

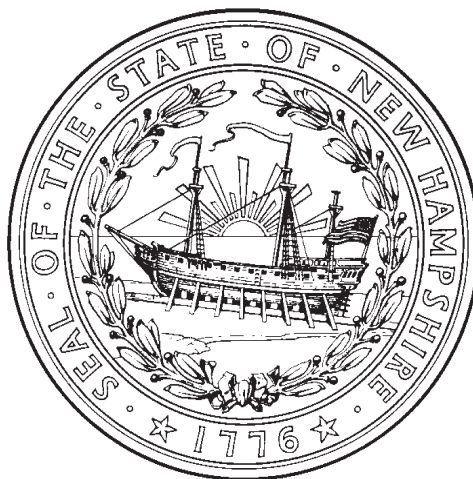
Important Notice

Due to the COVID-19 pandemic, the General Court is conducting legislative activities remotely with the exception of publicly noticed sessions in the House or Senate Calendar. During this time, the State House and Legislative Office Building remain closed to visitors.

**June 19, 2020
No. 24A**

STATE OF NEW HAMPSHIRE

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



**Second Year of the 166th Session of the
New Hampshire General Court**

SENATE CALENDAR ADDENDUM

Due to the COVID-19 pandemic, the General Court is conducting legislative activities remotely with the exception of publicly noticed sessions in the House or Senate Calendar. During this time, the State House and Legislative Office Building remain closed to visitors.

**THE SENATE WILL MEET IN SESSION ON MONDAY,
JUNE 29, 2020 AT 1:00 P.M. IN REPRESENTATIVES' HALL**

The Senate Session on Monday, June 29, 2020, in Representatives' Hall will be live streamed at the following link:

<http://sg001-harmony.sliq.net/00286/Harmony/en/View/Calendar/20200629/-1>

Please note, this link will not be live until the Senate Session on Monday, June 29, 2020 at 1:00 p.m.

REMOTE HEARINGS

THURSDAY, JUNE 25, 2020

ELECTION LAW AND MUNICIPAL AFFAIRS

Sen. Levesque (C), Sen. Sherman (VC), Sen. Morgan, Sen. Birdsell, Sen. Gray

1:00 p.m.	HB 1230 , relative to credit for reinsurance.
1:05 p.m.	Hearing on proposed Amendment #1559s, to HB 1230 , relative to credit for reinsurance.
1:35 p.m.	HB 1665-FN-A , establishing an independent advisory commission on redistricting.
2:05 p.m.	HB 1266 , relative to absentee ballot request forms.
2:10 p.m.	Hearing on proposed Amendment #1562s, to HB 1266 , relative to absentee ballot request forms.
2:40 p.m.	HB 1520 , establishing the New Hampshire health policy commission.
2:45 p.m.	Hearing on proposed Amendment #1564s, to HB 1520 , establishing the New Hampshire health policy commission.

EXECUTIVE SESSION MAY FOLLOW

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To sign-in and/or speak in support or opposition, please register in advance by using this link:
https://www.zoom.us/webinar/register/WN_PTTnQnIkQP-k8rHDlcyGiw
2. To submit your testimony to the committee, please send all documents via email to remotesenate@leg.state.nh.us
3. To listen via telephone: Dial (for higher quality, dial a number based on your current location):
1-301-715-8592, or 1-312-626-6799, or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
4. Or iPhone one-tap: 13126266799,,91777487582# or 19292056099,,91777487582#
5. Webinar ID: [917 7748 7582](#)
6. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-3043).

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AMENDMENTS

Sen. Rosenwald, Dist 13
Sen. Levesque, Dist 12
Sen. Birdsell, Dist 19
June 19, 2020
2020-1559s
01/05

Amendment to HB 1230

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

AN ACT making an appropriation for the purpose of funding substance use disorder services in Nashua.

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

1 Appropriation; Department of Health and Human Services; Substance Use Disorder Services. Amend 2019, 346:352 to read as follows:

346:352 Appropriation; Department of Health and Human Services; Safe Stations; ***Substance Use Disorder Services***. The sum of \$375,000 for the fiscal year ending June 30, 2020 and the sum of \$375,000 for the fiscal year ending June 30, 2021 [is] ***are*** hereby appropriated to the department of health and human services for the purpose of funding existing Safe Stations located in Manchester and ***funding substance use disorder services in*** Nashua. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. ***Said funds shall not lapse until June 30, 2021.***

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

2020-1559s

AMENDED ANALYSIS

This bill makes an appropriation to the department of health and human services for the purpose of funding substance use disorder services in Nashua.

