

March 20, 2025
No. 14

STATE OF NEW HAMPSHIRE

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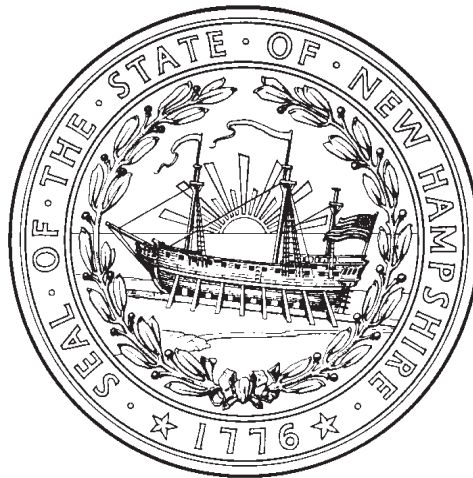
Senate Meeting Schedule Website Address:

<https://gc.nh.gov/senate/schedule/dailyschedule.aspx>

All Standing Committee hearings will be livestreamed on the NH Senate's YouTube channel:

<https://www.youtube.com/NewHampshireSenateLivestream>

Links are also available on the Senate Meeting Schedule.



First Year of the 169th Session of the
New Hampshire General Court

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON THURSDAY,
MARCH 27, 2025 AT 10:00 A.M. IN THE SENATE CHAMBER**

The Senate Session on Thursday, March 27, 2025, in the Senate Chamber
will be live streamed at the following link:

<https://youtube.com/live/r52dSP5guLk?feature=share>

Please note, this link will not be live until the Senate Session on
Thursday, March 27, 2025 at 10:00 A.M.

LAID ON THE TABLE

SB 17-FN, relative to insurance cost-sharing calculations.**03/06/2025, Pending Motion OT3rdg, Health and Human Services, SJ 6**

SB 20-FN, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.**01/31/2025, Finance, SJ 4**

SB 21-FN, relative to establishing a New Hampshire state trooper recruitment loan debt relief program and making an appropriation therefor.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 35-FN, making an appropriation for rail trail project matching funds.**01/31/2025, Finance, SJ 4**

SB 59-FN, establishing a recruitment incentive program within the community college system for public safety communicators and dispatchers and making an appropriation therefor.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 64-FN, relative to an appropriation to the department of justice for the purpose of funding the New Hampshire child advocacy centers.**01/31/2025, Finance, SJ 4**

SB 70-FN, creating a mobile driver's license and non-driver identification card.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 81-FN, increasing the annual real estate transfer tax revenue contribution and making an appropriation to the affordable housing fund.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 113-FN-A, making appropriations to the department of health and human services for homeless services and homeless prevention.**01/31/2025, Finance, SJ 4**

SB 114-FN-A, making appropriations to the department of health and human services to support community and transitional housing through community mental health centers.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 115-FN, making an appropriation for regional drinking water infrastructure.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 116-FN, relative to the Pillsbury Lake Village District community water system, and making an appropriation therefor.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 117-FN-A, making an appropriation to the department of education to fund the online tutoring program.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 120-FN, relative to insurance coverage for biomarker testing.**03/06/2025, Pending Motion OT3rdg, Health and Human Services, SJ 6**

SB 122-FN, relative to financial eligibility for the Medicare savings program.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 128-FN, relative to children's mental health services for persons 18 years of age and younger.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 132-FN, relative to health insurance coverage for prosthetics.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 137-FN, relative to hospital stays covered under the state Medicaid plan.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 158-FN, raising the funding cap for the New Hampshire community development finance authority.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 168-FN-LOCAL, regulating online gambling and directing net proceeds to the education trust fund, the general fund, and to reimburse municipalities for elderly, disabled, blind, and deaf tax exemptions.**03/06/2025, Pending Motion Committee Amendment # 2025-0390s, Ways and Means, SJ 6**

SB 181-FN, relative to workers' compensation for firefighters with cancer.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 199-FN, relative to establishing a new recruitment and retention program for new New Hampshire state troopers.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 227-FN, relative to site setbacks for landfills.**03/06/2025, Pending Motion Rerefer to Committee, Energy and Natural Resources, SJ 6**

SB 238-FN, establishing the adverse childhood experiences (ACEs) prevention and treatment program and making an appropriation to the department of health and human services for this purpose.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 239-FN, appropriating funds to the fish and game department for continuing environmental review and to cover a deficit for previously instituted salary increases.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 240-FN-A, making an appropriation to the department of environmental services for eligible water projects.**02/13/2025, Pending Motion OT3rdg, Finance, SJ 5**

SB 242-FN, relative to the cost of living adjustments for certain group II retirees in the New Hampshire retirement system.**03/06/2025, Pending Motion OT3rdg, Finance, SJ 6**

SB 274-FN, establishing a 4-year pilot program to improve rail trails in New Hampshire, including the establishment of 2 funds, the rail trails program fund and the emergency trail repair fund, and making appropriations therefor.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 276-FN, relative to raising the research and development tax credit.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 286-FN, creating the New Hampshire office of film and creative media.**03/20/2025, Pending Motion OT3rdg, Finance, SJ 8**

SB 290-FN, relative to the definition of "torture" in animal abuse cases.**03/06/2025, Pending Motion Rerefer to Committee, Judiciary, SJ 6**

SB 296, increasing the percentage of nonpublic school scholarships awarded to students who qualify for the federal free and reduced-price meal program.**03/13/2025, Pending Motion Committee Amendment # 2025-0794s, Education Finance, SJ 7**

CONSENT CALENDAR REPORTS

EDUCATION

SB 210, establishing a study committee to study the issue of school bullying.

Ought to Pass, Vote 3-0.

Senator Altschiller for the committee.

SB 210 establishes a study committee to examine school bullying and explore best practices for prevention. The committee will assess existing policies, resources, modern forms of bullying, and potential legislative actions to address bullying in New Hampshire schools. A report with findings and recommendations is due by November 1, 2025.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 222, relative to moving the state primary date.

Ought to Pass with Amendment, Vote 5-0.

Senator Lang for the committee.

SB 222 moves the state primary from September to June and all related dates to March. This bill would allow voters and candidates more time to engage with each other before the general election in November and enable election officials more time to prepare for the general election. The amendment addresses the committee's concerns regarding how much time a third-party candidate would have to gather nomination papers. For these reasons, the committee recommends Ought to Pass with Amendment on SB 222.

HB 78, requiring a person to have a domicile in the district from which they serve as county commissioner.

Ought to Pass, Vote 5-0.

Senator Gray for the committee.

HB 78 requires a person to be domiciled in the county where they seek to hold the office of the county commissioner. This bill would bring the county commissioners' offices in line with other elected positions, ensuring that the citizens of all counties are represented by those who live in the county they represent. For this reason, the Election Law and Municipal Affairs Committee recommends Ought to Pass on HB 78.

HB 110, authorizing counties to establish revolving fund accounts.
Ought to Pass with Amendment, Vote 5-0.
Senator Lang for the committee.

This bill is a practical extension of an existing policy for towns that promotes equity between local and county-level services while keeping public safety funding sustainable. Towns in New Hampshire are already permitted to establish a revolving fund to cover costs like officer details for construction projects. However, under current laws, county sheriffs who provide similar services do not have the same ability to establish such a fund. If enacted, HB 110 would create a fair and efficient system for managing county costs without the burden to taxpayers. The committee amendment changes the words “county delegation” to “county convention” for continuity within the current statutes. For these reasons, the Election Law and Municipal Affairs Committee asks for your support for Ought to Pass with Amendment on HB 110.

ENERGY AND NATURAL RESOURCES

HB 127-FN, extending the closing date of the OHRV trails on the Connecticut River Headwaters property from September 30 to Columbus Day.
Ought to Pass with Amendment, Vote 5-0.
Senator McConkey for the committee.

HB 127 extends the annual closing date for Off-Highway Recreation Vehicle (OHRV) trails on the Connecticut Lakes Headwaters working forest property from September 30th to Columbus Day. This change allows for additional recreational opportunities, providing extended access for OHRV users during the early fall season. The fiscal impact of the bill is projected to be less than \$10,000 annually.

HB 153-FN, establishing a committee to study adding statewide resources to assist with the investigation, training, prosecution, and prompt response of animal cruelty.
Ought to Pass, Vote 5-0.
Senator Watters for the committee.

HB 153 establishes a committee to study the creation of statewide resources aimed at improving investigation, training, prosecution, and prompt responses to animal cruelty incidents. The committee will evaluate current training practices, explore optimal approaches for law enforcement and stakeholder education, and consider forming a dedicated resource group for responding swiftly to animal cruelty cases. Findings and recommendations would be due by November 1st, 2025.

SB 237, relative to the office of the consumer advocate and the site evaluation committee.
Inexpedient to Legislate, Vote 3-2.
Senator Pearl for the committee.

SB 237 expands the role of the Office of the Consumer Advocate by adding its interests to the definition of “material interest” in Site Evaluation Committee proceedings. This change would allow the consumer advocate to actively participate in cases affecting residential utility consumers, especially concerning energy facility evaluation, siting, construction, and operation. The Senate Energy and Natural Resources Committee moved to inexpedient to legislate.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 189, relative to fetal death records.
Ought to Pass with Amendment, Vote 5-0.
Senator Reardon for the committee.

SB 189 changes and updates requirements and procedures for fetal death records. This bill is at the request of the Secretary of State. The amendment addressed instances of unnamed babies to comport with changes made over the years on the certificate of stillbirth.

SB 200, relative to accepting a portrait of Sylvia Larsen.
Ought to Pass, Vote 5-0.
Senator Reardon for the committee.

SB 200 authorizes the Joint Legislative Historical Committee to accept a portrait of Senator Sylvia Larsen. Sylvia Larsen was a ten-term state senator representing Senate District 15, as well as the President of the New Hampshire Senate from 2006 to 2010. The portrait would recognize Senator Larsen’s years of legislative service to the State of New Hampshire.

SB 285, relative to changing the term “physician assistant” to “physician associate.”

Re-refer to Committee, Vote 4-1.

Senator McGough for the committee.

SB 285 updates the laws to reflect the title change of “physician assistant” to “physician associate” but makes clear that no substantive change to any law is being made by this update. The Committee heard testimony that this change reflects a national movement to change the name of the profession, but that only Oregon has done so at this time. The Committee felt more discussion regarding this bill is necessary.

SB 301, creating a joint legislative oversight committee.

Ought to Pass with Amendment, Vote 5-0.

Senator McGough for the committee.

