or audit result solely from the amount of time spent on inspections, whether individually or on average.

10 Front Lights. Amend RSA 266:31 to read as follows:

266:31 Front Lights. Every motor vehicle driven during the period from 1/2 hour after sunset to 1/2 hour before sunrise, and whenever rain, snow, or fog shall interfere with the proper view of the road so that persons and vehicles on the way are not clearly discernible at a distance of 1000 feet ahead, shall display at least 2 lighted lamps on the front; provided, however, that one suitable lighted lamp on the front of a motorcycle shall be sufficient. The headlamp shall throw sufficient light ahead within the traveled portion of the way to make clearly visible all vehicles, persons, or substantial objects within a distance of 200 feet, except that the headlamps of motorcycles shall be sufficient if they make clearly visible objects within a distance of 150 feet. No headlamp shall be used unless it is approved by the director and is equipped with a proper lens or other device designed to prevent glaring rays. All headlamps on every motor vehicle shall be located at a height of not more than 54 inches nor less than 24 inches from the ground on an unladen vehicle. The measurement shall be made from the ground to the center of the lens. No device which obstructs, reflects, or alters the beam of such headlamp shall be used in connection therewith unless approved by the director. Every lens or other device to prevent glaring rays, the use of which on motor vehicles has been approved by the director, shall be arranged, adjusted, and operated in accordance with the requirements of the certificate approving the use thereof. Every lamp, bulb, or light used in any headlamp shall be of such candle power as may be specified for the approved device in the certificate approving the use thereof. Every reflector which is used as a part of such headlamp shall have a reflecting surface approved by the director after satisfactory tests have been made, and every reflecting surface shall be free from dents [~~, rust~~] and other imperfections ***that inhibit the ability for light to project as described this section. Cracks in a sealed beam headlamp shall cause inspection failure. Cracks in a projection headlamp that are covered by color matching automotive lens tape shall not cause inspection failure, except that any taped or untaped cracks that allow moisture to penetrate the headlamp shall cause inspection failure. Clouded/oxidized headlamps shall fail inspection when the light shines yellow or another color besides white, or if the light is so dim that headlamp aim cannot be checked on a headlamp aimer.*** The driver of every motor vehicle shall permit any properly authorized person to inspect the headlamping equipment of such motor vehicle and to make such tests as he or she may deem necessary to determine whether the provisions of this section are being complied with. Any headlamp color approved by the director for motor vehicles shall be considered approved for motorcycles.

11 Directional Signals. Amend RSA 266:42 to read as follows:

266:42 Directional Signals. It shall be unlawful to drive on any way in this state any motor vehicle registered in this state which is manufactured or assembled after January 1, 1952, unless such vehicle is equipped with directional signals approved by the director. The provisions of this section shall not apply to motorcycles manufactured prior to January 1, 1973. ***No directional signal shall cause inspection failure unless it does not function properly, is not properly directed, is obscured, or has a minimum light output and projection lower than the vehicle's original equipment. Cracks in a directional signal that are covered by color matching automotive lens tape shall not cause inspection failure, except that any taped or untaped cracks that allow moisture to penetrate the directional signal shall cause inspection failure.***

12 Reflectors. Amend RSA 266:43 to read as follows:

266:43 Reflectors. Every new motor vehicle sold and driven upon a way, other than a tractor truck, shall carry on the rear, either as a part of the tail lamps or separately, 2 red reflectors, except that every motorcycle, moped and motor-driven cycle shall carry at least one reflector. ***Cracks in a reflector that are covered by color matching automotive lens tape or color matching reflective tape shall not cause inspection failure.***

13 New Section; Restrictions and Rulemaking. Amend RSA 266 by inserting after section 117 the following new section:

266:118 Rulemaking Restrictions.

No rule shall require inspection failure when there are cracks in any functional headlamp lens or reflector.

14 Brakes; Inspection Failure. Amend RSA 266:28 to read as follows:

266:28 Brake Performance.

I. Every motor vehicle and every combination of motor vehicle with trailer or semi-trailer when driven upon the ways of the state shall at a speed of 20 miles per hour be capable, at all times and under all conditions of loading, of stopping on a dry, smooth, approximately level pavement free from loose material, upon application of the foot or service brake, within a distance of 30 feet.

II. Regarding brake pads and shoes, brakes shall fail inspection where:

(a) Bonded linings on brake shoes or pads are less than 2/32 inch thick, when measured at the thinnest point;

(b) Riveted linings on the brake shoes or disc brake pads are worn to within 2/32 inch of any rivet head; or

(c) A rivet on the brake lining is loose or missing or the lining is not securely fastened to the shoe or pads.

III. Regarding brake drums or discs, brakes shall fail inspection only where discs or drums:

(a) Show evidence of mechanical damage other than wear;

(b) Show evidence of pitting on 50 percent or more of the friction surface or delamination on the friction surface, such that either would affect proper brake operation, except that rust shall not be reason for inspection failure unless so required under RSA 266:3-a.

(c) Have cracks on the friction surface extending to the open edge or on the outside of the drum, particularly at the drum mounting area;

(d) Have a broken disc;

(e) Have cracks on the friction surface extending to the open edge on a disc;

(f) Have defective grease retainers;

(g) Are worn below the manufacturer's specifications; or

(h) Have a thickness less than the minimum which is stamped on the assembly.

15 Effective Date.

I. Sections 2 - 5 shall take effect January 1, 2025.

II. Sections 6 - 14 shall take effect 60 days after its passage.

III. The remainder of this act shall take effect 30 days after its passage.

AMENDED ANALYSIS

This bill:

I. Eliminates the requirement that a retail motor vehicle dealer submit a form notifying the New Hampshire department of motor vehicles of a sale of a vehicle to a Massachusetts resident.

