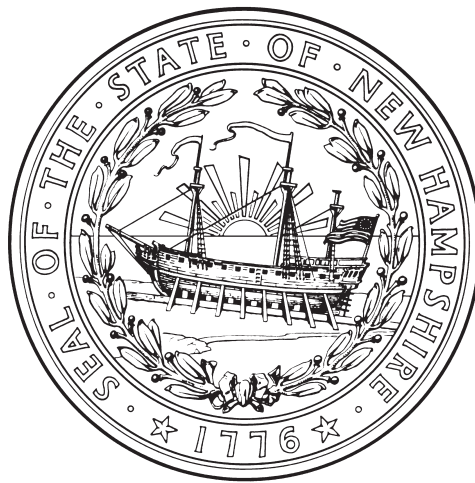


March 24, 2022
Nos. 5-6

STATE OF NEW HAMPSHIRE

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



**Second Year of the 167th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 17, 2022 SESSION
COMMENCEMENT – MARCH 24, 2022 SESSION**

SENATE JOURNAL 5 *(continued)*

March 17, 2022

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 103-FN, establishing a dental benefit under the state Medicaid program.
HB 1009, requiring the date a person registers to vote to be included with other voter information.
HB 1022, permitting pharmacists to dispense the drug ivermectin by means of a standing order.
HB 1044, (New Title) relative to direct payment and membership-based health care facilities.
HB 1073, (New Title) modifying attorney exemptions under RSA 91-A.
HB 1080, relative to the rights of conscience for medical professionals.
HB 1082, prohibiting certain state officers from forming political action committees.
HB 1101, relative to a forfeiture of personal property.
HB 1135, requiring a performance audit of the department of education, education freedom account program.
HB 1153, relative to absentee ballot requests.
HB 1171-FN, exempting certain niche beauty services from licensure requirements.
HB 1203-FN, (New Title) relative to domicile residency, voter registration, and investigation of voter verification letters.
HB 1297, relative to taking lobster while engaged in recreational scuba diving.
HB 1330, (New Title) repealing the board of medical technicians in the office of professional licensure and certification.
HB 1356, relative to the taking of gray squirrels.
HB 1367, relative to civics instruction in schools.
HB 1379, relative to the department of health and human services' rulemaking authority regarding immunization requirements.
HB 1381, relative to student school board members.
HB 1425-FN, relative to the taking of real property by eminent domain.
HB 1434-FN, relative to the availability of school curriculum materials.
HB 1439, relative to hospital visitation policies.
HB 1454-FN, relative to permits for the siting of new landfills.
HB 1455, relative to state enforcement of federal vaccination mandates.
HB 1495-FN, (New Title) prohibiting the state from requiring businesses to require vaccine or documentation related to vaccination or immunity status.
HB 1560, relative to nonresident licensure by the board of barbering, cosmetology, and esthetics.
HB 1567-FN, (New Title) relative to consequences resulting from election official misconduct.
HB 1625, repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility.
HB 1639, relative to the youth risk behavior survey in schools.
HB 1673-FN, (New Title) relative to the scope of the fetal life protection act.
HB 1677-FN, relative to the administration and settlement of claims of abuse at the youth development center and making an appropriation therefor.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 1018, relative to the board of medical imaging and radiation therapy.
HB 1035, relative to exemptions from school vaccine mandates.
HB 1039, (New Title) relative to the definition of "beverage manufacturer retail outlet" and certain liquor licenses and fees.
HB 1045, (New Title) relative to the composition of the ethics oversight advisory committee.
HB 1048, relative to minimum nonforfeiture amounts under the standard nonforfeiture law for individual deferred annuities.
HB 1067-FN, relative to limitations on prosecution for first degree assault.

HB 1069, (New Title) relative to the election of village district commissioners.
HB 1085, relative to ignition lock requirements.
HB 1118, relative to the determination of parental rights and responsibilities following the death of a child's parent or guardian.
HB 1131, relative to facial covering policies for schools.
HB 1132, relative to applications for a charter conversion school.
HB 1139, relative to ophthalmic prescription requirements.
HB 1163, relative to over voted ballots.
HB 1164, revising the agriculture in the classroom committee.
HB 1178, prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms.
HB 1182, relative to the board of court reporters.
HB 1186, relative to companion animals during a declared state of emergency.
HB 1190, relative to rulemaking by the state board of education for compliance with federal provisions.
HB 1192, (New Title) relative to the board of acupuncture licensing and relative to the qualifications for licensure as an acupuncturist.
HB 1236, relative to the legislative oversight committee for the education improvement and assessment program.
HB 1241, prohibiting a school district from mandating a COVID-19 vaccination for school attendance.
HB 1244-LOCAL, relative to parental consent to medical and dental treatments of children in schools.
HB 1246-FN, relative to interlock devices.
HB 1249, relative to weights and measures.
HB 1256-FN, relative to positions within the department of military affairs and veterans services.
HB 1263, (New Title) relative to prescribed studies on health, physical education, wellness, and personal finance literacy in schools.
HB 1266, relative to restrictions on enforcement of federal immigration laws.
HB 1269, relative to certain legislative study committees.
HB 1272, limiting the authority of town health officers.
HB 1280, prohibiting a parent's refusal to vaccinate a child pursuant to an order of the state or federal government to be used as a basis for terminating parental rights.
HB 1285, relative to the multi-use energy data platform.
HB 1293, relative to the design of sewage or waste disposal systems for a person's own domicile.
HB 1296-FN, (New Title) relative to the forfeiture of items used in connection with a drug offense.
HB 1298-FN, relative to eligibility for the education tax credit.
HB 1305, relative to temporary alimony.
HB 1331, relative to power line maintenance and construction.
HB 1335-FN, relative to the parole board and the procedure for medical parole of prisoners.
HB 1344, relative to the authority of real estate brokers.
HB 1345, relative to the release of a teenager's medical records to a parent or guardian.
HB 1360-FN, relative to penalties for controlled drug violations.
HB 1375, relative to the definition of veteran.
HB 1382, relative to the presumption of shared parenting in the determination of parental rights and responsibilities.
HB 1406, authorizing municipalities to collect compost.
HB 1416, relative to consent for mental health treatment in parenting cases with shared decision-making responsibility.
HB 1431-FN-LOCAL, establishing the parental bill of rights.
HB 1448, relative to the pretermitted heir statute.
HB 1457-FN, relative to chain of custody of ballot boxes after an election.
HB 1467-FN, requiring partial audits of additional offices on ballots involved in recounts.
HB 1476-FN, relative to persons arrested while out on bail.
HB 1487, relative to the procedure for withdrawal from the vaccine registry.
HB 1488, expanding the prohibition against discrimination based on an individual's election not to participate in the state vaccine registry.
HB 1491-FN-LOCAL, relative to natural gas transmission pipeline safety.
HB 1503-FN, (New Title) exempting the developer, seller, or facilitator of the exchange of an open block-chain token from certain securities laws and adopting the Uniform Commercial Code relative to controllable electronic records.

HB 1513-FN, relative to the definition of a child with a disability for purposes of special education.

HB 1518-FN-LOCAL, relative to the requirements for appointed guardians.

HB 1527-FN, (New Title) relative to vote returns.

HB 1530, (New Title) establishing curricular transfer pathways between the community college system of New Hampshire and the university system of New Hampshire.

HB 1546-FN, (New Title) defining PFAS and enabling the commissioner of the department of environmental services to adopt rules relative to airborne PFAS in certain circumstances.

HB 1558, relative to insurance holding companies.

HB 1559, relative to laws administered by the insurance department.