SB 301 creates the Joint Standing Oversight Committee. The Committee would be comprised of senators and representatives, as well as designees by the governor. The Committee shall conduct independent audits and investigations into the operations of state agencies. The committee amendment cleans up technical language, changes the effective date, and addresses concerns regarding partisan composition of the committee.

FINANCE

SB 80-FN, consolidating licensing, auditing, and enforcement responsibilities for wholesale and retail e-cigarettes sales under the liquor commission.

Ought to Pass, Vote 6-0.

Senator Lang for the committee.

This bill consolidates licensing, auditing, and enforcement responsibilities for wholesale and retail e-cigarette sales under the Liquor Commission. SB 80-FN would transfer licensing of retail, wholesale and manufacturing including licensing revenue from the Department of Revenue Administration to the Liquor Commission. The bill also provides for tobacco tax certificates to be issued by the Department of Revenue Administration and licenses issued by the Liquor Commission.

SB 86-FN, relative to the housing finance authority’s affordable housing guarantee program.

Ought to Pass with Amendment, Vote 6-0.

Senator Rosenwald for the committee.

This bill creates a loan guarantee program for multifamily housing developments financed by commercial lenders which aims to provide the New Hampshire Housing Finance Authority with the capacity to issue loans, supported by a State guarantee, for the development of new family housing projects. The State Treasurer shall report to the Joint Fiscal Committee, at its next meeting, any advance to the Housing Finance Authority to enable it to perform all guaranteed obligations punctually and in accordance with their terms.

SB 87-FN, relative to one day liquor license requirements and making salons and barber shops eligible for on-premise licenses.

Ought to Pass with Amendment, Vote 6-0.

Senator Watters for the committee.

This bill allows for-profit organizations to receive a one-day liquor license and makes barbershops, salons, and spas eligible for on-premises licenses. Nothing in RSA 178:22 V shall allow the Liquor Commission to issue a license to a salon or barbershop located within a private residence.

SB 97-FN, relative to intra-district public school transfers.

Ought to Pass, Vote 5-1.

Senator Pearl for the committee.

This bill authorizes parents to transfer their children to other schools within their resident district as long as such school has the capacity to accommodate the student. The school board of each school district shall adopt a policy addressing instances in which there are more requests to transfer to a school than there is ability to accommodate students, based on teacher to student ratio and existing school capacity.

SB 153-FN, relative to expedited driveway permitting of major entrances for residential use of 20 units or greater.

Ought to Pass, Vote 6-0.

Senator Pearl for the committee.

This bill creates an expedited driveway permit for major entrances for parcels of land for residential use of 20 units or greater.

SB 204-FN-A, relative to the responsibility of local school districts to provide meals to students during school hours, reimbursing schools for meals provided to students at no cost, and making an appropriation therefor. Ought to Pass with Amendment, Vote 6-0.

Senator Lang for the committee.

This bill authorizes school boards the option to raise eligibility for free meals from 185% to 200%, and if the local school board opts into the increase, it requires the Department of Education to reimburse schools for the increased food costs through a state and local cooperative agreement at 50% state expense, and 50% local expense for those who choose to raise eligibility, and provides for a state appropriation therefor.

SB 228-FN, relative to the limitations on community customer generators.

Ought to Pass, Vote 6-0.

Senator Watters for the committee.

A customer-generator may participate as a group member if it has not elected to become a group host. A customer-generator who is also a group member shall be eligible to offset total electric utility bill charges on an annual basis only after its on-site generation. Compensation under the net metering tariffs shall not exceed the total costs of the group members.

SB 243-FN, relative to the child care scholarship program.

Ought to Pass, Vote 6-0.

Senator Birdsell for the committee.

The Department of Health and Human Services may suspend the Child Care Scholarship Presumptive Eligibility Pilot Program, with notice to providers and prospective applicants, if an active waitlist is maintained. The department shall reinstate the pilot program if such a waitlist ends during the duration of the pilot program. On or before May 1, 2028, the department shall provide a detailed report of the pilot program to the Legislature. By November 1, 2026, the department shall evaluate information regarding challenges in the application process and develop a plan for the implementation of improvements to ensure child care scholarship applicants do not face unnecessary burdens in the eligibility determination process.

SB 292-FN-A, authorizing a warrant for the funding of state special education aid.

Ought to Pass, Vote 7-0.

Senator Lang for the committee.

This bill eliminates the proration provision for the determination of special education aid to school districts under RSA 186-C:18 and provides authority for the Department of Education to draw additional funds from the Education Trust Fund should appropriated amounts be insufficient to make full payments.

HEALTH AND HUMAN SERVICES

SB 247, prohibiting network exclusion for pharmacies that refuse to dispense a prescription of the PBM reimbursement that is below the pharmacy's acquisition cost.

Ought to Pass with Amendment, Vote 5-0.

Senator Rochefort for the committee.

As amended, this bill permits a pharmacy to decline to fill a prescription if reimbursement from the pharmacy benefits manager (PBM) is less than the pharmacy's acquisition cost. The bill also defines pharmacy services administrative organization (PSAO) for purposes of pharmacy and PBM contract requirements and makes the failure of a PSAO to comply with such requirements a violation of the Consumer Protection Act. A committee amendment has also been adopted to clarify concerns about this applying to Medicaid or Medicaid Care Management.

SB 248, establishing a committee to study palliative and hospice care in New Hampshire.

Ought to Pass, Vote 5-0.

Senator Birdsell for the committee.

This bill establishes a committee to study palliative and hospice care in New Hampshire. This will seek to assess potential measures to support residents receiving palliative and hospice care, allowing them to move forward in an easier manner.

SB 252, relative to criteria for providing certain medical care through telemedicine.

Ought to Pass with Amendment, Vote 5-0.

Senator Prentiss for the committee.

As amended, this bill modifies the requirements for the use of telemedicine to prescribe non-opioids and opioids classified in schedules II through IV, including authorizing physician assistants and advanced practice registered nurses to do so. This will help build access to health care for incarcerated individuals through telemedicine. A committee amendment has also been adopted to clarify that the issuing of prescriptions for spectacle lenses or contact lenses not be included, as an in-person examination is needed for such eye care.

SB 254, relative to controlled substance inventories.

Ought to Pass, Vote 5-0.

Senator Rochefort for the committee.

This bill removes the requirement that controlled substance inventories be done in the odd-numbered year. This is a technical change to existing statute that will bring New Hampshire law into alignment with federal law.

SB 257, establishing a committee to study state guidelines for Medicaid eligibility determinations.

Ought to Pass with Amendment, Vote 5-0.

Senator Long for the committee.

This bill establishes a committee to study state guidelines for Medicaid eligibility determinations. The intent of this committee is to further investigate alternative pathways to determine Medicaid eligibility. An amendment has been adopted to expand the duties of the committee and extend the reporting date by one year.

JUDICIARY

SB 264, relative to the therapeutic cannabis program.

Ought to Pass, Vote 3-0.

Senator Altschiller for the committee.

Senate Bill 264, a request of the New Hampshire Department of Health and Human Services, provides congruency between statutes relative to the Therapeutic Medical Cannabis Program, and its certified providers. SB 264 ensures that N.H DHHS may refer newly authorized providers to their proper oversight authority, while enacting certain prohibitions on said providers.

WAYS AND MEANS

SB 275, providing property tax relief for some child care agencies.

Inexpedient to Legislate, Vote 3-2.

Senator Lang for the committee.

This bill sought to exempt childcare centers from property taxes. The bill as drafted was overly broad and could result in tax exempt status for for-profit entities as well as individual homeowners. The bill would also extend school building aid to preschools. School building aid is a limited resource, and this bill would deplete available funding.

REGULAR CALENDAR REPORTS

EDUCATION

SB 96, relative to mandatory disclosure by school district employees to parents.

Ought to Pass, Vote 2-1.

Senator Ward for the committee.

SB 211, relative to biological sex in student athletics.

Ought to Pass, Vote 2-1.

Senator Ward for the committee.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 287, requiring applicants for absentee ballots to present a copy of their photo identification with their application.

Ought to Pass, Vote 3-2.

Senator Rochefort for the committee.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 303, directing the commissioner of the department of education to compile a report on the effects of the dissolution of the United States Department of Education on New Hampshire and its residents.

Inexpedient to Legislate, Vote 3-2.

Senator Pearl for the committee.

SB 304, directing the commissioner of the department of business and economic affairs to assemble a report on the effects of tariffs on Canada and New Hampshire residents.

Inexpedient to Legislate, Vote 3-2.

Senator Pearl for the committee.

FINANCE

SB 83-FN, establishing an elderly, disabled, blind, and deaf property tax exemption reimbursement fund, authorizing video lottery terminals, renaming the lottery commission, and creating a voluntary statewide self-exclusion database.

Ought to Pass with Amendment, Vote 5-1.

Senator Lang for the committee.

SB 125-FN, relative to clinical eligibility criteria for nursing facility and home and community based care.

Ought to Pass, Vote 6-0.

Senator Birdsell for the committee.

SB 127-FN-A, relative to public guardianship and the office of the public guardian and making appropriations to the department of health and human services.

Ought to Pass, Vote 6-0.

Senator Pearl for the committee.

SB 131-FN-A, relative to long-term care eligibility and making an appropriation therefor.

Ought to Pass, Vote 6-0.

Senator Birdsell for the committee.

SB 135-FN, relative to rate setting parity for Medicaid state plan case management services.

Ought to Pass, Vote 6-0.

Senator Birdsell for the committee.

SB 244-FN-A, relative to expanding access to primary health care services, increasing the size of the health care workforce, and making appropriations therefor.

Ought to Pass, Vote 6-0.

Senator Rosenwald for the committee.

SB 246-FN, providing maternal depression screening for new mothers; increasing access to health care services for new mothers; enabling new parents to attend infant pediatric medical appointments; and developing a plan for perinatal peer support certification.

Ought to Pass, Vote 7-0.

Senator Birdsell for the committee.

SB 249-FN, relative to the uncompensated care and Medicaid fund.

Ought to Pass, Vote 4-1.

Senator Birdsell for the committee.

SB 255-FN, establishing and developing crisis stabilization services.

Ought to Pass, Vote 7-0.

Senator Birdsell for the committee.

SB 277-FN, relative to the application of utility property taxes and statewide education property taxes to electric generating facilities.

Ought to Pass, Vote 7-0.

Senator Lang for the committee.

SB 279-FN, establishing the housing champion business loan program and making appropriations to the department of business and economic affairs and the business finance authority.

Ought to Pass, Vote 7-0.

Senator Rosenwald for the committee.

SB 295-FN, relative to education freedom accounts.

Ought to Pass, Vote 5-2.

Senator Lang for the committee.

SB 300-FN, criminalizing the creation of child intimate visual representations.