Sen. Sherman, Dist 24
June 19, 2020
2020-1562s
11/04

Amendment to HB 1266

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

AN ACT making temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

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

1 Procedure for Absentee Voting; Dropbox. Notwithstanding any law to the contrary, an application for an absentee ballot may be transmitted by mail, in person, by electronic mail, by facsimile, or by secure drop box to a town or city clerk, provided that such drop boxes are secure, publicly observable, and physically monitored by the clerk or by a member of the clerk's staff, including on the day of the election. Absentee ballots may also be submitted via such drop boxes. The clerks should also keep a log of who is depositing applications for absentee ballots and absentee ballots in such a drop box.

2 Absentee Registration and Voting; Covid-19.

I. Notwithstanding any law to the contrary, any person who is domiciled in any town or city in this state and is qualified to vote therein at the next subsequent election to be held in said town or city except for the

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fact that his or her name does not appear on the checklist to be used at the election, and who is temporarily absent therefrom or who by reason of concern for the novel coronavirus (Covid-19) disease is unable to attend a meeting of the supervisors of the checklist, may cause his or her name to be added to such checklist by applying to the city or town clerk or the secretary of state for a voter registration form provided for in RSA 654:7 and an appropriate absentee registration affidavit provided for in RSA 654:17.

II. Notwithstanding any law to the contrary, any person who cannot appear in public on an election day or who is unable to vote in person in the city, town, or unincorporated place in which he or she is registered because of concerns relating to the novel coronavirus (Covid-19) may vote at such an election as provided in RSA 657 and this act.

III. Notwithstanding any law of the contrary, any voter, after appearing at the polling place location prior to the closing of the polls to vote in person, who declares to the moderator under oath that said voter is unable to access a polling place due to concerns about the novel coronavirus (Covid-19) disease shall, upon the voter's request, have the required documents delivered to the voter outside the guardrail by the town or ward clerk or one of his or her assistants. The absentee ballot delivered by the town or ward clerk shall be processed using the same procedures as any other absentee ballot except the cutoff time listed in RSA 657:22 shall not apply.

3 Absentee Voting; Application; Forms. To increase accessibility, usage, and confidence of absentee ballots and to minimize errors that overburden clerks' offices, the absentee ballot application form described in RSA 657:4 is hereby suspended through December 31, 2020, provided that such form may be used in the event of a winter storm the day before the election. The secretary of state shall instead prepare new application forms for absentee ballots worded in substantially the following form to be used prior to any election occurring prior to December 31, 2020. The secretary of state shall insert the names of all parties qualified as set forth in RSA 652:11 in the list of parties on the application form. The secretary of state shall prepare the application forms in such quantity as he or she deems necessary:

Absentee Ballot Application for the September 2020 Primary and November 2020 General Election ONLY: Absence, Religious Observance, COVID-19 Concerns, and Disability:

Step 1: I hereby declare that (check one):

☐ I am a duly qualified voter who is currently registered to vote in this town/ward.

☐ I need to register to vote in this town/ward. Please send me the absentee registration forms immediately.

Step 2: I will be entitled to vote by absentee ballot because (check one):

☐ I am concerned about Covid-19; or

☐ I plan to be absent on the day of the election from the city, town, or unincorporated place where I am domiciled; or

☐ I cannot appear in public on election day because of observance of a religious commitment; or

☐ I am unable to vote in person due to a disability (or illness, excluding Covid-19); or

☐ I cannot appear at any time during polling hours at my polling place because of an employment obligation. For the purposes of this application, the term "employment" shall include the care of children and infirm adults, with or without compensation.

Any person who votes or attempts to vote using an absentee ballot who is not entitled to vote by absentee ballot shall be guilty of a misdemeanor. RSA 657:24.

Step 3: I am requesting an official absentee ballot for the state primary to be held on September 8, 2020 and the general election to be held on November 3, 2020 (if the application is received after the state primary, only the general election ballot will be sent).