HB 1579, relative to landowner liability on land authorized for outdoor recreational activities.

HB 1583-FN, (New Title) relative to days of operation of state liquor stores.

HB 1592-FN, allowing parties in family court cases to create their own recordings of the proceedings.

HB 1594, relative to assistance to certain students with disabilities in registering to vote.

HB 1597-FN, permitting arraignments for felonies and preliminary examinations to be heard in circuit court.

HB 1606, making the state vaccine registry an opt-in program.

HB 1612-FN, (New Title) relative to the confidentiality of reports made to the division for children, youth, and families.

HB 1613-FN, (New Title) relative to certain liquor manufacturers.

HB 1614-FN, requiring the recording and storing of digital video in all state-funded juvenile detention facilities.

HB 1626, relative to the unique pupil identification system.

HB 1663, relative to requirements for home education students.

HB 1671-LOCAL, relative to the content of an adequate education.

INTRODUCTION OF LEGISLATION

Senator Bradley offered the following Resolution:

RESOLVED, That in accordance with the list in the possession of the Senate Clerk, the following legislation shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee. Adopted in recess.

First and Second Reading and Referral

HB 103-FN, establishing a dental benefit under the state Medicaid program. (Health and Human Services)

HB 1009, requiring the date a person registers to vote to be included with other voter information. (Election Law and Municipal Affairs)

HB 1018, relative to the board of medical imaging and radiation therapy. (Health and Human Services)

HB 1022, permitting pharmacists to dispense the drug ivermectin by means of a standing order. (Health and Human Services)

HB 1035, relative to exemptions from school vaccine mandates. (Health and Human Services)

HB 1039, relative to the definition of "beverage manufacturer retail outlet" and certain liquor licenses and fees. (Commerce)

HB 1044, relative to direct payment and membership-based health care facilities. (Health and Human Services)

HB 1045, relative to the composition of the ethics oversight advisory committee. (Executive Departments and Administration)

HB 1046, relative to the election of the Sullivan county commissioners. (Election Law and Municipal Affairs)

HB 1048, relative to minimum nonforfeiture amounts under the standard nonforfeiture law for individual deferred annuities. (Commerce)

HB 1067-FN, relative to limitations on prosecution for first degree assault. (Judiciary)

HB 1069, relative to the election of village district commissioners. (Election Law and Municipal Affairs)

HB 1070, relative to the default budget in official ballot jurisdictions. (Election Law and Municipal Affairs)

HB 1073, modifying attorney exemptions under RSA 91-A. (Judiciary)

HB 1080, relative to the rights of conscience for medical professionals. (Health and Human Services)

HB 1081, relative to the dissolution of a village district. (Election Law and Municipal Affairs)

HB 1082, prohibiting certain state officers from forming political action committees. (Election Law and Municipal Affairs)

HB 1085, relative to ignition lock requirements. (Transportation)

HB 1089, relative to the unenforceability of noncompete agreements upon termination of an employee for noncompliance with a medical intervention mandate. (Commerce)

HB 1097, relative to taxation of income of New Hampshire residents when working remotely for an out of state employer. (Ways and Means)

HB 1101, relative to a forfeiture of personal property. (Judiciary)

HB 1102, relative to certain committees and commissions of the department of state. (Executive Departments and Administration)

HB 1118, relative to the determination of parental rights and responsibilities following the death of a child's parent or guardian. (Judiciary)

HB 1131, relative to facial covering policies for schools. (Health and Human Services)

HB 1132, relative to applications for a charter conversion school. (Education)

HB 1135, requiring a performance audit of the department of education, education freedom account program. (Education)

HB 1139, relative to ophthalmic prescription requirements. (Health and Human Services)

HB 1148, relative to prohibiting government entities subordinate to the state from restricting the types of fuel sources that may be used for energy. (Energy and Natural Resources)

HB 1153, relative to absentee ballot requests. (Election Law and Municipal Affairs)

HB 1163, relative to over voted ballots. (Election Law and Municipal Affairs)

HB 1164, revising the agriculture in the classroom committee. (Education)

HB 1165, repealing the Granite State paid family leave plan. (Commerce)

HB 1170, limiting the authority of New Hampshire delegates to policymaking conventions. (Election Law and Municipal Affairs)

HB 1171-FN, exempting certain niche beauty services from licensure requirements. (Executive Departments and Administration)

HB 1178, prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms. (Judiciary)

HB 1182, relative to the board of court reporters. (Executive Departments and Administration)

HB 1186, relative to companion animals during a declared state of emergency. (Energy and Natural Resources)

HB 1190, relative to rulemaking by the state board of education for compliance with federal provisions. (Education)

HB 1192, relative to the board of acupuncture licensing and relative to the qualifications for licensure as an acupuncturist. (Executive Departments and Administration)

HB 1194, relative to the procedure for overriding a local tax cap. (Election Law and Municipal Affairs)

HB 1203-FN, relative to domicile residency, voter registration, and investigation of voter verification letters. (Election Law and Municipal Affairs)

HB 1210, relative to exemptions from vaccine mandates. (Health and Human Services)

HB 1221-FN, relative to the rate of the business profits tax. (Ways and Means)

HB 1236, relative to the legislative oversight committee for the education improvement and assessment program. (Education)

HB 1241, prohibiting a school district from mandating a COVID-19 vaccination for school attendance. (Health and Human Services)

HB 1244-LOCAL, relative to parental consent to medical and dental treatments of children in schools. (Education)

HB 1246-FN, relative to interlock devices. (Transportation)

HB 1249, relative to weights and measures. (Commerce)

HB 1256-FN, relative to positions within the department of military affairs and veterans services. (Executive Departments and Administration)

HB 1258, relative to the implementation of the department of energy. (Energy and Natural Resources)

HB 1263, relative to prescribed studies on health, physical education, wellness, and personal finance literacy in schools. (Education)

HB 1266, relative to restrictions on enforcement of federal immigration laws. (Judiciary)

HB 1268, limiting the authority for city council bylaws and ordinances. (Election Law and Municipal Affairs)

HB 1269, relative to certain legislative study committees. (Executive Departments and Administration)

HB 1270, repealing the legislative oversight committee to monitor the transformation of delivery of electric services. (Energy and Natural Resources)

HB 1272, limiting the authority of town health officers. (Election Law and Municipal Affairs)

HB 1280, prohibiting a parent's refusal to vaccinate a child pursuant to an order of the state or federal government to be used as a basis for terminating parental rights. (Judiciary)

HB 1285, relative to the multi-use energy data platform. (Energy and Natural Resources)

HB 1293, relative to the design of sewage or waste disposal systems for a person's own domicile. (Energy and Natural Resources)

HB 1296-FN, relative to the forfeiture of items used in connection with a drug offense. (Judiciary)

HB 1297, relative to taking lobster while engaged in recreational scuba diving. (Energy and Natural Resources)

HB 1298-FN, relative to eligibility for the education tax credit. (Education)

HB 1305, relative to temporary alimony. (Judiciary)

HB 1307, modifying the authority and duties of the housing appeals board. (Election Law and Municipal Affairs)

HB 1328-FN, authorizing a utility to petition to be relieved of their carrier of last resort obligations. (Energy and Natural Resources)

HB 1330, repealing the board of medical technicians in the office of professional licensure and certification. (Executive Departments and Administration)

HB 1331, relative to power line maintenance and construction. (Energy and Natural Resources)

HB 1335-FN, relative to the parole board and the procedure for medical parole of prisoners. (Judiciary)

HB 1337, relative to the duration of unemployment benefits. (Executive Departments and Administration)