Ought to Pass, Vote 7-0.

Senator Lang for the committee.

HEALTH AND HUMAN SERVICES

SB 138, relative to record requests by health care providers.

Ought to Pass, Vote 5-0.

Senator Birdsell for the committee.

SB 288, establishing an advisory council on long-term care within the department of health and human services.

Ought to Pass, Vote 5-0.

Senator Birdsell for the committee.

JUDICIARY

SB 38-FN, relative to state recognition of biological sex.

Ought to Pass, Vote 3-2.

Senator Gannon for the committee.

SB 260, relative to access to abortion care.

Inexpedient to Legislate, Vote 3-2.

Senator Abbas for the committee.

SB 265, repealing the provision related to religious use of land and structures.

Inexpedient to Legislate, Vote 3-2.

Senator Abbas for the committee.

SB 268, permitting classification of individuals based on biological sex under certain limited circumstances.

Ought to Pass with Amendment, Vote 3-2.

Senator Gannon for the committee.

WAYS AND MEANS

SB 291, relative to the religious use of land property tax exemption.

Ought to Pass with Amendment, Vote 5-0.

Senator Sullivan for the committee.

AMENDMENTS

Senate Finance

March 18, 2025

2025-1102s

07/02

Amendment to SB 83-FN

Amend RSA 287-J:1, III as inserted by section 4 of the bill by replacing it with the following:

III. "Gross video lottery revenue" means the total of all sums actually received by a VLT licensee from operation of video lottery terminals, minus the total of all sums actually paid out as winnings to patrons, less any free play paid to patrons. The maximum amount of free play that any one licensee can deduct from gross video lottery revenue shall be 12.5 percent in any calendar year.

Amend RSA 287-J:6, I - II as inserted by section 4 of the bill by replacing it with the following:

I. Each VLT licensee shall collect a sum equal to 32.5 percent of gross video lottery revenue for distribution under paragraph II.

II.(a) Each licensee shall distribute 35 percent of the amount collected under paragraph I to charitable organizations with whom the licensee contracts on each licensed game date. Each VLT licensee must contract with 2 licensed charitable organizations for each game date.

(b) The remainder of the total amount collected by the licensee under paragraph I shall be paid to the commission and distributed as follows:

(1) 25 percent to the special fund established under RSA 284:21-j for use as provided in that section;

(2) 25 percent to the elderly-disabled-blind-deaf exemption reimbursement fund established under RSA 72:42-a; and

(3) 50 percent to the general fund.

Senate Finance
 March 18, 2025
 2025-1101s
 07/05

Amendment to SB 86-FN

Amend RSA 204-C:98 as inserted by section 1 of the bill by replacing it with the following:

204-C:98 Guarantee; Credit of State Pledged. The full faith and credit of this state is pledged to support and redeem certificates of guarantee issued by the authority. In furtherance of that pledge, the state treasurer shall advance to the authority, from available moneys in the treasury, such amounts as may be requested from time to time by the authority to enable it to perform all guaranteed obligations punctually and in accordance with their terms. The authority shall request such advances from time to time as required for such purpose. The treasurer shall report any such advances to the joint fiscal committee at its next meeting.

Senate Finance
 March 18, 2025
 2025-1100s
 07/08

Amendment to SB 87-FN

Amend RSA 178:22, V(w) as inserted by section 3 of the bill by replacing it with the following:

(w) The commission may issue a cocktail lounge license to a business currently licensed through the office of professional licensure and certification as a barber, hair salon, or spa to serve alcoholic beverages and liquor to customers who are receiving services from said establishment. The service of alcoholic beverages and liquor shall be limited to the scheduled appointment time of the patron receiving services.

(1) Notwithstanding the provisions of RSA 179:44, the license under this chapter will authorize the holder to serve alcoholic beverages and liquor for free or for a fee. The licensee shall keep records of the alcohol type, quantity, and patron served. Such records shall be retained by the licensed facility and shall be made available to the commission upon request.

(2) For the purposes of this subparagraph, persons under the age of 18 years shall be allowed in the cocktail lounge without a parent, legal guardian, or adult spouse.

(3) The fee for the cocktail lounge license under this section shall be \$480.

(4) Nothing in this section shall allow the commission to issue a license to a salon or barbershop located within a private residence.

Senate Executive Departments and Administration
 March 19, 2025
 2025-1128s
 07/07

Amendment to SB 189

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

1 Fetal Death Record; Reporting Required. RSA 5-C:74, I is repealed and reenacted to read as follows:

I. For every fetal death, as defined in RSA 5-C:1, XII, which occurs in the state of New Hampshire, a fetal death worksheet shall be prepared and a fetal death report filed within 5 days, pursuant to RSA 290:1-a and RSA 5-C:75.

(a) When a fetal death occurs in a New Hampshire facility that regularly prepares birth records, a fetal death report shall be filed electronically by the facility.

(b) When a fetal death occurs in a New Hampshire facility that does not prepare birth records, a paper fetal death worksheet shall be completed and forwarded to the division immediately by the person in charge of the hospital or institution where the fetal death occurred. The division shall file the fetal death report electronically.

(c) When a fetal death occurs in New Hampshire outside a hospital or institution, a paper fetal death worksheet shall be completed and forwarded to the division immediately by the physician, APRN, or physician assistant in attendance at or after delivery. The division will file the fetal death report electronically.

2 Death Report Forms. RSA 5-C:75 is repealed and reenacted to read as follows:

5-C:75 Reporting Fetal Deaths.

A completed fetal death report shall consist of the following:

I. Information regarding the fetus and delivery:

- (a) The name of the fetus, if the parents choose to provide a name.
- (b) If the parents do not choose to provide a name, the first name shall be listed as “baby girl,” “baby boy,” or “baby unknown.”
- (c) The name of the hospital or institution or the street and number of the location of delivery.
- (d) The place where delivery occurred: hospital, freestanding birth center, home delivery and whether a home delivery was planned, clinic/doctor’s office or other location.
- (e) The city, town, or location, county, and zip code, of delivery.
- (f) The date and time of delivery.
- (g) The sex of the fetus: male, female, or unknown.

II. Information regarding the mother including her:

- (a) Current full legal name.
- (b) Full name prior to first marriage or civil union.
- (c) Date of birth.
- (d) Birthplace.
- (e) Residence.

III. If available, information regarding the father/parent including:

- (a) Current full legal name.
- (b) Full name prior to first marriage or civil union.
- (c) Date of birth.
- (d) Birthplace.

IV. Method of disposition: burial, cremation, hospital disposition, donation, removal from state or other.

- (a) If a hospital disposition, the signature of the hospital administrator, or designee, and the date signed.
- (b) If not a hospital disposition, the name of the cemetery or crematory and location by city or town and state. The name and address of the funeral home, next of kin, or designated agent and the signature of the funeral director, next of kin, or designated agent, the license number of the funeral director, if applicable, and the date signed.

V. Attendant and registration information.

- (a) The delivery attendant’s name and title.
- (b) The name and title of the individual completing the report.
- (c) Date report completed.
- (d) Date report received by registrar, which will also be known as the date filed.

VI. Information regarding the fetal death, including:

- (a) The fetal or maternal condition directly causing death.
- (b) Any condition of which death was a consequence or to which it was due, either fetal or maternal.

(c) The conditions giving rise to the immediate cause of death.

(d) Any other significant conditions of fetus or mother contributing to fetal death but not related to immediate cause.

(e) The weight of the fetus, in grams.

(f) The clinical estimate of gestation, in weeks.

(g) Estimated time of fetal death: whether dead at time of first assessment, no labor ongoing; dead at time of first assessment, labor ongoing; died during labor, after first assessment; or unknown.

(h) Whether an autopsy was performed.

(i) Whether a histological placental examination was performed.

(j) Whether autopsy findings or histological placental examination results were considered in determining the cause of death.

VII. Statistical information regarding the mother and pregnancy including:

(a) Mother's demographic information including education, race and if she is of Hispanic origin.

(b) The number of live births of children now living and now dead.

(c) The date of the last live birth by month and year.

(d) The number of other pregnancy outcomes, spontaneous or induced, at any time after conception.

(e) The date of the last other pregnancy outcome by month and year.

(f) Whether the mother was married at the time of delivery, conception, or any time between.

(g) The mother's height in feet/inches.

(h) The mother's pre-pregnancy weight, in pounds.

(i) The mother's weight at delivery, in pounds.

(j) The date that the last normal menses began by month, day, and year.

(k) The date of first and last prenatal care visit.

(l) The total number of prenatal visits.

(m) Whether the fetus was single, twin, triplet or more.

(n) The birth order, if not a single birth.

(o) Whether mother obtained WIC food for herself during this pregnancy.

(p) Use of tobacco before and during pregnancy.

(q) If the mother was transferred for maternal medical or fetal indications for delivery. If transferred, the name of the facility transferred to.

VIII. Medical and health information regarding the pregnancy including:

(a) Medical risk factors for the pregnancy.

(b) Infections present and/or treated during the pregnancy.

(c) Method of delivery, including obstetrical procedures employed.

(d) Complications associated with labor or delivery.

(e) Any congenital anomalies.

3 Fetal Death Records; Certificate of Stillbirth. RSA 5-C:75-a is repealed and reenacted to read as follows:

5-C:75-a Certificate of Stillbirth. The director shall establish a certificate of stillbirth for a fetal death, as defined in RSA 5-C:1, XII, occurring in this state containing the following information: name of fetus as provided in RSA 5-C:75, I(a) or (b); full legal names of parents; full name of parents prior to first marriage or civil union; date of delivery; place of delivery; date record filed; state file number; date of issue and the seal and signature of the state registrar.

4 Paternity Affidavit Content. RSA 5-C:76 is repealed and reenacted to read as follows:

5-C:76 Fetal Death Paternity Affidavit.

The information and signature requirements for a fetal death paternity affidavit shall be as follows:

I. Information regarding the fetus and delivery:

- (a) The name of the fetus as it appears on the report of fetal death.
- (b) The date and place of delivery of the fetus.

II. Information regarding the father:

- (a) Current full legal name.
- (b) Full name prior to first marriage or civil union.
- (c) Residence address including street address, city or town, state and zip code.
- (d) Date of birth.
- (e) State of birth.

(f) Father's signature and date signed, unless the natural father is a minor in which case his parent or guardian's signature and date signed, shall be obtained.

III. Information regarding the mother:

- (a) Current full legal name.
- (b) Full name prior to first marriage or civil union.
- (c) Residence address including street address, city or town, state and zip code.
- (d) Date of birth.
- (e) State of birth.

(f) Mother's signature and date signed, unless the mother is a minor in which case her parent or guardian's signature and date signed, shall be obtained.