II Allows new vehicles purchased in the model year or before to be inspected in the second year after purchase.

III. Makes several changes to vehicle inspection requirements.

Majority committee amendment was adopted.

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Majority committee report was adopted, and the bill was ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

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. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill, as introduced, addresses a process and procedure within the Office of Professional Licensure and Certification (OPLC) for temporary licenses for military service members and their spouses. This bill was similar to HB 1385 passed by the House and a subcommittee was formed to address the overlaps. As amended, this bill addresses temporary licenses from agencies other than OPLC, an important population not covered in the House bill. Vote 20-0.

Amendment (1610h)

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

AN ACT requiring rules regarding criteria for military occupational specialties.

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

1 Training Education and Service; Military Occupational Specialty. Amend RSA 332-G:7, IV(a) to read as follows:

(a) What constitutes military education, training, or service acceptable ***for each military occupational specialty (MOS) related*** to the specific regulated occupation or profession, as required under paragraph I.

2 New Paragraph; Implementation. Amend RSA 332-G:7 by inserting after paragraph IV the following new paragraph:

V. Every board or commission under this title shall complete the rulemaking requirements in paragraph IV by January 1, 2026.

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

AMENDED ANALYSIS

This bill requires boards and commissions to adopt rules regarding criteria for military occupational specialties. Committee amendment was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.
Rep. Spillane offered floor amendment (1979h).

Floor Amendment (1979h)

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

AN ACT requiring rules regarding criteria for military occupational specialties and relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.

Amend the bill by replacing all after section 2 with the following:

3 Child Protection Act; Reporting Law; Nature of Report; Liability. Amend RSA 169-C:30 and RSA 169-C:31 to read as follows:

169-C:30 Nature and Content of Report. An oral report shall be made immediately by telephone or otherwise, and followed within 48 hours by a report in writing, if so requested, to the department. Such report shall, if known, contain the name and address of the child suspected of being neglected or abused and the person responsible for the child's welfare, the specific information indicating neglect or the nature and extent of the child's injuries (including any evidence of previous injuries), the identity of the person or persons suspected of being responsible for such neglect or abuse, and any other information that might be helpful in establishing neglect or abuse or that may be required by the department. ***Reports made to the department may include the name, address, or phone number of the person or persons making the report of suspected abuse or neglect of a child under this chapter. The department shall inform the complainant that should the complaint be made maliciously or with the intent to harm, the complainant may be subject to criminal and civil penalties.***

169-C:31 Immunity From Liability.

I. Anyone participating in good faith in the making of a report pursuant to this chapter or who provides information or assistance, including medical evaluations or consultations, in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect, is immune from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant has the same immunity with respect to participation in any investigation by the department or judicial proceeding resulting from such report.

II. Nothing in this section shall provide civil or criminal immunity for a professional mandatory reporter who knowingly fails to make a report of suspected abuse or neglect under RSA 169-C:29 or for a person who knowingly files a false report of abuse or neglect with malice or the intent to harm under RSA 169-C:31-a.

4 New Sections; Child Abuse; Intentional False Report; Civil Liability. Amend RSA 169-C by inserting after section 31 the following new sections:

169-C:31-a Intentional False Report of Abuse or Neglect. No person shall maliciously or with the intent to harm make false statements of suspected child abuse or neglect as defined by RSA 169-C:3 to the department, to any court, to any law enforcement agency, to any social services agency, or to any professional mandatory reporter of suspected child abuse identified in RSA 169-C:29. Any person in violation of this section may be subject to civil and criminal liability under RSA 169-C:31-b and RSA 169-C:39, respectively.

169-C:31-b Civil Liability.

I. Any person harmed by the intentional submission of a false report of abuse or neglect under RSA 169-C:31-a may bring a civil action against the responsible party for monetary damages and other appropriate relief.

II. Any person who, in their professional capacity as a mandatory reporter under RSA 169-C:29, knowingly or intentionally fails to report suspected abuse or neglect may be subject to civil liability, including monetary damages, for the harm caused by the failure to report such abuse or neglect.

5 Effective Date.

I. Sections 1-2 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect on January 1, 2025.

AMENDED ANALYSIS

This bill:

I. Requires boards and commissions to adopt rules regarding criteria for military occupational specialties.

II. Provides that reports of suspected abuse and neglect may include the name of the person making the report and that a report made maliciously or with the intent to cause harm may be subject to civil and criminal penalties. The bill also provides that a person who in their professional capacity is a mandatory reporter of suspected abuse and neglect may be subject to civil liability for the failure to report.

The question being adoption of floor amendment (1979h).
Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

YEAS 173 - NAYS 169

YEAS - 173

BELKNAP

Bean, Harry	Bogert, Steven	Coker, Matthew	Comtois, Barbara
Dumais, Russell	Harvey-Bolia, Juliet	Nagel, David	Ploszaj, Tom
Smart, Lisa			

CARROLL

Avellani, Lino	Belcher, Mike	Cordelli, Glenn	Costable, Michael
MacDonald, John	Smith, Jonathan	McAleer, Chris	Peternel, Katy
Brown, Richard			

CHESHIRE

Germana, Nicholas	Qualey, James	Rhodes, Jennifer	Thackston, Dick
Nutting, Zachary			

COOS

Davis, Arnold	Durkin, Sean	Ouellet, Mike	King, Seth
Tierney, James			

GRAFTON

Berezhny, Lex	Coulon, Matthew	Greeson, Jeffrey	Ladd, Rick
Rochefort, David	Sellers, John	Simon, Matthew	