HB 1344, relative to the authority of real estate brokers. (Executive Departments and Administration)

HB 1345, relative to the release of a teenager's medical records to a parent or guardian. (Health and Human Services)

HB 1356, relative to the taking of gray squirrels. (Energy and Natural Resources)

HB 1360-FN, relative to penalties for controlled drug violations. (Judiciary)

HB 1367, relative to civics instruction in schools. (Education)

HB 1375, relative to the definition of veteran. (Executive Departments and Administration)

HB 1379, relative to the department of health and human services' rulemaking authority regarding immunization requirements. (Health and Human Services)

HB 1381, relative to student school board members. (Education)

HB 1382, relative to the presumption of shared parenting in the determination of parental rights and responsibilities. (Judiciary)

HB 1393, relative to the adoption of school district budget caps. (Election Law and Municipal Affairs)

HB 1406, authorizing municipalities to collect compost. (Election Law and Municipal Affairs)

HB 1416, relative to consent for mental health treatment in parenting cases with shared decision-making responsibility. (Judiciary)

HB 1425-FN, relative to the taking of real property by eminent domain. (Judiciary)

HB 1431-FN-LOCAL, establishing the parental bill of rights. (Judiciary)

HB 1432, prohibiting the use of state funds for new passenger rail projects. (Transportation)

HB 1434-FN, relative to the availability of school curriculum materials. (Education)

HB 1439, relative to hospital visitation policies. (Health and Human Services)

HB 1448, relative to the pretermitted heir statute. (Judiciary)

HB 1454-FN, relative to permits for the siting of new landfills. (Energy and Natural Resources)

HB 1455, relative to state enforcement of federal vaccination mandates. (Health and Human Services)

HB 1457-FN, relative to chain of custody of ballot boxes after an election. (Election Law and Municipal Affairs)

HB 1459-FN, relative to recycling solar panels. (Energy and Natural Resources)

HB 1467-FN, requiring partial audits of additional offices on ballots involved in recounts. (Election Law and Municipal Affairs)

HB 1476-FN, relative to persons arrested while out on bail. (Judiciary)

HB 1487, relative to the procedure for withdrawal from the vaccine registry. (Health and Human Services)

HB 1488, expanding the prohibition against discrimination based on an individual's election not to participate in the state vaccine registry. (Health and Human Services)

HB 1491-FN-LOCAL, relative to natural gas transmission pipeline safety. (Energy and Natural Resources)

HB 1495-FN, prohibiting the state from requiring businesses to require vaccine or documentation related to vaccination or immunity status. (Health and Human Services)

HB 1503-FN, exempting the developer, seller, or facilitator of the exchange of an open blockchain token from certain securities laws and adopting the Uniform Commercial Code relative to controllable electronic records. (Commerce)

HB 1513-FN, relative to the definition of a child with a disability for purposes of special education. (Education)

HB 1518-FN-LOCAL, relative to the requirements for appointed guardians. (Judiciary)

HB 1527-FN, relative to vote returns. (Election Law and Municipal Affairs)

HB 1530, establishing curricular transfer pathways between the community college system of New Hampshire and the university system of New Hampshire. (Education)

HB 1546-FN, defining PFAS and enabling the commissioner of the department of environmental services to adopt rules relative to airborne PFAS in certain circumstances. (Energy and Natural Resources)

HB 1558, relative to insurance holding companies. (Commerce)
 HB 1559, relative to laws administered by the insurance department. (Commerce)
 HB 1560, relative to nonresident licensure by the board of barbering, cosmetology, and esthetics. (Executive Departments and Administration)
 HB 1567-FN, relative to consequences resulting from election official misconduct. (Election Law and Municipal Affairs)
 HB 1579, relative to landowner liability on land authorized for outdoor recreational activities. (Judiciary)
 HB 1583-FN, relative to days of operation of state liquor stores. (Commerce)
 HB 1592-FN, allowing parties in family court cases to create their own recordings of the proceedings. (Judiciary)
 HB 1594, relative to assistance to certain students with disabilities in registering to vote. (Education)
 HB 1597-FN, permitting arraignments for felonies and preliminary examinations to be heard in circuit court. (Judiciary)
 HB 1599-FN, relative to customer generators who sell renewable energy certificates. (Energy and Natural Resources)
 HB 1606, making the state vaccine registry an opt-in program. (Health and Human Services)
 HB 1612-FN, relative to the confidentiality of reports made to the division for children, youth, and families. (Judiciary)
 HB 1613-FN, relative to certain liquor manufacturers. (Commerce)
 HB 1614-FN, requiring the recording and storing of digital video in all state-funded juvenile detention facilities. (Judiciary)
 HB 1625, repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility. (Judiciary)
 HB 1626, relative to the unique pupil identification system. (Education)
 HB 1629-FN, relative to default service for net metering. (Energy and Natural Resources)
 HB 1639, relative to the youth risk behavior survey in schools. (Education)
 HB 1663, relative to requirements for home education students. (Education)
 HB 1667, relative to the standard and optional veterans' tax credits and the all veterans' tax credit. (Election Law and Municipal Affairs)
 HB 1671-LOCAL, relative to the content of an adequate education. (Education)
 HB 1673-FN, relative to the scope of the fetal life protection act. (Judiciary)
 HB 1677-FN, relative to the administration and settlement of claims of abuse at the youth development center and making an appropriation therefor. (Finance)
 HB 2022, relative to the 10-year transportation plan. (Transportation)

March 15, 2022

2022-1105-EBA

10/08

Enrolled Bill Amendment to HB 440

The Committee on Enrolled Bills to which was referred HB 440

AN ACT prohibiting the suspension of civil liberties during a state of emergency.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 440

This enrolled bill amendment rennumbers an RSA paragraph to avoid a conflict.

Enrolled Bill Amendment to HB 440

Amend section 3 of the bill by replacing line 3 with the following:

III-a. Notwithstanding the foregoing enumerated powers, civil liberties shall on no account be

Senator Avard moved adoption of the Enrolled Bill Amendment. Adopted in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 50, apportioning state representative districts.

Senator Avarad moved adoption of the Report of Committee on Enrolled Bills. Adopted in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 55, apportioning delegates to state party conventions, and relative to the form for declarations of candidacy for delegates to state party conventions.

Senator Avarad moved adoption of the Report of Committee on Enrolled Bills. Adopted in recess.

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

Senator Bradley moved that the Senate adjourn from the Late Session.

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 6

March 24, 2022

The Senate reconvened at 9:00 a.m., a quorum being present.

The Reverend Mark Warren, Chaplain to the Senate, offered the following prayer:

Thank you, Mister President, and good morning, Senators.

Let's Pray.

Father in Heaven, you give us wisdom when we ask and we're grateful for that. You give us knowledge when we are lacking, and we are grateful. When the two siblings come knocking at the door, when decisions are needed to be made, the siblings of pressure and complacency, let them find your still small voice of truth in the midst of the competing voices that want to pull us away from the places that bring freedom and peace to people. I ask that you protect our Senators and their staff and their families. We're grateful for them in their service to the state of New Hampshire. Amen.

Senator Watters led the Pledge of Allegiance.

Senators Giuda and Whitley are excused.

FN REPORT FOR MARCH 24, 2022

Senator Daniels recommends the waiver of referral to the Finance Committee, Senate Rule 4-5, for the following bills with a fiscal note or an appropriation of funds:

CONSENT CALENDAR:

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 427-FN, modifying the absentee voter registration process, absentee ballot application, and absentee ballot voting process.

HEALTH AND HUMAN SERVICES

SB 416-FN, relative to behavioral health assessment and treatment for children in out-of-home placements.