IV. Information regarding the mother's partner, when they agree that they are not a natural parent of the fetus:

- (a) Current full legal name.

(b) Partner's signature and date signed, unless the partner is a minor in which case their parent or guardian's signature and date signed, shall be obtained.

V. The signatures of the natural father, mother and if applicable, partner, shall be notarized.

5 Fetal Death Records; Paternity Affidavit Procedures. RSA 5-C:77 is repealed and reenacted to read as follows:

5-C:77 Procedures for Completion of the Fetal Death Paternity Affidavit.

In the case of an unwed mother, a fetal death paternity affidavit, as described in RSA 5-C:76, shall be required to add the father's name and information to the report of fetal death.

I. The hospital or institution's designated staff shall assist the parents in the preparation of the fetal death paternity affidavit.

II. When a report of fetal death is filed electronically by a New Hampshire facility and a fetal death paternity affidavit is executed, the father's information shall be entered electronically as part of the report of fetal death. The paper copy of the fetal death paternity affidavit shall be forwarded to the division.

III. When a report of fetal death is filed on paper, the fetal death affidavit shall be prepared and attached to the report of fetal death that is forwarded to the division. Upon receipt of the fetal death paternity affidavit, the information concerning the father shall be added by the division to the report of fetal death.

IV. The fetal death paternity affidavit form shall be retained by the division in accordance with the record retention schedule listed in RSA 5-C:96.

6 Burial Permit; Disposition of Remains. RSA 5-C:78 is repealed and reenacted to read as follows:

5-C:78 Burial Permit for Disposition of Fetal Remains. Other than hospital dispositions, disposition information for fetal deaths reported as directed in RSA 5-C:71, I(a) shall be filed electronically by a

licensed New Hampshire funeral director or town or city clerk. The burial permit for the disposition of fetal remains shall be generated electronically upon the completed filing of a report of fetal death and will consist of the following information:

I. Information about the fetus, including the name; sex, if known; date of delivery; city, town or location of delivery; county of delivery.

II. The manner of disposition; the date of disposition; the name of the cemetery or crematory; the name of the place where the cemetery or crematory is located.

III. Information about the funeral director, next of kin or designated agent including the name of the funeral home, complete address and the NH license number of the funeral director.

IV. If stored, the name of the storage vault; the date of storage; the location of the vault, by city or town and state; the signature of the cemetery sexton or person in charge of the storage vault or, if none, the funeral director; and the date that the body or cremains are released from the storage vault.

V. Upon disposition, the cemetery or crematory authority shall complete the following information: type of disposition; date of disposition; name and location of cemetery, crematory or vault; section and grave number; signature of the cemetery sexton or person in charge of the cemetery or crematory or, if none, the funeral director.

7 Fetal Death Records: Disposition Procedure. Amend RSA 5-C:79 to read as follows:

5-C:79 Procedures for the Disposition of Fetal Death Remains. Prior to disposition, the funeral director, next of kin, or designated agent, hospital administrator or his or her designated representative, or whomever assumes responsibility for the disposition shall request a written authorization from the parent regarding the manner of disposition such as burial, cremation, temporary entombment, donation, mausoleum, or other. When disposition takes place outside the hospital or institution, a burial permit shall be completed as described in RSA 5-C:78. In the case where fetal death remains are to be cremated other than in a hospital, authorization shall first be obtained from the medical examiner pursuant to RSA 611-B:11. The burial permit shall be submitted to the clerk of the town or city within 6 calendar days of the disposition ***and retained in accordance with the record retention schedule set forth in RSA 5-C:96.***

8 Effective Date. This act shall take effect 120 days after its passage.

Senate Finance
March 18, 2025
2025-1104s
07/02

Amendment to SB 204-FN-A

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

1 New Paragraphs; Food and Nutrition Programs. Amend RSA 189:11-a by inserting after paragraph VIII the following new paragraphs:

IX. Each school board may vote to raise eligibility for free meals to 200 percent of the federal poverty level. Meals served to students who meet the federal income eligibility guidelines shall continue to be reimbursed in accordance with federal law and regulations. Meals not reimbursed in accordance with federal law and regulations shall be reimbursed by the state of New Hampshire at a rate that covers 50 percent of the difference between the federal rate for a free meal and a reduced-price meal, or the difference between a free meal and a paid meal. The remainder of the costs shall be covered by the local district.

X.(a) The department of education shall adopt rules under RSA 541-A requiring school districts that opt into the optional program pursuant to paragraph IX to offer both online and physical applications for free school meals.

(b) The department of education shall provide administrative or technical assistance to school districts establishing an online application for free or reduced-price school meals, and whose school meal programs are approved to operate through the United States Department of Agriculture.

(c) School districts eligible for administrative or technical assistance or funding under this section shall be those approved to operate federal school meal programs through the United States Department of Agriculture and accepted by the department of education to participate in this expansion of free and reduced lunch benefits.

2 Appropriation; Department of Education; Food and Nutrition Program.

I. The amount of \$107,000 is appropriated to the department of education for the biennium ending June 30, 2026, for administrative costs related to providing administrative or technical assistance to school districts establishing an online application for free or reduced-price school meals. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. The amount of \$250,000 is appropriated to the department of education for the biennium ending June 30, 2026, for disbursement to school districts to be reimbursed at a 50 percent rate pursuant to RSA 189:11-a, X(a) and to purchase software related to the establishment of an online application for free or reduced-price school meals. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

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

2025-1104s

AMENDED ANALYSIS

This bill authorizes school boards to raise eligibility for free meals, requires the department of education to reimburse schools who raise eligibility, and provides an appropriation therefor.

Senate Election Law and Municipal Affairs

March 19, 2025

2025-1119s

08/05

Amendment to SB 222

Amend the bill by replacing all after section 7 with the following:

8 Certification; Nomination Papers. Amend RSA 655:41, I to read as follows:

I. Each nomination paper shall be submitted to the supervisors of the checklist of the town or ward in which the signer is domiciled or is registered, and a majority of the supervisors shall certify whether or not the signer is a registered voter in said town or ward. The supervisors of the checklist shall certify nomination papers under this section in a timely fashion, so that their certification shall be complete for each candidate, together with any objections to the nomination papers submitted, no later than 5:00 p.m. on the Wednesday [2] **12 weeks before the *state general election*** [primary]. Each nomination paper shall be submitted to the supervisors of the checklist no later than 5:00 p.m. on the Wednesday [5] **15 weeks before the [primary] *state general election***.

9 Filing Deadline; Nomination Papers. Amend RSA 655:43, I to read as follows:

I. [Nomination] **A candidate shall file the required number of certified nomination** papers [shall be filed] with the secretary of state no later than 5:00 p.m. on the Wednesday [one week before the primary] **11 weeks before the *state general election***. Nomination papers to be filed shall be grouped by municipality. No nomination papers shall be accepted by the secretary of state unless the candidate shall have met the age and domicile qualifications for the office he or she seeks at the time of the general election and meets all the other qualifications at the time of filing; and if a candidate for the office of governor, executive councilor, state senator, or state representative, unless the candidate shall file with the nomination papers an affidavit of qualifications as provided in RSA 655:28 and 655:29; and if a candidate for United States senator or United States representative, unless the candidate shall meet the qualifications for office under RSA 655:3 and 655:4.

10 Objections; Nomination Papers. Amend RSA 655:44 to read as follows:

655:44 Objections. Nomination papers made in accordance with the provisions of this chapter shall be regarded as valid and shall be received by the secretary of state unless objection thereto is made in writing no later than the Monday following the last day for the filing of such papers. **The secretary of state shall notify the ballot law commission as required in RSA 665:6, II.**

11 Session for Correction. Amend RSA 654:27 to read as follows:

654:27 Session for Correction. In cities and towns, the supervisors of the checklist shall be in session for the correction of the checklist at some suitable place in the city or town on a day designated by the supervisors which shall be 6 to 13 days prior to the election and upon which all hearings shall be finally

closed; provided that whenever more than one meeting is required within a 21-day period, the first required meeting may serve to fulfill the requirements of the remaining meetings. All sessions for the correction of the checklist shall be for no less than 30 minutes and at the discretion of the supervisors for additional hours. Notice of the day, hour, and place of each session of the board of supervisors shall be given upon the checklists first posted in 2 appropriate places one of which shall be the city or town's Internet website, if such exists, or shall be published in a newspaper of general circulation in the city or town at least 7 days prior to each such session. The reconvening of any session which has been adjourned shall not require the publication of notice. ***Notwithstanding other provisions of RSA 654:27, the required sessions of the supervisors of the checklist on the evening before the opening of a candidate filing period shall be held.***

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

Senate Health and Human Services
March 20, 2025
2025-1173s
05/09

Amendment to SB 247

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

1 Managed Care Law; Pharmacy and Pharmacist Contracting Standards. Amend RSA 420-J:8, XV to read as follows:

XV.(a) All contracts between a carrier or pharmacy benefit manager and a contracted pharmacy shall include:

(1) The sources used by the pharmacy benefit manager to calculate the drug product reimbursement paid for covered drugs available under the pharmacy health benefit plan administered by the carrier or pharmacy benefit manager.

(2) A process to appeal, investigate, and resolve disputes regarding the maximum allowable cost pricing. The process shall include the following provisions:

(A) A provision granting the contracted pharmacy or pharmacist at least 30 business days following the initial claim to file an appeal;

(B) A provision requiring the carrier or pharmacy benefit manager to investigate and resolve the appeal within 30 business days;

(C) A provision requiring that, if the appeal is denied, the carrier or pharmacy benefit manager shall:

(i) Provide the reason for the denial; and

(ii) Identify the national drug code of a drug product that may be purchased by contracted pharmacies at a price at or below the maximum allowable cost; and

(D) A provision requiring that, if an appeal is granted, the carrier or pharmacy benefits manager shall within 30 business days after granting the appeal:

(i) Make the change in the maximum allowable cost; and

(ii) Permit the challenging pharmacy or pharmacist to reverse and rebill the claim in question.

(b) For every drug for which the ***health carrier or*** pharmacy benefit manager establishes a maximum allowable cost to determine the drug product reimbursement, the ***health carrier or*** pharmacy benefit manager shall:

(1) Include in the contract with the pharmacy information identifying the national drug pricing compendia or sources used to obtain the drug price data.

(2) Make available to a contracted pharmacy the actual maximum allowable cost for each drug.

(3) Review and make necessary adjustments to the maximum allowable cost for every drug for which the price has changed at least every 14 days.

(c) [Repealed.]

(d) [Repealed.]