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Alexander, Joe	Ammon, Keith
Boyd, Bill	Colcombe, Riché	Cole, Brian	Corcoran, Travis
Creighton, Jim	Cushman, Leah	Kelley, Diane	Erf, Keith
Griffin, Gerald	Gagne, Larry	Gorski, Ted	Healey, Robert
Infantine, William	Kennedy, Stephen	Kenny, Catherine	Kofalt, Jim
Lascelles, Richard	Lewicke, John	Mazur, Lisa	McGough, Tim
McLean, Mark	Mooney, Maureen	Noble, Kristin	Notter, Jeanine
Panek, Sandra	Pauer, Diane	Plett, Fred	Post, Lisa
Proulx, Mark	Prout, Andrew	Reid, Karen	Renzullo, Andrew
Seidel, Sheila	Sheehan, Vanessa	Sirois, Shane	Lekas, Tony
Mannion, Tom	Tenczar, Jeffrey	Ulery, Jordan	Wheeler, Jonah
Wherry, Robert			

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Mason, James
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Seaworth, Brian
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Harb, Robert
Hobson, Deb
Nelson, Jodi
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lynn, Bob
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Ford, Oliver
Osborne, Jason
Phillips, Emily
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Sytek, John
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Bailey, Glenn
Burnham, Claudine
Connor, James
Granger, Michael
Harrington, Michael
Horgan, James
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

NAYS - 169

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita
Paige, David
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Jones, Philip
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Toll, Amanda
Weber, Lucy

COOS

Cascadden, Corinne
Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Sullivan, Jared
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Stavis, Laurel
Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Ford, Damond
Darby, Will
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Freitas, Mary
Gibbons, Candace
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Juris, Louis
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Petrigno, Peter
Plamondon, Marc
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Veilleux, Daniel
Thomas, Wendy
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Hall, Muriel
Hicks, Matthew	Lane, Connie	Luneau, David	MacKay, James
McWilliams, Rebecca	Myler, Mel	Payeur, Stephanie	Richards, Beth
Roesener, James	Gould, Sherry	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Steve	Soucy, Timothy	Wallner, Mary Jane	Wolf, Dan

ROCKINGHAM

Balboni, Peggy	DiLorenzo, Charlotte	Edgar, Michael	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Hamblet, Joan	Haskins, Linda
Murray, Kate	Knab, Allison	Cahill, Michael	Paige, Mark
Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe
McBeath, Rebecca	Meuse, David	Muns, Chris	O'Neil, Candice
Rafter, Hal	Raynolds, Ned	Simpson, Alexis	Turer, Eric
Vallone, Mark	Ward, Gerald		

STRAFFORD

Bay, Luz	Bickford, David	Bixby, Peter	Rich, Cecilia
Cannon, Gerri	Conlin, Bill	Fitzpatrick, Daniel	Smith, Geoffrey
Grassie, Chuck	Howard, Heath	Horrigan, Timothy	Howland, Allan
Johnson, Erik	Kenney, Cam	LaMontagne, Jessica	Levesque, Cassandra
Smith, Marjorie	Schmidt, Peter	Pare, Gail	Selig, Loren
Southworth, Thomas	Wall, Janet		

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Merchant, Gary
Palmer, William	Tanner, Linda		

and floor amendment (1979h) was adopted.

The question being adoption of the committee report of Ought to Pass with Amendment. Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 175 - NAYS 169

YEAS - 175

BELKNAP

Bean, Harry	Bogert, Steven	Coker, Matthew	Comtois, Barbara
Dumais, Russell	Harvey-Bolia, Juliet	Nagel, David	Ploszaj, Tom
Smart, Lisa			

CARROLL

Avellani, Lino	Belcher, Mike	Cordelli, Glenn	Costable, Michael
MacDonald, John	Smith, Jonathan	Peternel, Katy	Brown, Richard

CHESHIRE

Germana, Nicholas	Qualey, James	Rhodes, Jennifer	Thackston, Dick
Nutting, Zachary			

COOS

Davis, Arnold	Durkin, Sean	Ouellet, Mike	King, Seth
Tierney, James			

GRAFTON

Berezhny, Lex	Coulon, Matthew	Greeson, Jeffrey	Ladd, Rick
Rochefort, David	Sellers, John	Simon, Matthew	

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Alexander, Joe	Ammon, Keith
Boyd, Bill	Colcombe, Riché	Cole, Brian	Corcoran, Travis
Creighton, Jim	Cushman, Leah	Kelley, Diane	Erf, Keith
Griffin, Gerald	Gagne, Larry	Gorski, Ted	Healey, Robert
Infantine, William	Juris, Louis	Kennedy, Stephen	Kenny, Catherine
Kofalt, Jim	Lascelles, Richard	Lewicke, John	Mazur, Lisa
McGough, Tim	McLean, Mark	Mooney, Maureen	Noble, Kristin
Notter, Jeanine	Panek, Sandra	Pauer, Diane	Plett, Fred
Post, Lisa	Proulx, Mark	Prout, Andrew	Reid, Karen
Renzullo, Andrew	Seidel, Sheila	Sheehan, Vanessa	Sirois, Shane
Lekas, Tony	Mannion, Tom	Tenczar, Jeffrey	Ulery, Jordan
Wheeler, Jonah	Wherry, Robert		