TRANSPORTATION

HB 1214-FN, eliminating fees for walking disability placards.

HB 1437-FN, relative to registration plates for antique farm tractors.

WAYS AND MEANS

HB 591-FN, relative to certain liquor license fees

HB 1228-FN, relative to recommendations of the joint committee on dedicated funds.

REGULAR CALENDAR:

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 405-FN, relative to fines and penalties for election law violations.

ENERGY AND NATURAL RESOURCES

SB 368-FN, relative to animal vending licenses.

HEALTH AND HUMAN SERVICES

SB 446-FN-A, establishing a child care workforce fund and grant program and making an appropriation therefor.

Senator Daniels recommends the following bills be ordered to the Finance Committee upon being found Ought to Pass/Ought to Pass with Amendment:

CONSENT CALENDAR:

EDUCATION

HB 214, relative to a public school facility condition assessment and school building aid grants.

TRANSPORTATION

SB 417-FN, establishing an electric school bus pilot program.

REGULAR CALENDAR:

EDUCATION

SB 426-FN, relative to the adequate education grants for fiscal year 2023—if Inexpedient to Legislate recommendation is overturned.

SB 453-FN-A-L, relative to statewide pre-kindergarten funding—if Interim Study recommendation is overturned.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 418-FN, relative to verification of voter affidavits.

ENERGY AND NATURAL RESOURCES

SB 380-FN, relative to solid waste rules and landfill containment tests—if Interim Study recommendation is overturned.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED

WAYS AND MEANS

HB 1063, by Senator Hennessey

SPECIAL ORDER

Without objection, the following bills are Special Ordered to the next session. Adopted.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 418-FN, relative to verification of voter affidavits.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 382, relative to licensure requirements for telehealth services.

FINANCE

SB 403-FN-A, re-establishing the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Farmers Market Nutrition Program.

SB 415-FN-A, making an appropriation to the department of health and human services for the purpose of increasing rates paid to homeless shelters.

HEALTH AND HUMAN SERVICES

SB 446-FN-A, establishing a child care workforce fund and grant program and making an appropriation therefor.

CONSENT CALENDAR

Senator Bradley moved that the Consent Calendar, with the relevant amendments as printed in the day's Calendar be adopted and that all such bills found Ought to Pass be ordered as follows:

FN bills not waived under Senate Rule 4-5, to the Committee on Finance; non-FN bills approved for referral to Finance by the day's FN Report, to the Committee on Finance; and all other bills, to Third Reading.

EDUCATION

HB 214, relative to a public school facility condition assessment and school building aid grants.

Ought to Pass, Vote 5-0. Senator Hennessey for the committee.

This bill provides for the department of education to complete a facility condition assessment of all NH public school facilities and identify a facilities priorities list. This bill would address the countless applications requesting building aid. This bill also affords the legislature and the department of education a better understanding of how our schools are being assessed, through a contracted third party, and if these assessments are based on similar criteria. Schools seeking school building aid must have a long-range capital improvement program in place. This bill was initially retained by the House Education Committee, but ultimately passed the Committee unanimously.

HB 1074, relative to notice to a chartered public school of a special education services meeting.

Ought to Pass, Vote 5-0. Senator Ricciardi for the committee.

This bill corrects a grammatical error in RSA 194-B and would require a child's resident school district to provide prior notice to a chartered public school for meetings of the child's individualized education program (IEP) team. This bill would increase communication between chartered public schools, resident school districts and IEP teams, which only benefits students with disabilities and their families. This bill passed the House Education Committee unanimously and the House on the consent calendar.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 243, permitting transfer on death deeds for real property.

Ought to Pass with Amendment, Vote 5-0. Senator Perkins Kwoka for the committee.

This bill as amended provides a mechanism for the non-probate transfer of real property. It allows owners to execute and record a transfer on death deed, which automatically transfers real property to a beneficiary upon the passing of the grantor. Provision has been made in the bill for disclaiming of the real property by the beneficiary and claims of creditors. For those whose only asset is their property and their issue, this tool offers peace of mind for transfer of a primary home upon death without expensive legal fees.

Election Law and Municipal Affairs

March 15, 2022

2022-1102s

08/10

Amendment to SB 243

Amend RSA 563-D:14 as inserted by section 1 of the bill by replacing it with the following:

563-D:14 Disclaimer. A beneficiary may disclaim all or part of the beneficiary's interest as provided by RSA 563-B, but shall do so within 60 days of the transferor's death. The beneficiary shall record a copy of the disclaimer in the registry of deeds of the county in which the property or interest disclaimed is located.

SB 365, relative to absentee ballot outer envelopes.

Ought to Pass with Amendment, Vote 5-0. Senator Gray for the committee.

This bill removes the requirement that absentee ballots which are already in an affidavit envelopes be placed in an outer envelope unless the ballots are mailed to town or city clerks. Ballots which are delivered to the clerks in outer envelopes shall be opened. This process will allow the ballot affidavits to be reviewed for errors prior to Election Day.

Election Law and Municipal Affairs

March 14, 2022

2022-1097s

10/04

Amendment to SB 365

Amend the bill by replacing section 1 with the following:

1 Absentee Ballots and Related Materials; Outer Envelopes. Amend RSA 657:7, II and III to read as follows:

II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the following:

YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE

I do hereby certify under the penalties for voting fraud set forth below that:

I am a voter in the city or town of _____, New Hampshire.

One of the following applies to me:

1) I will be absent on election day. Absence includes:

a) I will be out-of-town on election day.

b) I will be unable to vote in person because I will be working.

c) I will be unable to vote in person because I will be caring for children or infirm adults, with or without compensation.

d) I am voting absentee on the Monday immediately before the election, the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning that applies to my town/ward, and I have concerns for traveling in the storm.

2) I am unable to vote in person due to disability.

3) I am unable to vote in person due to observance of a religious commitment, which prevents me from voting in person.

4) I am confined to a penal institution for a misdemeanor or while awaiting trial.

I have carefully read or had read to me the absentee voting instructions. I personally marked the absentee ballot enclosed in this envelope or, due to a disability, I had assistance in marking the absentee ballot.

Voter Signature _____ **Voter Address** _____

A person assisting a voter with a disability shall sign this statement on this envelope acknowledging the assistance.

I attest that I assisted (print voter name) _____ because the voter is a person with a disability. I marked the ballot and/or this form as instructed by the voter.

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.

III. Return envelopes of size sufficient to contain the preceding envelope addressed to the town and city clerks of the state in which absentee voters shall return their ballots, ***if such ballots are returned by mail***. On the envelopes shall be printed "Enclosed is the ballot of an absentee voter" and, at the top thereof, 4 blank spaces with the words "Name, Voting Address, Ward, Town or City" appropriately printed thereon. ***Absentee ballots returned to town or city clerks in person shall not be required to be placed in such outer envelopes.***

SB 427-FN, modifying the absentee voter registration process, absentee ballot application, and absentee ballot voting process.

Ought to Pass with Amendment, Vote 5-0. Senator Soucy for the committee.

This bill as amended adds "illness or other medical condition" to the reasons for which a voter can apply for an absentee ballot. This change will provide much needed clarification for those voters that do not have a physical disability but cannot vote in person due to other health concerns.

Election Law and Municipal Affairs

March 10, 2022

2022-1100s

05/04

Amendment to SB 427-FN

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

1 Absentee Voter Registration; Applicability. Amend RSA 654:16 and 654:17 to read as follows:

654:16 Applicability. Any person who has his *or her* domicile 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 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 physical disability, *illness, or other medical condition* 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.