(e) A pharmacist or pharmacy in a network plan with a health carrier or pharmacy benefits manager may decline to provide a brand-name drug, multi-source generic drug, supply, or service if the reimbursement amount is less than the acquisition cost paid by the pharmacy or pharmacist. If a pharmacist or pharmacy declines to provide the prescription or service, the pharmacy or pharmacist shall advise the patient to contact the health carrier or pharmacy benefits manager using the contact information on the prescription drug card for information as to where the prescription for the drug, supply, or service may be filled.

(f) Nothing in this paragraph shall be construed to apply to Medicaid or Medicaid care management.

2 New Paragraph; Regulation of Business Practices for Consumer Protection; Pharmacy Services Administrative Organizations. Amend RSA 358-A:2 by inserting after paragraph XIX the following new paragraph:

XX. Failure of a pharmacy services administrative organization to adhere to the requirements of this paragraph.

(a) Pharmacy services administrative organizations shall provide the contracted pharmacy a copy of any contract with a pharmacy benefit manager, and amendments, payment schedules, or reimbursement rates, within 3 calendar days after the execution of a contract, or an amendment to a contract, signed on behalf of the independent pharmacy.

(b) Contracts between a pharmacy services administrative organization and a pharmacy shall not require that the pharmacy purchase any drugs and/or medical devices from a specific entity.

(c) In this paragraph, “pharmacy services administrative organization” means an entity operating within the state that contracts with one or more independent pharmacies to provide administrative services to pharmacies and negotiate and enter contracts with third-party payers or pharmacy benefit managers on behalf of pharmacies. A person or entity is a pharmacy services administrative organization under this section if it performs one or more of the following administrative services

on behalf of one or more pharmacies:

- (1) Assistance with claims.
- (2) Assistance with audits.
- (3) Assistance with access to pharmacy networks.
- (4) Assistance with interactions between the pharmacy and pharmacy benefits manager.
- (5) Centralized payment.
- (6) Certification in specialized care programs.
- (7) Compliance support.
- (8) Setting flat fees for generic drugs.
- (9) Assistance with store layout.
- (10) Marketing support.
- (11) Management and analysis of payment and drug dispensing data.
- (12) Provision of resources for retail cash cards.

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

2025-1173s

AMENDED ANALYSIS

This bill:

I. Permits a pharmacy to decline to fill a prescription if reimbursement from the pharmacy benefits manager is less than the pharmacy’s acquisition cost; and excludes Medicaid and Medicaid care management from this provision and other pharmacist contracting standards.

II. Defines pharmacy services administrative organization for purposes of pharmacy and PBM contract requirements; and makes the failure of a pharmacy services administrative organization to comply with such requirements a violation of the consumer protection act.

Senate Health and Human Services
 March 19, 2025
 2025-1139s
 09/08

Amendment to SB 252

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

1 Physicians and Surgeons; Telemedicine for Non-Opioid or Opioid Controlled Drugs in Schedule II Through IV. Amend RSA 329:1-d, III to read as follows:

III. A physician licensed under this chapter may prescribe non-opioid and opioid controlled drugs classified in schedule II through IV by means of telemedicine ~~[after establishing a physician-patient relationship with the patient]~~. When prescribing a non-opioid or opioid controlled drug classified in schedule II through IV by means of telemedicine a subsequent ~~[in-person exam]~~ **evaluation** shall be conducted by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and drug, but not less than annually. ~~[The prescription authority under this paragraph shall be limited to a physician licensed under this chapter, or a physician assistant in accordance with RSA 328-D:3-b, and]~~ All prescribing shall be in compliance with all federal and state laws and regulations.

2 Physician Assistants; Telemedicine for Non-Opioid or Opioid Controlled Drugs in Schedule II Through IV. Amend RSA 328-D:3-b, XIII to read as follows:

XIII. A physician assistant may prescribe, dispense, order, administer, and procure drugs and medical devices. Physician assistants may plan and initiate a therapeutic regimen that includes ordering and prescribing non pharmacological interventions, including but not limited to durable medical equipment, nutrition, blood and blood products, and diagnostic support services including but not limited to home healthcare, hospice, and physical and occupational therapy. ***A physician assistant licensed under this chapter may prescribe non-opioid and opioid controlled drugs classified in schedule II through IV by means of telemedicine. When prescribing a non-opioid or opioid controlled drug classified in schedule II through IV by means of telemedicine a subsequent evaluation shall be conducted by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and drug, but not less than annually. All prescribing shall be in compliance with all federal and state laws and regulations.***

3 New Paragraph; Advanced Practice Registered Nurses; Telemedicine for Non-Opioid or Opioid Controlled Drugs in Schedule II Through IV. Amend RSA 326-B:11 by inserting after paragraph III the following new paragraph:

III-a. An APRN licensed under this chapter may prescribe non-opioid and opioid controlled drugs classified in schedule II through IV by means of telemedicine. When prescribing a non-opioid or opioid controlled drug classified in schedule II through IV by means of telemedicine, a subsequent evaluation shall be conducted by a practitioner licensed to prescribe the drug at intervals appropriate for the patient, medical condition, and drug, but not less than annually. The prescription authority under this paragraph shall be limited to an APRN licensed under this chapter, and all prescribing shall be in compliance with all federal and state laws and regulations.

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

2025-1139s

AMENDED ANALYSIS

This bill modifies the requirements for the use of telemedicine to prescribe non-opioids and opioids classified in schedules II through IV, including authorizing physician assistants and advanced practice registered nurses to do so.

Senate Health and Human Services
 March 19, 2025
 2025-1127s
 07/07

Amendment to SB 257

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the possibility of changing Medicaid eligibility determinations in New Hampshire from SSI 209b to SSA 1634 as 39 other states currently do. The committee shall examine the alternative pathways for Medicaid eligibility determinations, identify the states that provide Medicaid coverage automatically as part of the SSI application process (known as 1634 states), and those states, like New Hampshire, that apply more restrictive eligibility criteria than the SSI criteria (known as 209(b) states). The committee shall also consider the purpose of the system of care for healthy aging outlined in RSA 151-E:22 and RSA 151-E:23. The committee shall solicit information from the department of health and human services and county nursing homes as part of the study.

Amend the bill by replacing section 5 with the following:

5 Report. 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, 2026.

Senate Judiciary
March 19, 2025
2025-1118s
05/09

Amendment to SB 268

Amend the bill by replacing section 2 with the following:

2 New Section; State Commission for Human Rights; Miscellaneous Provisions; State Recognition of Biological Sex. Amend RSA 354-A by inserting after section 25 the following new section:

354-A:25-a State Recognition of Biological Sex.

I. Nothing in RSA 5-C:87, RSA 260-263, RSA 354-A, or any other law or regulation shall mean that it is unlawful discrimination based on sex or gender identity for any person or organization, public or private, to classify based on biological sex with respect to the following matters:

(a) In the construction, maintenance, operation, and use of lavatory facilities or locker rooms designed for usage by multiple persons at the same time, even if such facilities have individual urinals, stalls, or similar apparatus.

(b) In athletic or sporting events or competitions in a sport or similar activity in which physical strength, speed, or endurance is generally recognized to give an advantage to biological males.

(c) In the operation, maintenance, and use of facilities designed for usage as prisons, houses of correction, juvenile detention or commitment centers, mental health hospitals or treatment centers and like facilities to which persons may be committed involuntarily.

II. "Biological sex" shall mean the male and female biological sexes. This section does not mean that any public or private entity is required by state statute to separate persons based upon biological sex.

2025-1118s

AMENDED ANALYSIS

This bill provides a definition for "biological sex" and provides that certain designations by biological sex do not constitute unlawful discrimination.

Senate Ways and Means
March 4, 2025
2025-0769s
06/08

Amendment to SB 291

Amend the bill by replacing section 1 with the following:

1 Property Taxes; Real Estate and Personal Property Tax Exemption. Amend RSA 72:23, III to read as follows:

III. Houses of public worship, parish houses, church parsonages occupied by their pastors **or by designated church employees**, convents, monasteries, buildings and the lands ~~[appertaining to them]~~ **on the same lot**

owned, used, and occupied directly for religious training, ***including residential programs, or housing used for other religious purposes by any regularly recognized and constituted denomination, creed or sect, organized, incorporated or legally doing business in this state and the personal property used by them for the purposes for which they are established. Housing used for religious purposes includes up to 6 residential housing units or congregate housing units to be used for residential purposes, or both, on land owned on or before January 1, 2025, or owned for a period of not less than 5 years by a regularly recognized and constituted denomination, creed, or sect, organized, incorporated, or legally doing business in this state and wholly owned by the religious organization. The term “units” as used in this paragraph shall have the same meaning as “rental units” as defined in RSA 540:1-a, III.***

Senate Executive Departments and Administration
March 19, 2025
2025-1147s
08/09

Amendment to SB 301

Amend RSA 17-T:1-2 as inserted by section 1 of the bill by replacing it with the following:

17-T:1 Committee Established. There is hereby established a committee to be known as the joint standing oversight committee. The committee shall consist of 2 members designated by the governor, 6 members of the senate appointed by the president in consultation with the minority leader, with no more than 3 members of any one party, and 6 members of the house of representatives appointed by the speaker in consultation with the minority leader, with no more than 3 members of any one party. The president of the senate and the speaker of the house may, at any time, appoint alternate senate and house members to replace regular members who are unable to appear at a committee meeting. The legislative members shall serve for the balance of their elected terms and the representatives of the governor shall serve for the balance of the term of the governor. The committee shall choose a chair, vice-chair and clerk from among its members. The members shall receive no compensation for their services, but the legislative members shall receive legislative mileage while on official business. Each member shall be reimbursed for his expenses incurred on official business.

17-T:2 Powers and Duties.

The committee shall conduct independent audits and investigations into the operations of state agencies. The committee may issue subpoenas, compel document production, and require agency officials to testify, ensuring comprehensive access to the information necessary for effective oversight. The committee shall conduct regular reviews, hold public hearings, and when necessary, engage experts to support specialized investigations. The president of the senate and the speaker of the house of representatives shall refer such matters as they see fit to the committee for investigation or hearing.

Amend the bill by replacing section 2 with the following:

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

Senate Election Law and Municipal Affairs
March 18, 2025
2025-1105s
08/02

Amendment to HB 110

Amend the bill by replacing section 1 with the following:

1 New Section; County Public Safety Revolving Funds. Amend RSA 23 by inserting after section 22 the following new section:

23:23 County Public Safety Revolving Funds.

I. A county may, by vote of the county convention, establish a county public safety revolving fund for the provision of public safety services by county employees outside of the ordinary detail of such persons, including but not limited to public safety services in connection with special events, highway construction, and other construction projects, or for any other public safety purpose deemed appropriate by the county sheriff.