MERRIMACK

Andrus, Louise
Aures, Cyril
Aylward, Deborah
McGuire, Carol
Cambrils, Jose
McGuire, Dan
Gerhard, Jason
Hill, Gregory
Hoell, J.R.
Leavitt, John
Mason, James
Moffett, Michael
Polozov, Yury
Boyd, Stephen
Gould, Sherry
Seaworth, Brian
Walsh, Thomas
Testerman, Dave
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bernardy, JD
Brouillard, Jacob
Mannion, Dennis
Thomas, Douglas
DeSimone, Debra
Donnelly, Tanya
Doucette, Fred
Drago, Mike
Dunn, Ron
Edwards, Jess
Emerick, Tracy
Foote, Charles
Harb, Robert
Hobson, Deb
Nelson, Jodi
Janigian, John
Janvrin, Jason
Perez, Kristine
Katsakiores, Phyllis
Khan, Aboul
Kuttab, Katelyn
Walsh, Lilli
Layon, Erica
Love, David
Lynn, Bob
Pearson, Mark
McDonnell, Valerie
McMahon, Charles
Melvin, Charles
Ford, Oliver
Osborne, Jason
Phillips, Emily
Popovici-Muller, Daniel
Porcelli, Susan
Potucek, John
Pratt, Kevin
Prudhomme-O'Brien, Katherine
Roy, Terry
Pearson, Stephen
Soti, Julius
Spillane, James
Summers, James
Sweeney, Joe
Sytek, John
Cahill, Tim
Dolan, Tom
Tripp, Richard
True, Chris
Tudor, Paul
Vandecasteele, Susan
Verville, Kevin
Vose, Michael
MacDonald, Wayne
Wallace, Scott
Weyler, Kenneth
Yokela, Josh

STRAFFORD

Bailey, Glenn
Bickford, David
Burnham, Claudine
Connor, James
Granger, Michael
Harrington, Michael
Horgan, James
Kaczynski, Thomas
Turcotte, Len
Newton, Clifford
Phinney, Brandon
Pitre, Joseph
Potenza, Kelley

SULLIVAN

Aron, Judy
Drye, Margaret
Rollins, Skip
Spilsbury, Walter
Stapleton, Walter
Stone, Jonathan

NAYS - 169

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita
Paige, David
McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Ames, Richard
Fox, Dru
Eaton, Daniel
Faulkner, Barry
Jones, Philip
Newell, Jodi
Parshall, Lucius
Schapiro, Joe
Toll, Amanda
Weber, Lucy

COOS

Cascadden, Corinne
Kelley, Eamon
Noël, Henry

GRAFTON

Almy, Susan
Baldwin, Heather
Bolton, Bill
Cormen, Thomas
Fellows, Sallie
Fracht, David
Hakken-Phillips, Mary
Sullivan, Jared
Lovett, Peter
Massimilla, Linda
Morse, Corinne
Stavis, Laurel
Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Nutting-Wong, Allison
Beauchemin, Paige
Beaulieu, Jane
Booras, Efstathia
Bouchard, Donald
Bradley, Amy
Calabro, Karen
Chretien, Jacqueline
Cornell, Patricia
Ford, Damond
Darby, Will
DiSilvestro, Linda
Dutzy, Sherry
Elberger, Susan
Davis, Fred
Freitas, Mary
Gibbons, Candace
Gregg, Alicia
Grill, Jessica
Harriott-Gathright, Linda
Heath, Mary
Herbert, Christopher
Jack, Martin
Smith, Juliet
Foxx, Loren
Lanza, Judi
Leapley, Nicole
LeClerc, Daniel
Leishman, Peter
Long, Patrick
Howard, Molly
Murray, Megan
Perez, Maria
MacKenzie, Mark
Mangipudi, Latha
McGhee, Kat
Morton, Jennifer
Murphy, Nancy
Nutter-Upham, Frances
Petrigno, Peter
Plamondon, Marc
Preece, David
Newman, Ray
Raymond, Heather
Rombeau, Catherine
Rung, Rosemarie
Ryan, Linda
Newman, Sue
Seibert, Christine
Sofikitis, Catherine
Spier, Carry
Staub, Kathy
Telerski, Laura
Tellez, Trinidad
Vail, Suzanne
Veilleux, Daniel
Thomas, Wendy
Wilhelm, Matthew

MERRIMACK

Turcotte, Alisson	Brennan, Angela	Caplan, Tony	Carey, Lorrie
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Hall, Muriel
Hicks, Matthew	Lane, Connie	Luneau, David	MacKay, James
McWilliams, Rebecca	Myler, Mel	Payeur, Stephanie	Richards, Beth
Roesener, James	Schamberg, Thomas	Schuett, Dianne	Shurtleff, Steve
Soucy, Timothy	Wallner, Mary Jane	Wolf, Dan	

ROCKINGHAM

Balboni, Peggy	DiLorenzo, Charlotte	Edgar, Michael	Gilman, Julie
Grossman, Gaby	Grote, Jaci	Hamblet, Joan	Haskins, Linda
Murray, Kate	Knab, Allison	Cahill, Michael	Paige, Mark
Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe
McBeath, Rebecca	Meuse, David	Muns, Chris	O'Neil, Candice
Rafter, Hal	Raynolds, Ned	Read, Ellen	Simpson, Alexis
Turer, Eric	Vallone, Mark	Ward, Gerald	

STRAFFORD

Bay, Luz	Bixby, Peter	Rich, Cecilia	Cannon, Gerri
Conlin, Bill	Fitzpatrick, Daniel	Smith, Geoffrey	Grassie, Chuck
Howard, Heath	Horrigan, Timothy	Howland, Allan	Johnson, Erik
Kenney, Cam	LaMontagne, Jessica	Levesque, Cassandra	Smith, Marjorie
Schmidt, Peter	Pare, Gail	Selig, Loren	Southworth, Thomas
Wall, Janet			

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Merchant, Gary
Palmer, William	Tanner, Linda		

and the committee report was adopted, and the bill was ordered to third reading.

SB 543, establishing the state environmental adaptation, resilience, and innovation council. **OUGHT TO PASS.**

Rep. Michael Edgar for Public Works and Highways. This bill will establish the State Environmental Adaptation, Resilience, and Innovation Council, fostering proactive planning and risk management strategies across state agencies to navigate environmental changes effectively. The proposed council's composition includes representatives from various sectors to ensure comprehensive planning and informed decision-making. Additionally, the bill promotes collaboration and cost-savings to protect New Hampshire taxpayers' investment in infrastructure. It will work to address challenges to public health and to the tourism and recreation economies. The amended Senate version of this bill reaffirms that the council recognizes the exclusive role of the legislature in enacting policy through legislation and mandates approval by legislators and the Governor and Council on the solicitation and use of grant funds. It provides a mechanism for collaboration with non-profits on funding and staffing and establishes a fund for the receipt of federal grants. Vote 14-3.