654:17 Absentee Registration Affidavit.

I. The absentee registration affidavit shall be prepared by the secretary of state and shall be in substantially the following form:

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;
- 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, *Illness, or Other Medical Condition*)

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, *illness, or other medical condition* 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:

(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

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.

II. There shall be printed below each of the foregoing affidavits the following affirmation:

Affirmation

I, _____, the undersigned witness, do hereby swear or affirm, under the penalties for voting fraud set forth below, that on the _____ day of _____, ____ (date), the above named, _____, having satisfied me as to his or her identity, signed the foregoing affidavit in my presence, and did before me swear to (or affirm) the truth of the statements therein contained.

Signature of Witness

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.

2 Absentee Voting Based on Official Absence, Religious Observance, and Disability, Illness, or Other Medical Condition. Amend RSA 656:33 to read as follows:

656:33 Official Absence, Religious Observance, and Disability, ***Illness, or Other Medical Condition*** Absentee Ballots. Prior to any state election, the secretary of state shall prepare, in such quantity as the secretary of state may deem necessary, absence, religious observance, and disability, ***illness, or other medical condition*** absentee ballots in the same form as nearly as practicable as the official ballot to be used at said election. Said absentee ballots shall have the words "absentee ballot" printed on them and shall be similarly endorsed and printed on paper of the same color as that used for official ballots.

3 Absentee Voting. Amend the section heading of RSA 657:1 and RSA 657:1, I to read as follows:

657:1 Absence, Religious Observance, and Disability, ***Illness, or Other Medical Condition*** Absentee Voting.

I. Any person who will be absent on the day of any state election from the city, town, or unincorporated place in which he or she is registered to vote or who cannot appear in public on any election day because of his or her observance of a religious commitment or who is unable to vote there in person by reason of physical disability, ***illness, or other medical condition*** may vote at such elections as provided in this chapter. A person who is unable to appear at any time during polling hours at his or her polling place because of an employment obligation shall be considered absent for purposes of this chapter. For the purposes of this section, the term "employment" shall include the care of children and infirm adults, with or without compensation.

4 Absentee Voting; Forms. Amend RSA 657:4, I to read as follows:

I. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded in substantially the following form. 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:

Absence (Excluding Absence Due to Residence Outside the United States), Religious Observance, and Disability, ***Illness, or Other Medical Condition:***

I hereby declare that (check one):

(MM/DD/YYYY)

(The date may appear as blank when the date is not known.)

_____ State Primary to be held on _____

(MM/DD/YYYY)

_____ General Election

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

_____ Republican Party

_____ Democratic Party

_____ (name of any party determined by the secretary of state to have achieved official status under RSA 652:11)

and am requesting a ballot for that party's primary.

Please print:

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 : _____

Applicant's Email Address : _____

Applicant's Signature: _____

Date Signed: _____

MM/DD/YYYY)

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

Signature _____ Print Name _____

If your absentee ballot application or affidavit envelope has the printed name and signature of a person who assisted you with voting, your signature will not be compared to your signature on the absentee ballot affidavit to verify your identity. Otherwise, if your signatures do not appear to be made by the same person, your absentee ballot may not be counted.

The applicant must sign this form to receive an absentee ballot. Any person who witnesses and assists a voter with a disability in executing this form shall print and sign his or her name in the space provided on the application form. The moderator will not compare the voter's signature on the application with the signature on the absentee ballot affidavit when a person assisting the voter has signed the statement on the absentee ballot application or affidavit envelope that assistance was provided.

5 Absentee Ballots. Amend the introductory paragraph of RSA 657:7 and RSA 657:7, I and II to read as follows:

657:7 Absence, Religious Observance, and Disability, ***Illness, or Other Medical Condition***. Prior to any state election, the secretary of state shall prepare the following forms in such quantity as he ***or she*** deems necessary:

I. Absence, religious observance, and disability, ***illness, or other medical condition*** absentee ballots as provided in RSA 656:33.

II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the following:
YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE

I do hereby certify under the penalties for voting fraud set forth below that:

I am a voter in the city or town of _____, New Hampshire.

One of the following applies to me:

1) I will be absent on election day. Absence includes:

a) I will be out-of-town on election day.

b) I will be unable to vote in person because I will be working.

c) I will be unable to vote in person because I will be caring for children or infirm adults, with or without compensation.

d) I am voting absentee on the Monday immediately before the election, the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning that applies to my town/ward, and I have concerns for traveling in the storm.

2) I am unable to vote in person due to disability, ***illness, or other medical condition***.

3) I am unable to vote in person due to observance of a religious commitment, which prevents me from voting in person.

4) I am confined to a penal institution for a misdemeanor or while awaiting trial.

I have carefully read or had read to me the absentee voting instructions. I personally marked the absentee ballot enclosed in this envelope or, due to a disability, I had assistance in marking the absentee ballot.

Voter Signature _____

Voter Address _____

A person assisting a voter with a disability shall sign this statement on this envelope acknowledging the assistance.

I attest that I assisted (print voter name) _____ because the voter is a person with a disability. I marked the ballot and/or this form as instructed by the voter.

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.

6 Subdivision Heading Amended. Amend the subdivision heading preceding RSA 657:12 to read as follows:

Procedure for Absence, Religious Observance, and Disability, ***Illness, or Other Medical Condition***, and Overseas Voting

7 Town Elections; Absentee Voting. Amend RSA 669:26 to read as follows:

669:26 Absentee Voting.

I. Every town which has adopted an official ballot system for town elections as provided in RSA 669:12 or 669:13 shall provide for absentee voting. Any eligible voter who is absent from such a town on the day of a town election, or who cannot appear in public on election day because of his or her observance of a religious

commitment, or who, by reason of physical disability, ***illness, or other medical condition***, is unable to vote in person may vote at a town election in accordance with the provisions of this section and RSA 669:27-669:29. A person who is unable to appear at any time during polling hours at his or her polling place because of an employment obligation shall be considered absent for purposes of this section and RSA 669:27-669:29. For the purposes of this section, the term “employment” shall include the care of children and infirm adults, with or without compensation.

II. When the National Weather Service has issued a winter storm warning, blizzard warning, or ice storm warning for election day applicable to the town:

(a) A person who is elderly or infirm or who has a physical disability, ***illness, or other medical condition***, who otherwise would have voted in person but has concerns for his or her safety traveling in the storm, shall be considered absent for purposes of this section and RSA 669:27-669:29 and may vote absentee on the Monday immediately prior to the election.

(b) A person who cares for children or infirm adults who reasonably anticipates that school, child care, or adult care will be canceled, who otherwise would have voted in person but will be deterred from voting by the need to care for children or infirm adults, shall be considered absent for purposes of this section and RSA 669:27-669:29 and may vote absentee on the Monday immediately prior to the election.

(c) As required by RSA 652:20, the clerk’s office shall be open to receive applications for absentee ballots, to provide voters the opportunity to complete absentee ballots, and to receive returned ballots on the Monday immediately prior to an election at a minimum from 3:00 p.m. to 5:00 p.m. The clerk may designate a deputy clerk or assistant to provide this service, provided the individual has taken the oath of office and has been trained in the requirements for using an absentee ballot and the procedures for issuing and receiving absentee ballots.

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

2022-1100s

AMENDED ANALYSIS

This bill permits absentee voting due to illness or other medical conditions.

HB 1029, relative to the Claremont police commission.

Ought to Pass, Vote 5-0. Senator Ward for the committee.