II. If a county establishes a county public safety revolving fund for the purposes identified in paragraph I, it shall deposit into the fund all or any part of the revenues from fees, charges, or other income derived from

the activities or services supported by the fund to replenish the fund to the original appropriated amount. The county shall deposit any other revenues approved by the county convention into the revolving fund, provided that funds in excess of the original appropriated amount shall be deposited into the general fund. The money in the fund shall be allowed to accumulate from year to year. The county treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the county commissioners. Such funds shall be expended only for the purposes for which the fund was created.

III. The county convention may, at the time it establishes a county public safety revolving fund or at any time thereafter, place limitations on expenditures from the fund including, but not limited to, restrictions on the types of items or services that may be purchased from the fund. No amount may be expended from a revolving fund established hereunder for any item or service for which an appropriation has been specifically rejected by the county convention during the same year.

IV. The provisions of this section shall not preclude the establishment of a county public safety revolving fund for any other purpose authorized by law.

Senate Energy and Natural Resources
March 18, 2025
2025-1103s
11/08

Amendment to HB 127-FN

Amend the bill by replacing section 1 with the following:

1 New Section; Connecticut Lakes Headwaters Working Forest; OHRV Trails Closure Date. Amend RSA 215-A by inserting after section 215-A:3-b the following new section:

215-A:3-c Connecticut Lakes Headway Working Forest OHRV Trail Annual Closure Date.

Notwithstanding any conservation easement provisions or other contracts, laws, or rules to the contrary, all existing OHRV trails on the Connecticut Lakes headwaters working forest property shall remain open through the second Monday in October, which is Columbus Day.

HEARINGS

All Standing Committee hearings will be live streamed on the NH Senate's YouTube channel:

<https://www.youtube.com/NewHampshireSenatelivestream>

Links are also available on the Senate Meeting Schedule.



TUESDAY, MARCH 25, 2025

COMMERCE, Room 100, SH

Sen. Innis (C), Sen. Ricciardi (VC), Sen. Murphy, Sen. McGough, Sen. Fenton, Sen. Reardon

- | | |
|------------|---|
| 9:30 a.m. | HB 225-FN , relative to the employment of military spouses in the event of involuntary deployment of service member. |
| 9:45 a.m. | HB 150 , enabling homestead operations to use commercial kitchen equipment in preparing food for sale. |
| 10:00 a.m. | HB 279 , establishing a committee to study recipe and process approval for home-stead foods. |

- 10:15 a.m. **HB 304**, relative to labeling requirements for food produced in homestead kitchens.
 10:30 a.m. **HB 371**, relative to the definition of occasional food service establishment.
 10:45 a.m. **HB 577**, relative to modifying the definition of ADUs.
EXECUTIVE SESSION MAY FOLLOW

EDUCATION, Room 101, LOB

Sen. Ward (C), Sen. Sullivan (VC), Sen. Abbas, Sen. Prentiss, Sen. Altschiller

- 9:00 a.m. **HB 184**, establishing a committee to study changing school start times.
 9:15 a.m. **HB 193**, relative to the maximum number of credits per course eligible for the dual and concurrent enrollment program.
 9:30 a.m. **HB 222**, repealing the requirement for a memorandum of understanding between a chartered public school and school district regarding how students with disabilities will receive special education services.
 9:45 a.m. **HB 440**, relative to educator licensing.
EXECUTIVE SESSION MAY FOLLOW

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 103, LOB

Sen. Gray (C), Sen. Lang (VC), Sen. Rochefort, Sen. Perkins Kwoka, Sen. Long

- 9:15 a.m. **HB 86-FN-L**, increasing the cost of service for notice of civil forfeiture of unlicensed dogs to the rate for certified mail.
 9:30 a.m. **HB 92**, requiring recusal of members of zoning boards of adjustment and planning boards in certain circumstances.
 9:45 a.m. **HB 99**, relative to a waiver from property taxes for disabled veterans.
 10:00 a.m. **HB 261**, relative to election audits.
EXECUTIVE SESSION MAY FOLLOW

ENERGY AND NATURAL RESOURCES, Room 103, SH

Sen. Avard (C), Sen. Pearl (VC), Sen. McConkey, Sen. Watters, Sen. Rosenwald

- 9:00 a.m. **HB 87-FN**, prohibiting the posting of land not owned by the poster.
 9:20 a.m. **HB 211-FN**, relative to the use of air rifles for hunting game.
 9:40 a.m. **HB 508-FN**, relative to decreasing assessment rates for entities providing VoIP and IP-enabled services, as well as certain local exchange carriers and their affiliates.
 10:00 a.m. **HB 655-FN**, relative to fish and game violations and permits.
EXECUTIVE SESSION MAY FOLLOW

JUDICIARY, Room 100, SH

Sen. Gannon (C), Sen. Abbas (VC), Sen. Carson, Sen. Altschiller, Sen. Reardon

- 1:00 p.m. **HB 51**, relative to hemp-derived cannabinoids and the definition of cannabis in therapeutic cannabis.
 1:15 p.m. **HB 53**, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.
 1:30 p.m. **HB 196-FN**, relative to annulling certain cannabis possession offenses.
 1:45 p.m. **HB 75-FN**, legalizing cannabis for persons 21 years of age or older.
EXECUTIVE SESSION MAY FOLLOW

TRANSPORTATION, Room 101, LOB

Sen. Ricciardi (C), Sen. McConkey (VC), Sen. Ward, Sen. Fenton, Sen. Prentiss

- 1:00 p.m. **HB 105-FN**, creating a new conservation license plate and directing the additional fee to the cyanobacteria mitigation loan and grant fund.
 1:10 p.m. **HB 140-FN**, establishing a voluntary “blue envelope” program for drivers with autism spectrum disorders and trauma and stressor-related disorders.

1:20 p.m.	HB 259 , relative to increasing the number of handicap license plates and placards the department of motor vehicles may issue to individuals.
1:30 p.m.	HB 260-FN , creating a commemorative license plate celebrating the 250th anniversary of American Independence.
1:40 p.m.	HB 390-FN , relative to adding retired fire apparatus (fire trucks) to antique vehicle exemptions.
1:50 p.m.	HB 393-FN , prohibiting mooring of boats without a permit.
2:00 p.m.	HB 513 , allowing the department of transportation to execute a right-of-way use agreement, subject to Federal Highway Administration approval, for snowmobile operation along Interstate 89 in the town of Sutton, from NH Route 114, traveling south for one mile.
2:10 p.m.	HB 663 , allowing the division of historic resources to expend moose plate funds to administer and fund grants.
2:20 p.m.	HB 745 , naming a bridge in the city of Keene after Charles Redfern.
	EXECUTIVE SESSION MAY FOLLOW

WEDNESDAY, MARCH 26, 2025

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 103, SH

Sen. Pearl (C), Sen. McGough (VC), Sen. Gannon, Sen. Altschiller, Sen. Reardon

9:00 a.m.	HB 85-FN , relative to temporary licensure for student respiratory therapists.
9:15 a.m.	HB 134 , relative to the state building code.
9:30 a.m.	HB 144-FN , relative to the practice of dental hygiene.
9:45 a.m.	HB 64 , relative to extending hiring preferences for military members and their spouses to the state and private businesses, and establishing purchase preferences for disabled veterans and military spouses regarding state supply purchases.
10:00 a.m.	HB 55 , relative to the Selective Service Compliance Act.
10:15 a.m.	HB 236-FN , relative to the granting of retired status to certified public accountants.
	EXECUTIVE SESSION MAY FOLLOW

HEALTH AND HUMAN SERVICES, Room 100, SH

Sen. Rochefort (C), Sen. Avard (VC), Sen. Birdsell, Sen. Prentiss, Sen. Long

9:45 a.m.	HB 63 , relative to the use of nasal spray to treat anaphylaxis.
10:00 a.m.	HB 72 , extending the commission to study telehealth services.
10:15 a.m.	HB 73 , relative to harm reduction, substance misuse, and the governor's commission on alcohol and drug abuse prevention, treatment, and recovery.
10:30 a.m.	HB 126 , relative to prescriptions for certain controlled drugs.
10:45 a.m.	HB 370 , reestablishing the commission to study the delivery of behavioral crisis services to individuals with mental illness with an impairment primarily due to intellectual disability.
	EXECUTIVE SESSION MAY FOLLOW

MEETINGS

FRIDAY, MARCH 21, 2025

ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m.	Room 306-308, LOB	Regular Meeting
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OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10)

9:00 a.m.	Room 100, SH	Regular Meeting
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COMMISSION TO STUDY THE USE OF OHRVS IN NEW HAMPSHIRE (RSA 215-A:44-a)

10:00 a.m. Department of Natural & Cultural Resources Regular Meeting
 172 Pembroke Road
 Concord, NH
 Teams Meeting ID: 282 387 535 833
 Passcode: qAxqEj

FISCAL COMMITTEE (RSA 14:30-a)

11:00 a.m. Room 210-211, LOB Regular Meeting

NEW HAMPSHIRE-IRELAND TRADE COUNCIL (RSA 12-O:22-a)

1:30 p.m. Department of Business & Economic Affairs Regular Meeting
 Suite 100
 100 North Main Street
 Concord, NH

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a)

3:00 p.m. Regular Meeting
 Join Zoom Meeting
<https://us06web.zoom.us/j/86117818803?pwd=cWRXdlgwQnQvc2ZRbkNOBGhGc3M0dz09>
 Meeting ID: 861 1781 8803
 Passcode: 669915

MONDAY, MARCH 24, 2025**OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

9:00 a.m. Department of Environmental Services Regular Meeting
 Rooms 111-113
 29 Hazen Drive
 Concord, NH

NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2)

9:30 a.m. DHHS Brown Building Regular Meeting
 Auditorium
 129 Pleasant Street
 Concord, NH

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

1:00 p.m. Room 103, SH Regular Meeting

TUESDAY, MARCH 25, 2025**STATE HEALTH ASSESSMENT AND STATE HEALTH IMPROVEMENT PLAN ADVISORY COUNCIL (RSA 126-A:88)**

9:00 a.m. New Hampshire Hospital Association Regular Meeting
 Foundation for Healthy Communities
 Room 1
 125 Airport Road
 Concord, NH
<https://brandeis.zoom.us/j/91924404723?pwd=iGGIYA5u57zTlaudZ0RDbb1ZkoAQm6.1>
 Meeting ID: 919 2440 4723
 Password: 039529
 Dial-in number: 1-646-558-8656

FRIDAY, MARCH 28, 2025

PUBLIC SCHOOL INFRASTRUCTURE COMMISSION (RSA 198:15-z)