For primary elections, I am a member of or I am now declaring my affiliation with the (check one):

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_____ Republican Party

_____ Democratic Party

Step 4: Please print or type:

Applicant's Name:

(Last) (First) (Middle) (Sr., Jr., II., III)

Applicant's Voting Domicile (home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Mail the ballot to me at this address (if different than the home address):

(Street Number) (Street Name) (Apt/Unit) (City/Town) (Ward) (Zip Code)

Applicant's Phone Number (optional): _____

Applicant's Email Address (optional): _____

(Please include this information so that your election officials may contact you in the event there is an issue with your ballot. This will not be released to the public.)

Step 5: Sign this form to receive an absentee ballot. The signature may be affixed by pen or drawn digitally, so long as it is a unique mark.

Applicant's Signature: _____

Date Signed: _____
(MM/DD/YYYY)

[FOR DISABLED APPLICANTS REQUIRING ASSISTANCE ONLY]: Any person who witnesses and assists a voter with a disability in executing this form shall print and sign their name.

I attest that I assisted the applicant in executing this form because he or she has a disability.

Assisting Person's Signature _____

Assisting Person's Name (print) _____

Step 6: Mail/fax/email or hand-deliver this completed form to your City or Town Clerk. You can find your clerk's office information and track your ballot at <https://sos.nh.gov/voterinfo/look.asp>.

Step 7: Check your mail for your official ballot. Ballots usually arrive approximately 30 days before the election. Make sure you read the instructions carefully and ensure your ballot arrives before 5:00 p.m. on election day.

4 Absentee Registration Affidavit; Covid-19. The absentee registration affidavit form described in RSA 654:17 is hereby suspended through December 31, 2020. The secretary of state shall instead prepare new affidavits worded in substantially the following form to be used prior to any election occurring prior to December 31, 2020:

Affidavit (Absence from town)

I, _____ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That my legal domicile is in the town of _____, New Hampshire, I will be of the age of 18 years or over on election day and am entitled to vote in the election to be held in said town on _____, _____ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;

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2) That I do not intend to be present within said town at such time prior to said election as shall enable me personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;

3) That I am temporarily residing in _____ (city and state or city, province, and country);

4) That I hereby enclose one of the following as proof of identity and domicile:

(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or

(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;

5) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 4) above, this application may not be approved; and

6) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

Affidavit (Physical Disability or Concern for Covid-19)

I, _____ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That my legal domicile is in the town of _____, New Hampshire, I will be of the age of 18 years or over on election day, and am entitled to vote in the election to be held in said town on _____, ____ (date), except for the fact that my name does not appear on the checklist to be used in said town at such election;

2) That I am unable by reason of physical disability or concern for the novel coronavirus (Covid-19) disease personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election;

3) That I hereby enclose one of the following as proof of identity and domicile or shall send a photograph or photocopy of that proof to my clerk from the following email address: _____:

(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or

(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;

4) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 3) above, this application may not be approved; and

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5) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

5 Secretary of State; Absentee Voter Registration. A downloadable absentee voter registration packet including all forms and instructions for completion and return to the clerks shall be available on the secretary of state website. There shall be a clear and concise statement that the downloadable forms are for the personal convenience of the voter during the novel coronavirus (Covid-19) disease and this provision shall not conflict with or supercede any state law regarding voter registration drives.

6 Secretary of State; Absentee Ballots; Postage. The secretary of state shall prepare a sufficient number of absentee ballots and envelopes such that all eligible New Hampshire voters may vote by absentee ballot. The secretary of state shall also provide postage for all absentee ballot return envelopes.

7 Absentee Ballots; Procedure By Clerks. Notwithstanding RSA 654:18, the voter registration form and the absentee registration affidavit as well as any necessary instructions for its completion and return to the clerk shall be available for direct download from the secretary of state's website or town or city clerk's official website. Upon request from a voter, the materials shall be forwarded directly to the applicant by the city or town clerk or by the secretary of state within 2 business days of receiving a request therefor.

8 Absentee Voting; Sending Absentee Ballots. Notwithstanding RSA 657:15, the clerk of a town or city shall provide all absentee ballot materials directly to the voter within 2 business days of a valid absentee ballot application.

9 Absentee Voting; Refusal to Certify. Notwithstanding the 7 day notification time period in RSA 657:16, town and city clerks that refuse to certify an application for an absentee ballot shall notify applicants within one business day of the discovery of any substantial error or omission on the absentee ballot application form or envelope that may result in the rejection of such application.