This bill allows the city council of Claremont to remove a Commissioner from the Police Commission for just cause and after due hearing. Last session a bill was passed that allowed the city council to appoint members to the Commission but inadvertently left out the authority to dismiss or replace members. This legislation corrects that omission.

ENERGY AND NATURAL RESOURCES

SB 271, relative to the Burgess BioPower facility.

Ought to Pass with Amendment, Vote 5-0. Senator Avard for the committee.

SB 271 requires the Public Utilities Commission to revise certain orders relative to the Burgess BioPower plant in Berlin. The Burgess BioPower Plant produces 75 megawatts of base load power from wood chips that are indigenous to New Hampshire. The plant is a reliable source of power and fuel diversity. Today, the independent system operator is concerned about the reliability of our electric grid especially on days when it is very cold. Extended periods of cold weather in New England effect our ability to produce enough power reliably. The independent system operator has warned of the potential for rolling brownouts and blackouts. The cost override factor set by the PUC has led to the prospect of the plant not being able to operate. SB 271 would allow the order to be revised so that the plant can continue to operate and continue to produce energy for New Hampshire’s power grid.

Energy and Natural Resources

March 15, 2022

2022-1107s

07/10

Amendment to SB 271

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

1 Burgess BioPower Plant. 2018, 340:1-2 are repealed and reenacted to read as follows:

340:1 Findings.

I. The general court finds that the continued operation of the Burgess BioPower plant in Berlin: (a) is critical to the energy infrastructure of the state of New Hampshire; (b) is a necessary source of indigenously-sourced, reliable baseload power critical to regional fuel security and reliability of the regional electricity grid; (c) is important for the attainment of renewable energy portfolio standard goals of fuel diversity, capacity, sustainability and energy independence; (d) is essential to the continued health of New Hampshire's forests; (e) provides invaluable support to the timber industry; and (f) is a key contributor of jobs and to the economy of both the North Country and the state as a whole.

II. In passing this act in 2018, the general court originally intended to protect the continued viability of the Burgess BioPower plant by providing for a 3-year suspension of the cap on the cumulative reduction factor (CRF) contained in the power purchase agreement with Eversource. It was the general court's intent that ratepayers, not Burgess BioPower, bear any costs related to the 3-year suspension of the CRF cap. That intent was not implemented correctly in the regulatory proceeding following the passage of this act in 2018 and the public utilities commission instead ordered Burgess BioPower to repay immediately, and in full, any amounts accumulated in the CRF during the 3-year period in the operating year following the expiration of the suspension period.

340:2 Public Utilities Commission; Proceedings; Authority to Amend Orders.

I. Notwithstanding any other provision of the law, any order issued or settlement agreement approved by the public utilities commission to the contrary, including but not limited to any orders issued in public utilities commission dockets DE 10-195, DE 19-142, DE 11-250, and DE 14-238, the public utilities commission shall open a docket to amend any of its orders as necessary to protect the continued operation of the Burgess BioPower plant as follows:

(a) Consistent with the legislative intent of this act, any amounts that have accrued as a result of the legislature's suspension of the operation of the CRF during the 3-year period shall be recovered through a non-bypassable charge applied on a uniform cost per kilowatt-hour basis across all rate classes. Alternatively, costs may be recovered through the stranded cost recovery charge or some other non-bypassable charge as determined by the public utilities commission.

(b) Given the vital energy, environmental, and economic contributions Burgess BioPower makes to the state, along with the important contributions it makes to both grid reliability and fuel security in the region as described in section one above, any and all legislative relief provided to the Burgess BioPower plant shall be deemed to be reasonable, legitimate, and in the public interest for the purposes of RSA 374:57, or any provision of law applicable to the approval of power purchase agreements, provided that no such relief shall limit recovery of costs previously allowed for recovery from ratepayers.

II. Nothing in this act shall be construed to affect or otherwise set the wholesale rate of power paid to the Burgess BioPower plant, or otherwise affect or influence wholesale bidding behavior.

III. Nothing in this act shall prohibit the state from using federal funds, federal stimulus funds authorized by the American Rescue Plan Act of 2021, Public Law 117-2, or any other legislation enacted to provide relief from the effects of COVID-19, or any legislation passed to promote the viability of renewable energy infrastructure, or to offset any economic impact to ratepayers.

IV. In order to ensure the continued viability of Burgess BioPower, any proceeding conducted by the public utilities commission shall be conducted on an expedited basis, by opening a docket no later than 30 days after the effective date of this act and issuing a final order implementing the relief provided in this act not later than 6 months from the effective date of this act. Any relief ordered by the public utilities commission not otherwise funded by federal funds pursuant to this section shall be fully recovered from ratepayers.

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

2022-1107s

AMENDED ANALYSIS

This bill requires the public utilities commission to revise certain orders relative to the Burgess BioPower plant in Berlin.

HEALTH AND HUMAN SERVICES

SB 287, relative to balance billing for certain health care services.

Ought to Pass with Amendment, Vote 5-0. Senator Sherman for the committee.

SB 287 modifies insurance coverage to reflect changes in federal law and clarifies coverage related to emergency services. The Committee Amendment rearranges certain sections of the original SB 287 at the request of the Department of Health and Human Services. The Committee attempted to build consensus for supporting the Committee Amendment amongst stakeholders but, with that effort proving Sisyphean, ultimately chose to advance SB 287 with a Committee Amendment that does not address the issue of dispute resolution and leaves that issue for future legislation or clarity at the federal level. SB 287 as amended will make great strides in protecting New Hampshire citizens from surprise bills and codify the federal No Surprises Act at the state level, preserving New Hampshire control over that process and avoiding federal preemption.

Health and Human Services

March 16, 2022

2022-1129s

12/04

Amendment to SB 287

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

1 New Paragraphs; Patients' Bill of Rights. Amend RSA 151:21 by inserting after paragraph XXI the following new paragraphs:

XXII. The patient shall be fully informed, in writing in language that the patient can understand, of requirements and prohibitions relating to balance billing.

XXIII. The patient shall be fully informed, in writing in language that the patient can understand, of the patients' rights when receiving care or services from a provider or facility that is outside the patient's insurance or group health plan network.

2 Emergency Medical and Trauma Services; Definitions. Amend RSA 153-A:2, I to read as follows:

I. ***"Air ambulance service" means medical transport by a rotary wing air ambulance as defined in 42 C.F.R. 414.605, or a fixed wing air ambulance, as defined in 42 C.F.R. 414.605, for patients.***

I-a. "Coordinating board" means the emergency medical and trauma services coordinating board established in RSA 153-A:3.

3 New Subdivision; Prohibition on Balance Billing. Amend RSA 153-A by inserting after section 36 the following new subdivision:

Prohibition on Balance Billing

153-A:37 Prohibition on Balance Billing. Providers of air ambulance services shall not balance bill the patient for fees or amounts other than copayments, deductibles, or coinsurance for emergency services performed in the facility. This prohibition shall apply whether or not the air ambulance service provider is contracted with the patient's insurance carrier.

4 New Chapter; Prohibition on Balance Billing. Amend RSA by inserting after chapter 332-L the following new chapter:

CHAPTER 332-M

PROHIBITION ON BALANCE BILLING

332-M:1 Definitions. In this chapter:

I. "Emergency services" means health care services that are provided to a patient in a licensed health facility by a health care provider after the onset of a medical condition, including a mental health condition or substance use disorder, that manifests itself by symptoms of sufficient severity that a prudent layperson with average knowledge of health and medicine could reasonably expect that the absence of immediate medical attention could be expected to result in any of the following:

- (a) Serious jeopardy to the patient's health.
- (b) Serious impairment to bodily functions.
- (c) Serious dysfunction of any bodily organ or part.