9:00 a.m.	Department of Education Room 302 25 Hall Street Concord, NH	Regular Meeting
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SENATE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:5)

9:00 a.m.	Room 100, SH	Regular Meeting
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JOINT COMMITTEE ON LEGISLATIVE FACILITIES (RSA 17-E:1)

9:15 a.m.	Room 100, SH	Regular Meeting
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SOLID WASTE WORKING GROUP (RSA 149-M:61)

9:30 a.m.	NHDES Room 208 C 29 Hazen Drive Concord, NH Remote attendance option: https://attendee.gotowebinar.com/register/3435858814888164108	Regular Meeting
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HOUSE LEGISLATIVE FACILITIES SUBCOMMITTEE (RSA 17-E:5)

9:45 a.m.	Room 100, SH	Regular Meeting
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HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

1:00 p.m.	Room 205-207, LOB	Regular Meeting
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TUESDAY, APRIL 1, 2025

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2)

5:00 p.m.	Edward Cross Training Center Facility 722 Riverwood Drive Pembroke, NH	Regular Meeting
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FRIDAY, APRIL 4, 2025

JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)

10:00 a.m.	Room 212, LOB	Regular Meeting
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MONDAY, APRIL 7, 2025

COMMISSION TO STUDY REVENUE ALTERNATIVES TO THE ROAD TOLL, ROAD TOLL REGISTRATION CHARGES, AND REVENUE ALTERNATIVES TO VEHICLE REGISTRATION FEES, INCLUDING ELECTRIC VEHICLE REGISTRATION FEES, TO FUND IMPROVEMENTS TO THE STATE'S HIGHWAYS AND BRIDGES AND THEIR RESULTING IMPROVEMENTS TO THE ENVIRONMENT (RSA 21-J:49)

11:00 a.m.	Room 201, LOB	Regular Meeting
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FRIDAY, APRIL 11, 2025

COMMISSION TO STUDY THE INCIDENCE OF POST-TRAUMATIC STRESS DISORDER IN FIRST RESPONDERS (RSA 281-A:17-e)

10:00 a.m.	NH Fire Academy Classroom 1 98 Smokey Bear Blvd. Concord, NH	Regular Meeting
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MONDAY, APRIL 14, 2025

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

9:00 a.m. 25 Hall Street Regular Meeting
Concord, NH

CAPITAL PROJECT OVERVIEW COMMITTEE (RSA 17-J:2)

9:00 a.m. Room 201, LOB Regular Meeting
The You Tube link to view the meeting livestream is:
<https://youtube.com/live/eK4irWRtIRY?feature=share>

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)

9:30 a.m. Room 201, LOB Regular Meeting
The You Tube link to view the meeting livestream is:
<https://youtube.com/live/yNR3qmqzDZqs?feature=share>

MONDAY, APRIL 21, 2025

STATE COMMISSION ON AGING (RSA 19-P:1)

10:00 a.m. NH Hospital Association Regular Meeting
125 Airport Road
Concord, NH
In addition to the physical location, access is also available need be remotely via Zoom:
<https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVucDBYYW9SZThLUT09>

MONDAY, MAY 5, 2025

JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)

10:00 a.m. Room 100, SH Regular Meeting

TUESDAY, MAY 6, 2025

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2)

5:00 p.m. Edward Cross Training Center Facility Regular Meeting
722 Riverwood Drive
Pembroke, NH

FRIDAY, MAY 9, 2025

STATEWIDE INTEROPERABILITY EXECUTIVE COMMITTEE (SIEC) (RSA 21-P:48, IV)

9:00 a.m. Marine Patrol Bureau Regular Meeting
31 Dock Road
Gilford, NH

FRIDAY, MAY 16, 2025

COMMISSION TO STUDY THE USE OF OHRVS IN NEW HAMPSHIRE (RSA 215-A:44-a)

10:00 a.m. Department of Natural & Cultural Resources Regular Meeting
172 Pembroke Road
Concord, NH
Meeting ID: 266 271 833 395
Passcode: rA3Ae7wM

COMMISSION TO STUDY ENVIRONMENTALLY-TRIGGERED CHRONIC ILLNESS (RSA 126-A:73-a)

3:00 p.m.

Regular Meeting

Join Zoom Meeting

<https://us06web.zoom.us/j/86117818803?pwd=cWRXdIgwQnQvc2ZRbkNOBhGhGc3M0dz09>

Meeting ID: 861 1781 8803

Passcode: 669915

MONDAY, MAY 19, 2025**STATE COMMISSION ON AGING (RSA 19-P:1)**

10:00 a.m.

NH Hospital Association
125 Airport Road
Concord, NH

Regular Meeting

In addition to the physical location, access is also available need be remotely via Zoom:

<https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVudDBYYW9SZThLUT09>

TUESDAY, MAY 20, 2025**STATE HEALTH ASSESSMENT AND STATE HEALTH IMPROVEMENT PLAN ADVISORY COUNCIL (RSA 126-A:88)**

9:00 a.m.

New Hampshire Hospital Association
Foundation for Healthy Communities
Room 1
125 Airport Road
Concord, NH

Regular Meeting

<https://brandeis.zoom.us/j/91924404723?pwd=iGGIYA5u57zTlaudZ0RDbb1ZkoAQm6.1>

Meeting ID: 919 2440 4723

Password: 039529

Dial-in number: 1-646-558-8656

MONDAY, JUNE 2, 2025**NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)**

2:00 p.m.

Department of Agriculture, Markets, & Food
Granite Place South
Concord, NH

Regular Meeting

MONDAY, JUNE 23, 2025**STATE COMMISSION ON AGING (RSA 19-P:1)**

10:00 a.m.

NH Hospital Association
125 Airport Road
Concord, NH

Regular Meeting

Zoom:

<https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVudDBYYW9SZThLUT09>

MONDAY, JULY 21, 2025

STATE COMMISSION ON AGING (RSA 19-P:1)

10:00 a.m.

NH Hospital Association

Regular Meeting

125 Airport Road

Concord, NH

Zoom:

<https://us02web.zoom.us/j/87430173115?pwd=bUFR3I5emt3NGVucDBYYW9SZThLUT09>

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FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2025 BILLS:

SENATE BILLS: 13, 14, 15, 27 31, 58, 60, 65, 71, 73, 74, 75, 77, 79, 80, 83, 86, 87, 92, 93, 99, 100, 106, 107, 108, 110, 111, 112, 116, 120, 121, 122, 123, 124, 125, 127, 128, 130, 133, 134, 137, 139, 140, 142, 144, 147, 148, 152, 157, 160, 162, 164, 168, 179, 180, 181, 185, 188, 191, 193, 201, 204, 205, 208, 213, 225, 226, 227, 228, 229, 230, 233, 238, 239, 243, 244, 245, 246, 249, 253, 258, 261, 267, 274, 276, 277, 286, 297, 302

HOUSE BILLS: 62, 66, 77, 85, 111, 112, 140, 153, 179, 196, 211, 215, 225, 240, 284, 291, 309, 327, 328, 340, 369, 393, 421, 468, 494, 506, 511, 517, 524, 621, 624, 639, 650, 716, 720, 727, 728, 763, 778

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ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2025 BILLS:

HOUSE BILLS: 399

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NOTICES

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee, at its meeting on March 10, 2025, voted to formally issue the following interpretive rulings, which are printed below in their entirety.

INTERPRETIVE RULING 2025-1

Application of Recent Changes to RSA 14-C as a Result of HB 1388 (2024) (March 10, 2025)

The Legislative Ethics Committee has received a request for an interpretive ruling from the Clerk of the New Hampshire House of Representatives. He asserts that members of the General Court have raised numerous questions regarding their responsibilities under the recusal provisions in the newly enacted HB 1388.

More specifically, he asks that the Committee address the following questions:

1. When and under what circumstances is a member required to recuse themselves from consideration of a piece of legislation? If a recusal is required, please describe the steps a member should take depending on the setting, i.e. floor session, committee meeting.
2. If recusal is not required, under what circumstances is it sufficient to file a conflict of interest?
3. If neither recusal nor a filing of a conflict of interest is necessary, when is verbal disclosure appropriate?

In response, the Committee issues the following interpretive rulings:

1. Prior to the enactment of HB 1388, there was no statutory authority or written provision in the Ethics Guidelines requiring recusal in legislative matters. For the most part, when a conflict of interest existed, upon filing a Declaration of Intent form, recusal was contemplated as an option, but it was exercised at the discretion of the legislator. This was consistent with one of the primary objectives of the Ethics Guidelines, which is public disclosure.

One exception was identified in prior rulings of the Committee. It found that recusal was required in circumstances where a legislator, or a member of the legislator's household, is being compensated by an organization, holds a position in which they are able to exercise substantial influence over the affairs of the organization, and the organization is attempting to influence the outcome of the legislative activity. This exception was incorporated in HB 1388 and was enacted as RSA 14-C:4-a, II. For guidance on its application, see *Informal Resolution 2013-5*, *Informal Resolution 2019-2*, *Advisory Opinion 2018-1*, and *Advisory Opinion 2023-3*, available on the Committee's website.

The major change brought about by HB 1388 is the required recusal found in RSA 14-C:4-a, I. This is a requirement for recusal when a legislator has a conflict of interest as defined in RSA 14-B:1, I, and the legislator or a member of the legislator's household could "be expected to incur a direct and substantial financial benefit or detriment as an outcome of the legislative activity." The terms "direct and substantial" have yet to be defined in the context of this legislation and the Ethics Guidelines as a whole. The Committee has previously indicated its intent to create an understanding of how the definitions would be applied as factual cases are brought before the Committee. That is why it previously issued an Advisory Opinion in which it advised legislators that, until the statute is better understood, they would not be subject to the imposition of sanctions provided the legislator was acting in good faith.

However, the Committee understands that there has been confusion regarding the implementation of the recusal requirement, resulting in many questions and inconsistent behavior. Therefore, some general guidance might be beneficial pending a more in-depth application of the law. This is particularly true, as guidance previously issued by the Committee may be obsolete or, worse yet, conflict with the new recusal law.

For example, previously, the Committee advised that it was sufficient to disclose a conflict when a legislator held title to property subject to current use taxation. Under the new law, if a bill would change the formula for taxation, increasing or decreasing the amount of taxes to be paid, it may be expected to have a "direct and substantial" financial impact on the legislator, making recusal mandatory. At the same time, not all current use bills would necessarily require recusal. For example, a change in property classifications, type of vegetation, or method for filing current use liens would probably not have a direct or substantial financial impact. Recusal might not be required in those circumstances, although the legislator would still have a duty to disclose.