10 Voters and Checklists; Actions by Supervisors of the Checklist. Notwithstanding any law to the contrary, if the supervisors of the checklist decide not to add the name of an applicant to the checklist, they shall send notification in writing to the applicant within 7 days stating the reason for denial, if the meeting occurs more than 45 days prior to the election. If the meeting occurs within 45 days of the election, the supervisor shall send notification in writing to the applicant within 2 business days. The notification required pursuant to this section shall be in the same format as is required by RSA 654:13.

11 Inspectors of Election. Notwithstanding any law to the contrary, civilian state and town employees are hereby authorized to be deputized as inspectors of election.

12 Processing of Absentee Ballots. Amend RSA 659:49 to read as follows:

659:49 Processing Absentee Ballots.

I. Processing of previously received absentee ballots shall begin at 1:00 p.m. unless a different time~~[, that is no earlier than 2 hours]~~ after the opening of the polls~~[,]~~ is posted and announced in accordance with paragraph II. The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time for the processing of such ballots during normal polling hours. Absentee ballots which are received after the start time for processing absentee ballots and prior to 5:00 p.m. on the day of the election shall be processed as soon after receipt as possible. Under no circumstances shall absentee ballots be counted prior to the closing of the polls.

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II. Notwithstanding the provisions of paragraph I, ~~[upon the written challenges of 10 or more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election:]~~ the moderator, or his or her designee, shall post the time at which the processing of absentee ballots shall begin at the polling place and one other public location at least 24 hours before the polls open. In addition, when the polls open the moderator shall announce the time at which the processing of absentee ballots shall begin.

III. If a voter has submitted their absentee ballot but wishes to vote in person instead, he or she shall inform the moderator by 5:00 p.m. on the day before the election that he or she will be coming in to vote in person so his or her absentee ballot can be held.

13 Opening Absentee Ballot Outer Envelopes. Amend RSA 659:49-b to read as follows:

659:49-b Opening Absentee Ballot Outer Envelopes. The moderator or the moderator's designee may authorize the opening of absentee ballot outer envelopes on election day ***or a day*** prior to the time established for processing absentee ballots in RSA 659:49, ***but after the corrected checklist has been posted*** provided that the opening of the outer envelopes occurs in public with notice of the time and place. The envelope containing the ballot shall not be removed from the outer envelope at such time, ~~[and]~~ ***except to determine that the affidavit on the inner envelope is complete, and notations shall be made on the checklist to facilitate processing.*** The outer envelope containing the inner envelope shall ***then*** be secured until it is processed pursuant to RSA 659:50.

14 New Section; Election Procedure; Processing Absentee Ballots; Partial Processing of Absentee Ballots Prior to an Election. Amend RSA 659 by inserting after section 55 the following new section:

659:55-a Partial Processing of Absentee Ballots Prior to an Election.

I. The moderator, or his or her designee, may begin the processing of absentee ballots prior to the opening of the polls provided that the clerk shall post, in an appropriate place and prior to election day, notice of the time and place of the processing. If the moderator chooses to do so it shall be posted in 2 appropriate places, one of which shall be the public body's Internet website, if such exists, or shall be printed in a newspaper of general circulation in the city or town at least 48 hours, excluding Sundays and legal holidays, prior to such meeting. A copy of the notice shall be provided to the secretary of state. The partial processing of absentee ballots prior to an election shall occur on the Thursday, Friday, or Saturday prior to the date of the election after the posting of the checklist. The moderator shall be assisted by at least 3 other election officers as defined under RSA 652:14. Representatives of each of the 2 political parties which received the largest number of votes cast for governor at the last previous general election shall assist during this process but neither party shall exceed the other party's representation by more than one participant. Any number of election officials who are registered as undeclared voters may be appointed by the moderator to assist in this process. Under no circumstances shall absentee ballots be counted prior to the opening of the polls.

II. Once notice of the processing has been posted, all absentee ballots received by the end of the day preceding the posted time for the meeting shall be partially processed. Only one session for the partial processing of absentee ballots may be scheduled prior to an election.

III. Except as otherwise provided, the moderator, or his or her designee, shall adhere to the procedures detailed in RSA 659:49-b, RSA 659:50, RSA 659:51, RSA 659:52, RSA 659:53, RSA 659:54, RSA 659:54-a, RSA 666:4, and RSA 666:5.

15 Processing Absentee Ballots. RSA 659:49 is repealed and reenacted to read as follows:

659:49 Processing Absentee Ballots.