The question being adoption of the committee report of Ought to Pass.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **SB 543,** establishing the state environmental adaptation, resilience, and innovation council, be laid on the table.

On a division vote, with 170 members having voted in the affirmative, and 175 in the negative, the motion failed.

The question being adoption of the committee report of Ought to Pass.

Rep. Vose spoke against.

Rep. Cloutier spoke in favor.

On a division vote, with 172 members having voted in the affirmative, and 168 in the negative, the committee report was adopted, and the bill was ordered to third reading.

CLERK'S NOTE

Without objection, the Clerk was authorized to adjust passed amendments to bills today.

RESOLUTION

Rep. Osborne offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, May 30, 2024 at 10:00 a.m.

Motion was adopted.

LATE SESSION

Third Reading and Final Passage

SB 137-FN, relative to nano brewery licenses and beverage manufacturers licenses.
SB 173-FN, relative to surprise medical bills.
SB 177-FN, relative to health insurance coverage of prosthetics for children under 19 years of age.
SB 312, relative to third party liability in Medicaid.
SB 333, relative to access to financial services for minors in legal custody or guardianship and relative to the board of directors of mutual banks and mutual holding companies.
SB 334, relative to providing for the issuance of bonds and other obligations by the business finance authority of the state of New Hampshire to finance student loans.
SB 354-FN, relative to insurance cost-sharing calculations.
SB 399-FN, relative to insurance coverage for blood testing associated with elevated lead levels.
SB 433, establishing a committee to study the marketing of e-cigarettes and e-liquid in this state, including the legality of available products, appropriate wholesale and retail compliance and tax collection system of the same.
SB 502-FN, relative to the scanning of drivers' licenses by real estate brokers.
SB 515, relative to consumer guarantee contracts.
SB 555-FN, relative to receipt of pharmaceutical rebates by insurers and pharmacy benefits managers.
SB 556-FN, prohibiting health carriers from establishing payment or reimbursement provisions based solely on a participating advanced practice registered nurse's licensure.
SB 557, relative to prohibiting discriminatory actions related to participation in the federal 340B Drug Pricing Program.
SB 561-FN, relative to prior authorizations for health care.
SB 315-FN-L, relative to law enforcement agency reporting on information concerning bias crimes.
SB 504-FN, relative to land in current use and relative to magistrates, bail commissioners, the standards applicable to and the administration of bail, and making appropriations.
SB 378, relative to the performance-based school accountability system task force.
SB 534-FN, relative to campaign finance.
SB 302, adding an additional exemption from the regulation of physicians and surgeons.
SB 318-FN, converting the manufactured housing installations standards board and the board of examiners of nursing home administrators into advisory boards, and creating a new advisory board named the advisory board of massage therapists, reflexologists, structural integrators, and Asian bodywork therapists.
SB 371-FN, relative to the licensing and regulation of physicians.
SB 488, relative to the regulation of physician assistants.
SB 600, relative to the board of pharmacy and certified public accountant examinations.
SB 362-FN, relative to body-worn cameras.
SB 407-FN, establishing a ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state.
SB 480-FN, relative to the regulation of real estate practice.
SB 487-FN, relative to the division of personnel in the department of administrative services.
SB 310, relative to bear registration, federal duck stamps, and the transport of out of state lobsters and crabs.
SB 542, creating a committee to study fish and game department funding and partnerships.
SB 544-FN, replacing the deer seal system with a confirmation number system.
SB 412-FN, relative to residential care and health facility licensing.
SB 554-FN, relative to Medicaid provider enrollment licensure verification.
SB 350-FN, relative to gap health insurance coverage for prima facie presumptive conditions for emergency response/public safety workers.
SB 588-FN, relative to employer notice of veterans' benefits and services.
SB 447-FN, establishing a committee to study the inclusion of transportation expenses in default budgets.
SB 547, relative to certain requirements relative to the LCHIP programs.
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.
SB 595-FN, relative to the rates for pole attachments.
SB 429, relative to the color of executive council official cover plates.
SB 467-FN, authorizing the Injury Prevention Center to issue motor vehicle decal plates.
SB 582, relative to providing an alternate address to the department of motor vehicles.
SB 598-FN, requiring funeral procession lead vehicles to obey yield signs.
SB 585-FN, relative to a property lien resulting from unpaid meals and rooms taxes.
SB 411-FN, establishing a committee to study emergency mental health services for persons 21 years of age and younger in New Hampshire.