II. “Health care provider” or “provider” means a physician or other health care practitioner licensed, accredited, or certified to perform specified health services consistent with state law.

III. “Insurer” means a group health plan as defined in 42 U.S.C. section 300gg-91 or an entity subject to the insurance laws and rules of this state offering group or individual health insurance coverage.

IV. “Nonparticipating emergency facility” means an emergency department of a hospital or an independent freestanding emergency department that does not have a contractual relationship directly or indirectly with an insurer as defined in this chapter.

V. “Nonparticipating provider” means any health care provider who is acting within the scope of practice of that provider’s license or certification under applicable State law and who does not have a contractual relationship directly or indirectly with an insurer as defined in this chapter.

VI. “Participating facility” means a health care facility that has a contractual relationship with the insurer, as defined in this chapter, for furnishing such item or service under the plan or coverage, respectively.

332-M:2 Prohibition on Balance Billing.

I. No health care provider shall balance bill the patient for fees or amounts other than copayments, deductibles, or coinsurance for emergency services performed at an emergency facility or services performed in a participating facility. This prohibition shall apply whether or not the health care provider is a participating provider.

II. No emergency department of a hospital or an independent freestanding emergency department that provides emergency services shall balance bill the patient for fees or amounts other than copayments, deductibles, or coinsurance for emergency services performed in the facility. This prohibition shall apply whether or not the health care provider is contracted with the patient’s insurance carrier or group health plan as defined in 42 U.S.C. section 300gg-91.

332-M:3 Provision of Information for Scheduled Appointments. Each health care provider shall comply with the requirements of 42 U.S.C. section 300gg-136.

332-M:4 Violations. The state entity that licenses, accredits, certifies, or credentials the health care provider shall take regulatory action against the health care provider for any violations of this chapter.

5 Insurance Coverage for Emergency Services; Definitions. Amend RSA 417-F:1 to read as follows:

417-F:1 Definitions. In this chapter:

I. “Emergency services” means health care services that are provided to an enrollee, insured, or subscriber in a licensed hospital emergency facility by a provider after the ~~sudden~~ onset of a medical condition, **including a mental health condition or substance use disorder**, that manifests itself by symptoms of sufficient severity that a prudent layperson with average knowledge of health and medicine could reasonably expect that the absence of immediate medical attention could be expected to result in any of the following:

- (a) Serious jeopardy to the patient’s health.
- (b) Serious impairment to bodily functions.
- (c) Serious dysfunction of any bodily organ or part.

II. **“Health care provider” means a health care provider as defined in RSA 420-J:3, XXI.**

III. “Insurer” means any entity providing managed care coverage or accident or health insurance or accident and health insurance policies, contracts, certificates, or other evidence of coverage to enrollees, insureds, or subscribers pursuant to RSA 415, 415-A, 419, 420, 420-A, 420-B, or 420-J.

IV. **“Nonparticipating emergency facility” means an emergency department of a hospital or an independent freestanding emergency department that does not have a contractual relationship directly or indirectly with an insurer as defined in this chapter.**

V. **“Nonparticipating provider” means any health care provider who is acting within the scope of practice of that provider’s license or certification under applicable State law and who does not have a contractual relationship directly or indirectly with an insurer as defined in this chapter.**

VI. **“Qualifying payment amount” means qualifying payment amount as defined in 42 U.S.C. section 300gg-111 (3)(E).**

6 New Section; Coverage for Emergency Services. Amend RSA 417-F by inserting after section 4 the following new section:

417-F:5 Coverage of Emergency Services

I. Each insurer that issues or renews any policy of health insurance providing benefits for emergency services shall cover emergency services provided by a nonparticipating provider in the same manner and without imposing any additional requirements as if the services were provided by a participating provider.

II. The patient's cost-sharing for items or services provided by a nonparticipating provider or nonparticipating emergency facility shall be calculated using the qualifying payment amount for the item or service.

7 Managed Care Law; Definitions; Emergency Services. Amend RSA 420-J:3, XVI to read as follows:

XVI. "Emergency services" means health care services that are provided to an enrollee, insured, or subscriber in a licensed hospital emergency facility by a provider after the ~~[sudden]~~ onset of a medical condition, **including a mental health condition or substance use disorder**, that manifests itself by symptoms of sufficient severity that a prudent layperson with average knowledge of health and medicine could reasonably expect that the absence of immediate medical attention could result in any of the following:

- (a) Serious jeopardy to the patient's health.
- (b) Serious impairment to bodily functions.
- (c) Serious dysfunction of any bodily organ or part.

8 New Paragraphs; Managed Care Law; Definitions. Amend RSA 420-J:3 by inserting after paragraph XXVI the following new paragraphs:

XXVI-a. "Nonparticipating emergency facility" means an emergency department of a hospital or an independent freestanding emergency department that does not have a contractual relationship directly or indirectly with a health carrier or a group health plan as defined in 42 U.S.C. section 300gg-91.

XXVI-b. "Nonparticipating provider" means any health care provider who is acting within the scope of practice of that provider's license or certification under applicable state law and who does not have a contractual relationship directly or indirectly with a health carrier or a group health plan as defined in 42 U.S.C. section 300gg-91.

9 New Paragraph; Managed Care Law; Definition. Amend RSA 420-J:3 by inserting after paragraph XXIX the following new paragraph:

XXIX-a. "Qualifying payment amount" means qualifying payment amount as defined in 42 U.S.C. section 300gg-111 (3)(E).

10 Managed Care Law; Provider Contract Standards. Amend RSA 420-J:8, XI to read as follows:

XI. Every contract ~~[entered into after July 1, 2003]~~ between a health carrier and any [physician] **health care provider** or facility shall contain a provision that ensures that covered persons will have continued access to the provider in the event that the contract is terminated for any reason other than unprofessional behavior. The continued access to providers shall be made available for [60] **90** days from the date **the health carrier provides notice to the covered person** of termination of the contract and shall be provided and paid for in accordance with the terms and conditions of the covered person's health benefit plan and the prior contract between a health carrier and a health care provider. Within 5 business days of the contract termination, the health carrier shall provide written notice to affected covered persons explaining their continued access rights.

11 New Section; Managed Care Law; Preventing Surprise Medical Bills. Amend RSA 420-J by inserting after section 8-f the following new section:

420-J:8-g Preventing Surprise Medical Bills.

I. Each health carrier or a group health plan as defined in 42 U.S.C. section 300gg-91 that issues or renews any policy of health insurance providing benefits for emergency services shall cover emergency services provided at a nonparticipating emergency facility or by a nonparticipating provider in the same manner and without imposing any additional requirements as if the services were provided at a participating facility or by a participating provider.

II. Each health carrier or a group health plan as defined in 42 U.S.C. section 300gg-91 that issues or renews any policy of health insurance shall cover services provided by nonparticipating providers at a participating facility, in the same manner and without imposing any additional requirements, as if the services were provided by a participating provider.

III. The patient's cost-sharing for emergency services or items or services provided by a nonparticipating provider at a participating facility shall be calculated using the qualifying payment amount for the item or service.