I. Processing of previously received absentee ballots shall begin at 1:00 p.m. unless a different time, that is no earlier than 2 hours after the opening of the polls, is posted and announced in accordance with paragraph II. The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed at any time for the processing of such ballots during normal polling hours. Absentee ballots which are received after the start time for processing absentee ballots and prior to 5:00 p.m. on the day of the election shall be processed as soon after receipt as possible. Under no circumstances shall absentee ballots be counted prior to the closing of the polls.

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II. Notwithstanding the provisions of paragraph I, upon the written challenges of 10 or more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election. The moderator, or his or her designee, shall post the time at which the processing of absentee ballots shall begin at the polling place and one other public location at least 24 hours before the polls open. In addition, when the polls open the moderator shall announce the time at which the processing of absentee ballots shall begin.

16 Opening Absentee Ballot Outer Envelopes. RSA 659:49-b is repealed and reenacted to read as follows:

659:49-b Opening Absentee Ballot Outer Envelopes. The moderator or the moderator's designee may authorize the opening of absentee ballot outer envelopes on election day prior to the time established for processing absentee ballots in RSA 659:49, provided that the opening of the outer envelopes occurs in public with notice of the time and place. The envelope containing the ballot shall not be removed from the outer envelope at such time, and the outer envelope containing the inner envelope shall be secured until it is processed pursuant to RSA 659:50.

17 Repeal. Sections 1-11 and section 14 of this act, relative to temporary modifications to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease, are repealed.

18 Effective Date.

I. Sections 15-17 of this act shall take effect January 1, 2021.

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

2020-1562s

AMENDED ANALYSIS

This bill makes temporary changes to the absentee voter registration, absentee ballot application, and absentee voting processes in response to the novel coronavirus (Covid-19) disease.

Sen. Sherman, Dist 24

June 22, 2020

2020-1564s

01/04

Amendment to HB 1520

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

AN ACT establishing the New Hampshire health professionals program administration fund and making an appropriation therefor, and relative to state board of education rulemaking regarding criminal history records checks.

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

1 New Paragraph; Office of Professional Licensure and Certification; Fees; Fund Established. Amend RSA 310-A:1-e by inserting after paragraph I the following new paragraph:

I-a. There is hereby established a nonlapsing fund to be known as the New Hampshire health professionals program administration fund for the administration of the New Hampshire professionals health program with a fee charged to licensees per year at the time of licensure renewal for the board of medicine, board of dental examiners, pharmacy board, board of nursing, board of veterinary medicine, board of psychologists, board of chiropractic examiners, board of mental health practice, midwifery council, board of registration in optometry, board of podiatry, licensed dietitians, and board of licensing for alcohol and other drug use professionals, not to exceed 125 percent of the actual cost of providing the services. Other health and technical professions boards may be added to program at the same annual fee per licensee. The moneys in this fund shall be continually appropriated to the office.

2 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (358) the following new subparagraph:

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(359) Moneys deposited in the New Hampshire health professionals program administration fund established in RSA 310-A:1-e, I-a.

3 Department of Education; Rulemaking. Amend RSA 21-N:9, II(s) to read as follows:

(s) ~~[Certification]~~ ***License*** standards for educational personnel, ***to include the establishment and implementation of a secure system for conducting criminal background checks pursuant to RSA 189:13-a for all first-time applicants listed in this section,*** and educator certification fees for granting ~~[credentials]~~ ***licenses*** to educational personnel, including teachers, paraprofessionals, superintendents, assistant superintendents, special education administrators, business administrators, principals, vocational directors, coordinators of comprehensive health education and services, directors of pupil personnel services, guidance directors, guidance counselors, school psychologists, associate school psychologists, speech-language specialists, social workers, health educators, physical education teachers, consumer and family science teachers, elementary teachers, specialists in assessment of intellectual functioning, media supervisors, media generalists, and master teachers as authorized by RSA 186:8 and RSA 186:11, X, professional ~~[credentials]~~ ***licenses*** including beginning educator ~~[credentials]~~ ***licenses***, experienced educator ~~[credentials]~~ ***licenses***, and intern licenses, and other classifications of educators, administrators, specialists, and paraprofessionals necessary to address educational needs as determined by the state board upon the recommendation of the professional standards board pursuant to RSA 186:60.

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

2020-1564s

AMENDED ANALYSIS

This bill establishes the New Hampshire health professionals program administration fund. The bill also requires the state board of education to adopt rules requiring criminal background checks for first-time applicants to certain educational personnel positions.