SB 340, relative to communication between parents and school districts regarding special education, special education reporting requirements, and the office of the advocate for special education.
SB 373, relative to the state building code.
SB 134-FN, relative to disability pensions for public safety employees who are victims of violence, and suspending the issuance of new landfill permits until 2028.
SB 311-FN-A-L, relative to property tax offset for the town of Hampstead and making an appropriation therefor.
SB 337-FN, relative to doula and lactation service provider certification.
SB 352-FN-A, establishing an early detection cancer screening pilot program for active and retired firefighters.
SB 355-FN, relative to newborn screening for cytomegalovirus.
SB 369-FN-A, directing the office of professional licensure and certification to provide notice of public meetings and an opportunity for comment, creating a new position, and making an appropriation therefor.
SB 393-FN, relative to making an appropriation to the department of environmental services to fund regional drinking water infrastructure.
SB 396-FN-A, relative to making an appropriation to the culinary arts program at the Wilbur H. Palmer Regional Career and Technical Education Center.
SB 403-FN, relative to the health care workforce.
SB 404-FN, relative to expanding child care professionals' eligibility for the child care scholarship program.
SB 406-FN-A, making an appropriation to the department of health and human services to increase rates for shelter programs.
SB 409-FN, relative to reimbursement for ambulance services under the state Medicaid plan and making an appropriation therefor and making an appropriation to the department of health and human services to support recreational activities for individuals with developmental disabilities.
SB 417-FN, relative to out-of-home placements for children.
SB 455-FN, relative to Medicaid reimbursement rates for prosthetic and orthotic devices.
SB 463-FN, expanding access to court-appointed counsel for children in dependency proceedings.
SB 476-FN, making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men and authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.
SB 499-FN, relative to the Supplemental Nutrition Assistance Program and the Summer EBT program and making appropriations therefor and relative to providing disaster relief funding to municipalities after a natural disaster.
SB 591-FN-A, modifying definitions, claims procedures, and funding relating to the youth development center settlement fund and claims administration.
SB 604-FN-A, providing a death benefit for a New Hampshire hospital security officer killed in the line of duty and establishing a death benefit for state security officers killed in the line of duty.
SB 503, relative to requiring a criminal background check when applying for a fish and game guide license and relative to zoning and planning regulations for municipal parking.
SB 402, relative to allowing pharmacists to administer influenza, COVID-19, and other FDA licensed vaccines without explicit approval from the general court.
SB 419-FN, relative to the annual data report on the therapeutic use of cannabis program and relative to permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.
SB 505, relative to the prohibition on the sale of hemp products containing certain levels of THC.
SB 559-FN, relative to the New Hampshire vaccine association.
SB 330-FN, relative to allowing the ability to work from home to count toward unemployment benefits eligibility.
SB 431, relative to wake surfing.
SB 527, relative to student housing.
SB 469, relative to allowing surveillance of a park and ride facility in certain circumstances.
SB 501, relative to driver licenses for noncitizens residing in New Hampshire.
SB 510, relative to sale of a vehicle to a Massachusetts resident.
SB 485-FN, requiring rules regarding criteria for military occupational specialties and relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.
SB 543, establishing the state environmental adaptation, resilience, and innovation council.

RECESS MOTION

Rep. Osborne moved that the House stand in recess for the purposes of the introduction of bills, enrolled bill amendments, enrolled bill reports, receiving messages and forming Committees of Conference.
Motion was adopted.

The House recessed at 7:15 p.m.

RECESS

(Rep. Bill Boyd in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1003, 1015, 1171, 1233, 1296 and 1627 and Senate Bills numbered 210, 314, 359, 367, 376, 385, 420, 437, 468, 478, 506 and 564.

Rep. Osborne, Sen. Avard for the Committee

SENATE MESSAGES

CONCURRENCE

HB 396, permitting classification of individuals based on biological sex under certain limited circumstances.
HB 1020, establishing a committee to study restoration of competency.
HB 1043, relative to the capital appropriations for the legislative parking garage design and police standards and training council facility improvements.
HB 1056, relative to child day care licensing.
HB 1081, relative to insurance payments to ambulance providers.
HB 1093, prohibiting mandatory mask policies in schools.
HB 1114, extending the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals in the air, soil, and groundwater in Merrimack, Bedford, Londonderry, Hudson and Litchfield.
HB 1140, relative to requirements for homeowner installations of septic systems.
HB 1169-FN, creating a private cause of action for discrimination based on hairstyles relative to a person's ethnicity.
HB 1191-FN, relative to the establishment of an exemption to the meals and rooms tax for participants in the restaurant voucher program.
HB 1201, relative to payment of wages for deceased employees.
HB 1321, relative to repealing penalties for the sale of kegs of malt beverages without a receipt.
HB 1334, relative to the sale of beer in refillable containers.
HB 1336, relative to employees' firearms in locked vehicles.
HB 1387, relative to revisions to the state building code.
HB 1407, relative to child care staffing ratios.
HB 1415, relative to PFAS facility liability.
HB 1450, requiring the university system of New Hampshire and the community college system of New Hampshire to further work toward implementing comprehensive higher education alignment strategies and findings identified in the governor's public higher education task force report.
HB 1490, relative to the solid waste management act.
HB 1494, relative to OHRVs.
HB 1581, relative to cultivation locations for alternative treatment centers.
HB 1584, relative to home day care licensing requirements.
HB 1624, relative to allowing the distillation of hobby liquors.
HB 1678-FN, establishing a New Hampshire farm to school local food incentive pilot program.

REFERRED FOR INTERIM STUDY

HB 450-FN, relative to removing the net operating loss deduction limit on taxable income under the business profits tax.
HB 546-FN-L, relative to the school building aid program.
HB 1013, relative to amending the definition of temporary alimony.
HB 1082, relative to professional limited liability company (PLLC) assistant manager status.
HB 1119, relative to absentee ballots.
HB 1124, relative to limiting conflicts of interest for municipal board and committee members.
HB 1175, relative to the official ballot referendum form of town meetings.
HB 1280, relative to informed consent and patient rights.
HB 1348, governing the application for a ballot recount in a state general election.
HB 1533-FN, relative to the safe harbor compensation amount under the business profits tax.
HB 1536-FN, relative to increasing the amount of the expense deduction allowed against the business profits tax.
HB 1604-FN, relative to the use of electronic medical records.
HB 1696, relative to local records retention.

LAID ON THE TABLE

HB 1365, relative to substitution of biological products by pharmacies.
HB 1660-FN, relative to coverage of certain procedures for minor children under the state's Medicaid program.

NONCONCURRENCE

HB 1204, relative to government agent entries into secured premises.
HB 1227, relative to extending the hours of alcoholic beverage sales for on-premises licensees.