Many legislators are members of the New Hampshire Retirement System. It is the Committee's understanding that in the past, legislators have been inconsistent in the matter of disclosure. Many have filed Declaration of Intent forms, with some electing to participate and some opting for recusal. In some cases, legislators have filed no Declaration of Intent form but may have simply made disclosure on the Financial Disclosure Form filed at the beginning of the session. Under the new law, if a bill is introduced that changes the retirement benefit or member contribution rate, it is expected to have a direct and substantial financial impact on the legislator or a member of the legislator's household, and recusal would be required. Again, just because someone belongs to the Retirement System, does not require recusal in all cases, only if there is expected to be a direct and substantial benefit. If a bill was dealing with the structure of the Retirement System, its investment strategy, its operating procedures or its staffing, it would be unlikely that recusal would be required, although disclosure would still be appropriate.

Recusal is required when a legislator recognizes that a legislative activity could reasonably be expected to have a direct and substantial financial impact upon them or a member of their household. That could be at a committee meeting or at any time in the legislative process. At that point, the legislator should refrain from any further legislative involvement on the legislative activity and file a Declaration of Intent form with the Clerk of their respective body, noting their recusal. They should refrain

from participation in any further legislative involvement with that legislative activity. Because of the way bills are heard, the Committee recognizes that legislators may not recognize conflicts before they appear at the floor session. A Declaration of Intent form with recusal should be filed immediately upon discovery of the conflict.

It should be noted that recusal is not required from participation in any official legislative activity relating to the state budget or general revenue bills.

2. When recusal is not required, conflicts which are not “direct and substantial” may still exist. In such circumstances, the emphasis remains on public disclosure. There are three forms that are used for disclosing conflicts. These are the Financial Disclosure Form, the General Disclosure of Non-Financial Personal Interests Form and the Declaration of Intent Form. There is also the requirement to make a verbal disclosure.

FINANCIAL DISCLOSURE FORM

Every legislator has a duty to complete a Financial Disclosure Form at the beginning of their term. At that point they are to disclose any business, profession, occupation, group or matter in which they or a household member may have a financial interest. If a legislator discloses having a financial interest on the form, the legislator is required to make a verbal disclosure of that financial interest in certain situations. The legislator could also be required to file a Declaration of Intent Form as provided below.

GENERAL DISCLOSURE OF NON-FINANCIAL PERSONAL INTERESTS FORM

When a legislator or a legislator’s household member has a non-financial personal interest in the outcome of a matter that is the subject of official activity, which is distinct from and greater than the interests of the public at large, the legislator has a duty to complete a Declaration of Intent form if the legislator has not made that disclosure on the General Disclosure of Non-Financial Personal Interests Form. This may occur in circumstances when a legislator is an uncompensated member of a board, officer or agent of a non-profit organization. If a legislator discloses having a non-financial personal interest on the form, the legislator is required to make a verbal disclosure of that non-financial personal interest in certain situations.

DECLARATION OF INTENT

When a legislator has a financial interest that could reasonably be expected to produce greater benefit or detriment to the legislator or the legislator’s household member than would accrue to any other member of a business, profession, occupation, or other group the legislator listed in the financial disclosure form, the legislator has a duty to complete a Declaration of Intent form. On the form, the legislator must declare his or her decision to either participate in or not participate in the particular official activity described on the form. If a legislator elects to declare an intention to participate in the activity, the legislator is required to detail the nature of the conflict of interest on the form.

The requirement for filing a Declaration of Intent is triggered immediately when a legislator becomes aware that a conflict of interest exists or may exist with respect to any official activity the legislator is about to undertake. An “official activity” is defined as any activity which relates to official responsibilities, including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.

For purposes of introducing a bill, the declaration must be made prior to signing off as a sponsor or co-sponsor of a particular piece of legislation. The Declaration of Intent form must be filed with the clerk of the member’s respective body prior to the time of the official action.

If there is any question in the legislator’s mind as to whether a Declaration of Intent would be required, the better practice would be to file one.

3. Verbal disclosure is required when a legislator becomes aware of having a financial interest or a non-financial personal interest in the outcome of a matter. It is to be made prior to engaging in verbal advocacy at any meeting of the general court or county delegation. “Verbal advocacy” means an attempt by a legislator to influence his or her colleagues on a matter that is the subject of official activity in a meeting of the general court or county delegation through public verbal communication. Verbal advocacy does not include casting a vote in executive session of a committee or in a full session of the House or Senate. The verbal disclosure shall consist of a short statement that identifies the financial interest or non-financial personal interest.

Verbal disclosures must be made in the following circumstances and manner:

- (a) When **testifying** before a legislative committee regarding a bill or other matter in which the legislator has a special interest, the legislator shall make the disclosure prior to testifying.
- (b) When **appointed to a subcommittee** working on a bill in which the legislator has a special interest, the disclosure shall be made upon appointment to the subcommittee and at the initial subcommittee work session.
- (c) When **serving as a member of a committee** considering a bill in which the legislator has a special interest, the disclosure shall be made prior to engaging in verbal advocacy.
- (d) When **addressing the full House or Senate** on a bill in which the legislator has a special interest, the disclosure shall be made prior to engaging in verbal advocacy. **If the legislator does not speak on the bill, the legislator is not required to make a verbal disclosure.**
- (e) When **appointed as a member of a Committee of Conference** on a bill in which the legislator has a special interest, the disclosure shall be made at the initial meeting of the Committee of Conference.
- (f) When **serving as a member of a county delegation** considering a matter in which the legislator has a special interest, the disclosure shall be made to all participants prior to engaging in verbal advocacy.

The Committee recognizes that the application of any law or guideline to individual circumstances may pose questions not easily addressed in an interpretive ruling, which is general in nature. Legislators are encouraged to bring questions about their specific circumstances to the Ethics Committee by requesting an advisory opinion or interpretive ruling.

For the Committee,
Edward M. Gordon
Chairman

[Vote: 7-0]

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Legislative Ethics Committee
INTERPRETIVE RULING 2025-2
Voting on the Consent Calendar
(March 10, 2025)

Senate Legal Counsel Richard J. Lehmann asked for guidance regarding the effect of the new recusal law (2025 HB 1388) when a conflict exists with a bill included on the Consent Calendar. Specifically, he asked if a member determines that they are required to recuse themselves from voting on a bill listed on the Consent Calendar, but wants to vote on all the other bills, does the bill have to be removed from the Consent Calendar and voted on separately.

While the current statutes provide an exception for the budget and general revenue bills, no exception is made for consent calendars. While it may not have been clear in the past, absent an exception, a strict application of the new recusal law would preclude a member from voting on the Consent Calendar if it contains a bill for which the member is required to recuse. The Committee recognizes that currently the Senate and the House have different requirements in their procedural rules for removing a bill from the Consent Calendar. In the Senate, a single member may request the removal, whereas in the House 10 members are required to make the request. In either case, if the bill is removed from the Consent Calendar, the member may file a Declaration of Intent, recuse from voting on the bill, and then vote on the balance of the calendar. But if the bill is not removed from the Consent Calendar, the member is required to file a Declaration of Intent and recuse from voting on the entire Consent Calendar.

For the Committee,
Edward M. Gordon
Chairman

[Vote: 7-0]

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THURSDAY, MARCH 27, 2025

Legislators are invited to join the University System of New Hampshire for a Legislative Lunch on Thursday, March 27 from 11:30 a.m. - 1:30 p.m. at St. Paul's Church, Concord, NH. We invite you to meet our college and university presidents and learn more about our efforts to attract, equip, and retain a highly skilled NH workforce. Lunch will be provided.

Senator Daniel Innis
 Senator Rebecca Perkins Kwoka, Senate Minority Leader

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WEDNESDAY, APRIL 2, 2025

Lawmakers and State House staff are invited to try acupuncture from New Hampshire Licensed Acupuncturists and Certified Acupuncture Detoxification Specialists with the People's Organization of Community Acupuncture (POCA) and the New Hampshire Acupuncture and Asian Medicine Association (NHAAMA) on April 2nd from 10:00 to 4:00 in Room 104 of the Legislative Office Building. Refreshments will be provided.

Senator Pat Long

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WEDNESDAY, APRIL 2, 2025

Please join the Community College System of New Hampshire for a meet and greet in the State House cafeteria Wednesday, April 2 from 11-1. Legislators and staff are invited to join college and system leaders and discuss issues of importance to your region and the state. Refreshments, prepared by culinary students from Lakes Region Community College and White Mountains Community College, will be proudly served by students and faculty. The committee that leaves us the most business cards will win a delicious cake made by the colleges' culinary students.

Senator Ruth Ward
 Senator David Watters

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THURSDAY, APRIL 10, 2025

Legislators & staff are cordially invited to the annual Walmart lunch and health screening in the State House cafeteria on Thursday, April 10th starting at 11:30 a.m.

Senator Timothy Lang

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THURSDAY, APRIL 10, 2025

All legislators and staff are cordially invited to join the New Hampshire Automobile Dealers Association (NHADA) for our annual Legislative Crossover Reception on Thursday, April 10, 2025 at 3:30 p.m. (or following the end of the session day) at the Hotel Concord, 11 South Main Street, New Hampshire Room, (third floor), Concord. NHADA has historically hosted this event which offers legislators a wonderful opportunity to unwind and enjoy the company of fellow legislators and staff in a fun, social gathering.

Senator Regina Birdsell

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TUESDAY, APRIL 22, 2025

The Senate is cordially invited to join behavioral health crisis stakeholders to “Coffee for the Crisis Line” on Tuesday, April 22 from 7:30 AM to 10:00 AM in the State House Cafeteria. Please drop by for fresh coffee and donuts and learn about the crisis system and sustainable funding for the 988 call centers.

Senator Kevin Avard

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SENATE SCHEDULE

Thursday, March 27, 2025	CROSSOVER – Deadline to ACT on all Senate bills.
Thursday, May 15, 2025	Deadline for Policy Committees to ACT on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
Monday, May 26, 2025	Memorial Day (State Holiday)
Thursday, June 05, 2025	Deadline to ACT on all House bills.
Thursday, June 12, 2025	Deadline to FORM Committees of Conference.
Thursday, June 19, 2025	Deadline to SIGN Committee of Conference Reports.
Thursday, June 26, 2025	Deadline to ACT on Committee of Conference Reports.
Friday, July 04, 2025	Independence Day (State Holiday)
Monday, September 01, 2025	Labor Day (State Holiday)
Tuesday, November 11, 2025	Veterans’ Day (State Holiday)
Thursday, November 27, 2025	Thanksgiving Day (State Holiday)
Friday, November 28, 2025	Day after Thanksgiving (State Holiday)
Thursday, December 25, 2025	Christmas Day (State Holiday)