INDEFINITELY POSTPONED

HB 378, expanding the information provided to survivors of sexual assault regarding their existing rights.
HB 1291, relative to accessory dwelling unit uses allowed by right.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 458, reestablishing the commission to study the assessing of power generation. (Amendment printed SJ 4/5/24)
Rep. Vose moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Vose, Douglas Thomas, Bernardy and McGhee.

HB 1030, repealing certain task forces, study committees, and study commissions, repealing the John G. Winant memorial commission and making the maintenance of the memorial a duty of the joint legislative historical committee, and establishing a committee to study the appeals process administered by the environmental councils established under RSA 21-O. (Amendment printed SJ 5/2/24)
Rep. Hill moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Sheehan, Infantine, Ebel and Hill.

HB 1313-FN-LOCAL, relative to access to the voter checklist by candidates. (Amendment printed SJ 5/15/24)
Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Steven Smith, Qualey, Lane and Muirhead.

HB 1386-FN, relative to prohibiting the disposal of lithium-ion batteries in solid waste landfill facilities, composting facilities, or incinerators. (Amendment printed SJ 5/2/24)
Rep. Aron moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Aron, Ebel, Bixby and Creighton.

HB 1622-FN, relative to administrative rulemaking and license renewals by the office of professional licensure and certification. (Amendment printed SJ 5/15/24)
Rep. Carol McGuire moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Carol McGuire, Schuett, Sirois and Grote.

HB 1695, relative to the release of student personally identifiable information. (Amendment printed SJ 5/2/24)
Rep. Ladd moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Ladd, Cordelli, Noble and Cascadden.

SENATE MESSAGES

CONCURRENCE

HB 1076-FN, relative to wine manufacturer licenses and relative to on-premises licenses for beverage manufacturers.
HB 1105-FN-L, relative to application of a local tax cap.
HB 1179-FN, relative to state park system fees for retired members of the armed forces.
HB 1282-FN, relative to the duration of child support.
HB 1329-FN, relative to creating special number plates for fire departments.
HB 1349-FN, relative to generalized anxiety disorder as a qualifying condition for the therapeutic cannabis program.
HB 1540-FN, relative to the definitions of full course meals and full service restaurant for purposes of alcohol licensing.
HB 1564-FN, relative to the child support guidelines.
HB 1569-FN, relative to eliminating voter identification exceptions.
HB 1598-FN-A, relative to the department of health and human services management of social security payments and veterans benefits for children in foster care.
HB 1666-FN, relative to income reporting requirements for lobbyists.

REFERRED FOR INTERIM STUDY

HB 1118, relative to the issuance of drivers' licenses for aliens temporarily residing in New Hampshire.
HB 1394-FN-A, relative to licensure and regulation of music therapists.
HB 1570-FN-A-L, requiring the department of education to conduct a facility assessment of public schools and public chartered schools.
HB 1583-FN-A, relative to the per pupil cost of an opportunity for an adequate education.

NONCONCURRENCE

HB 1451-FN, relative to mandatory overtime and the calculation of base rate of compensation.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 194-FN, requiring the director of the division of historical resources to compile and maintain a list of public monuments and requiring legislative approval of the amendment or permanent removal of historical markers. (Amendment printed SJ 5/22/24)
Reps. Renzullo and Weyler moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Renzullo, Hill, Marjorie Smith and Shurtleff.

HB 518, relative to the administration of occupations by the office of professional licensure and certification. (Amendment printed SJ 5/23/24)
Rep. Carol McGuire moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Tony Lekas, Grote, Simon and Mangipudi.

HB 1069, relative to material subject to disclosure under the right-to-know law. (Amendment printed SJ 5/23/24)
Rep. Lynn moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Lynn, Wallace, Marjorie Smith and Kuttab.

HB 1079, relative to critical incident stress management team members and establishing a rural and underserved area educator incentive program for higher education and making an appropriation therefor. (Amendment printed SJ 5/23/24)
Rep. Carol McGuire moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Grote, Proulx, Simon and Sherry Gould.

HB 1274-FN, relative to judicial administration. (Amendment printed SJ 5/15/24)
Rep. Lynn moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Lynn, Wallace, Marjorie Smith and Goley.

HB 1370-FN, relative to eliminating voter identification exceptions. (Amendment printed SJ 5/16/24)
Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Steven Smith, Qualey, Osborne and Lane.

HB 1521, relative to recovery houses. (Amendment printed SJ 5/22/24)
Rep. Carol McGuire moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Carol McGuire, Fitzpatrick, Tom Dolan and Goley.

HB 1623-FN, relative to involuntary retirement or decommissioning of electricity generators. (Amendment printed SJ 5/23/24)
Rep. Vose moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Vose, Douglas Thomas, Harrington and Bernardy.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 318-FN-A, relative to bail commissioners, the standards applicable to and the administration of bail, and making an appropriation. (Amendment printed SJ 5/23/24)
Reps. Roy and Weyler moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Roy, Harriott-Gathright, Alissandra Murray and Rhodes.

HB 463-FN, relative to the establishment of an election information portal and makes an appropriation therefor. (Amendment printed SJ 5/23/24)
Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Steven Smith, Qualey, Osborne and Lane.

HB 1091, relative to the financing of political campaigns. (Amendment printed SJ 5/22/24)
Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Steven Smith, Qualey, Osborne and Lane.

HB 1127, relative to the revocation and suspension of drivers' licenses and to invalidating out-of-state driver's licenses issued to undocumented immigrants. (Amendment printed SJ 5/23/24)
Rep. Thomas Walsh moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Thomas Walsh, Sykes, Coker and Gorski.

HB 1195, relative to allowing school districts to approve different apportionment methods for school administrative unit costs. (Amendment printed SJ 5/22/24)
Rep. Ladd moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Ladd, Cordelli, Peternel and Myler.

HB 1202-FN, relative to the issuance of permits for the alteration of driveways exiting onto public ways and relative to the definition of disability or special needs under the child care scholarship program. (Amendment printed SJ 5/23/24)
Reps. McConkey and Weyler moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. McConkey, Milz, Cloutier and Edwards.

HB 1223-FN, creating local options for games of chance. (Amendment printed SJ 5/15/24)
Rep. Len Turcotte moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Len Turcotte, Rochefort, Gilman and Howland.

HB 1241, relative to the regulation of money transmitters and relative to license applications and renewals for certain consumer credit entities. (Amendment printed SJ 5/23/24)
Rep. Hunt moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Hunt, Burroughs, Ammon and McAleer.

HB 1243, revising the laws relative to retail installment sales of motor vehicles, and relative to the sale of a vehicle to a Massachusetts resident. (Amendment printed SJ 5/23/24)
Rep. Hunt moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Hunt, Burroughs, Lilli Walsh and McAleer.

HB 1259, relative to property and casualty insurance laws administered by the insurance department; and making an appropriation to the department of environmental services to fund regional drinking water infrastructure. (Amendment printed SJ 5/23/24)
Rep. Hunt moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Hunt, Burroughs, Ammon and Grassie.

HB 1265, relative to the penalty for failure to file school expenditure reports, relative to certain adequacy grants, and requiring mandatory reporting by school districts of school expenses. (Amendment printed SJ 5/23/24)

Rep. Ladd moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Ladd, Cordelli, Drye and Cornell.

HB 1278-FN, relative to qualifying medical conditions for purposes of therapeutic cannabis; and relative to the summer EBT program, the SNAP elderly simplified application and the school lunch program and making appropriations therefor. (Amendment printed SJ 5/23/24)
Reps. Wayne MacDonald and Janigian moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Layon, Doucette, Schapiro and Almy.

HB 1298-FN, relative to the definition of part-time teachers. (Amendment printed SJ 5/22/24)
Rep. Ladd moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Ladd, Cordelli, Peternel and Luneau.

HB 1358, relative to tenant and contract manufacturers of beer, wine, and liquor; allowing pharmacists to administer influenza, COVID-19, and other FDA licensed vaccines without explicit approval from the general court; and, restricting the purchase of real property on or around military installations. (Amendment printed SJ 5/23/24)
Rep. Hunt moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Hunt, Ammon, Burroughs and Spier.

HB 1369, relative to the verification of voter rolls every 4 years. (Amendment printed SJ 5/22/24)
Rep. Steven Smith moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Steven Smith, Qualey, Osborne and Lane.

HB 1380-FN, relative to brew pub licenses, relative to insurance cost-sharing calculations, and relative to receipt of pharmaceutical rebates by insurers and pharmacy benefits managers. (Amendment printed SJ 5/23/24)
Rep. Hunt moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Hunt, Burroughs, Potucek and Spier.

HB 1400, relative to residential parking spaces, landlord-tenant law, unauthorized occupant evictions, and zoning procedures concerning residential housing. (Amendment printed SJ 5/22/24)
Rep. Alexander moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Alexander, McWilliams, Sweeney and Dennis Mannion.

HB 1573-FN, relative to out-of-home placements for children. (Amendment printed SJ 5/23/24)
Reps. Mark Pearson and Weyler moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Mark Pearson, Hoell, Wallner and Long.

HB 1585, relative to the position of certified assisted living medication aide and relative to the state loan repayment program for qualified nursing professionals, and making an appropriation therefor. (Amendment printed SJ 5/23/24)
Rep. Wayne MacDonald moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Wayne MacDonald, Nagel, Merchant and Weber.

HB 1593-FN, making an appropriation to the department of health and human services to support recreational activities for individuals with developmental disabilities and relative to the uncompensated care and Medicaid fund. (Amendment printed SJ 5/23/24)
Reps. Wayne MacDonald and Weyler moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Layon, Palmer, Edwards and Stringham.

HB 1616, relative to parental consent for student participation in Medicaid to schools program and establishing a pilot recruitment and retention program within the department of health and human services. (Amendment printed SJ 5/16/24)
Rep. Ladd moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Ladd, Cordelli, Layon and Balboni.

HB 1665-FN, relative to student eligibility for education freedom accounts and the scholarship organization's costs of administering the program, extending phase-out grants for education freedom accounts, and revising the definitions of average daily membership in attendance and average daily membership in residence. (Amendment printed SJ 5/22/24)
Rep. Ladd moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Ladd, Cordelli, McDonnell and Cornell.

HB 2024, relative to the state 10-year transportation improvement plan; relative to adding a speed limit of 45 miles per hour on rural highways; relative to disability pensions for public safety employees who are victims of violence; and making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men. (Amendment printed SJ 5/23/24)
Rep. McConkey moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. McConkey, Milz, Cloutier and Eaton.

RECESS

(Speaker Packard in the Chair)
SENATE MESSAGE
REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1292-FN, relative to coverage of children under the state retiree insurance plan and relative to federal immigration enforcement. (Amendment printed SJ 5/23/24)
Rep. Carol McGuire moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Roy, Rhodes, Sytek and Fitzpatrick.

RECESS

(Speaker Packard in the Chair)
SENATE MESSAGE
REQUESTS CONCURRENCE WITH AMENDMENTS

HB 468-FN-A, establishing a commission to recodify the education laws and making an appropriation therefor. (Amendment printed SJ 4/18/24)
Rep. Weyler moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.
The Speaker appointed Reps. Weyler, Emerick, Pitre and Heath.

RECESS