12 Managed Care Law; Rulemaking Authority. Amend RSA 420-J:12 to read as follows:

420-J:12 Rulemaking Authority. The commissioner may adopt such rules, under RSA 541-A, and issue such orders as may be necessary to carry out the purposes and provisions of this chapter. ***The commissioner may adopt rules applicable to health carriers and group health plans relating to price transparency for covered health benefits that are consistent with and no more burdensome than federal price transparency requirements for covered health benefits as set forth in 42 U.S.C. section 300gg-114 and 42 C.F.R. 147.210.***

13 Federal Health Care Reform 2010; Purpose and Scope. Amend RSA 420-N:1 to read as follows:

420-N:1 Purpose and Scope. The intent of this chapter is to preserve the state's status as the primary regulator of the business of insurance within New Hampshire and the constitutional integrity and sovereignty of the state of New Hampshire under the Tenth Amendment to the United States Constitution and part I, article 7 of the New Hampshire constitution and to create a legislative oversight committee to supervise the insurance commissioner's administration of the insurance reforms required under the Patient Protection and Affordable Care Act of 2009, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, including any ***amendments thereto, and related provisions of the Public Health Service Act (42 U.S.C. section 300gg et seq.)***, federal regulations, interpretations, standards, or guidance issued thereunder (hereinafter "the Act").

14 Federal Health Care Reform 2010; Definitions. Amend RSA 420-N:2, I to read as follows:

I. "Act" means the Patient Protection and Affordable Care Act of 2009, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152, including any ***amendments thereto, and related provisions of the Public Health Service Act (42 U.S.C. section 300gg et seq.)***, federal regulations, interpretations, standards, or guidance issued thereunder.

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

SB 332, relative to the retention of long-term care workers and other front line employees.
Interim Study, Vote 5-0. Senator Bradley for the committee.

SB 332 establishes the long-term care retention stabilization program of 2022 for services provided by frontline workers employed by certain Medicaid providers, and contracted entities through the developmental services system; the program provides temporary stabilization funding to incentivize frontline workers to remain in or rejoin this workforce during the COVID-19 emergency. While the intent of SB 332 is noble, the fiscal analysis provided to the Committee by the Department of Health and Human Services and New Hampshire Employment Security in lieu of a fiscal note requires further consideration and study.

SB 416-FN, relative to behavioral health assessment and treatment for children in out-of-home placements.
Ought to Pass with Amendment, Vote 5-0. Senator Whitley for the committee.

SB 416-FN requires children's behavioral health assessments to include evidenced-based functional behavioral analysis, or similar assessment, and a behavioral intervention plan prior to an out-of-home placement decision. The Committee Amendment addresses concerns raised by various stakeholders throughout the process and reflects a compromise in the best interests of protecting young children and ensuring that they receive appropriate and timely evidence-based care. It is important to understand the underlying issues behind a child's behavior before being placed in a residential treatment program so that the program can be specifically targeted to their needs.

Health and Human Services
March 16, 2022
2022-1120s
07/05

Amendment to SB 416-FN

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

1 Declaration of Purpose. The general court hereby finds that:

I. There are currently 300 New Hampshire children subject to the jurisdiction of the division for children, youth and families placed in residential care away from their families and communities. Approximately 70 of those children are in out-of-state facilities. These institutional placements are costly for the state and are not proven to reduce problem behavior. Residential care is costly for the state and not proven to support successful long-term outcomes or reduce problem behavior.

II. Testing with functional behavioral assessments to support behavioral interventions as an established criteria prior to children being placed out of home may avoid or reduce the need for residential treatment.

III. Behavioral interventions supported by a functional behavioral analysis are proven to be effective in modifying behavior to healthy, prosocial behavior.

IV. Understanding the cause and meaning behind problem behavior informs community-based behavior programming and reduces the need for residential treatment. When clinically necessary, residential treatment based on the cause and meaning of behavior is more effective at reducing the risk of persistent problem behavior and better prepares a child to return home.

V. Under federal law, 34 C.F.R. 300.530(d)(1)(ii), schools are required to conduct a functional behavioral assessment and provide behavioral intervention services any time a child is removed from school for more than 10 days in a school year and the behavior triggering the removal is directly and substantially related to the child's disability or is a result of the school's failure to implement the IEP per 34 C.F.R. 300.530(e).

VI. Therefore, this act directs the department of health and human services to expand the use of functional behavioral assessments when clinically indicated to inform behavioral intervention plans for children in need of residential treatment due to problem behavior. When related to educational needs, the department shall collaborate with the school district to comply with the law.

2 New Paragraph; Services for Children, Youth and Families; Assessment, Treatment, and Discharge Planning; Requirement for Evidence-Based Functional Behavioral Assessments and Plans. Amend RSA 170-G:4-e by inserting after paragraph IV the following new paragraph:

IV-a. The assessment of behavioral health and other treatment needs of a child at risk of residential treatment either through RSA 169-B, 169-C, 169-D, or RSA 135-F, the system of care for children's mental health due to problem behavior, shall include an evidence-based functional behavioral assessment and a behavioral intervention plan. If the child's school district has no responsibility under IDEA to complete a functional behavioral assessment and it is not related to the child's educational needs, the department shall obtain a functional behavioral assessment. If a functional behavioral assessment cannot be completed prior to entry into residential treatment, the department shall ensure that an assessment is initiated within 30 days of that entry. The functional behavioral assessment shall be conducted by a qualified individual at a fair reimbursement rate according to regional standards, which may include a board certified behavior analyst. The assessment shall include, but not be limited to, a file review, at least 2 hours of observation in a natural or clinical setting, and a final written report, which shall include specific recommendations to include within a positive behavior intervention plan.

3 New Paragraph; Special Education; Individualized Education Programs; Functional Behavioral Assessment Required. Amend RSA 186-C:7 by inserting after paragraph III the following new paragraph:

IV. If the IEP team has determined a positive intervention plan is appropriate after review of the functional behavioral assessment, the child's individualized education program shall include data from the functional behavioral assessment with recommendations and reference to a positive behavior intervention plan that is developed in addition to the IEP. A functional behavior assessment shall be conducted by a trained behavior analyst, which may include a board certified behavior analyst. The assessment shall include, but not be limited to, a file review, at least 2 hours of observation in a natural or clinical setting, and a final written report, which shall include specific recommendations to include within a positive behavior intervention plan. Districts shall refer to 34 C.F.R. 530 in its entirety to determine their responsibilities for discipline procedures under IDEA.

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

2022-1120s

AMENDED ANALYSIS

This bill requires children's behavioral health assessments to include a functional behavioral assessment and a behavioral intervention plan prior to the placement decision.

HB 1327, including diabetes in the conditions listed for eligibility for a service animal. Ought to Pass, Vote 5-0. Senator Avard for the committee.

HB 1327 adds diabetes to the conditions listed in statute for eligibility of a service animal. The Committee heard deeply personal, moving testimony about the tremendous, life-saving service that dogs, with the proper training in detecting changes in blood glucose levels, can provide. HB 1327 would bring New Hampshire's service animal eligibility regulations in-line with the federal Americans with Disabilities Act requirements.

TRANSPORTATION

SB 417-FN, establishing an electric school bus pilot program.

Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

This bill establishes an electric school bus pilot program within the department of energy. The program would help introduce electric vehicle infrastructure and charging stations in the state of New Hampshire. The amendment states that the buses will have sufficient heating during winter operations and emphasizes the use of available funding.

Senate Transportation

March 16, 2022

2022-1128s

12/10

Amendment to SB 417-FN

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

1 New Chapter; Electric School Bus Pilot Program. Amend RSA by inserting after chapter 374-H the following new chapter:

CHAPTER 374-I

ELECTRIC SCHOOL BUS PILOT PROGRAM

374-I:1 Definitions. In this chapter:

I. "Electric school bus" means a school bus that is powered exclusively by an electric motor that draws its current from rechargeable storage batteries, which are recharged with electricity from an electronic vehicle charging station.

II. "Electronic vehicle charging station" means an electronic vehicle charging station as defined in RSA 236:132.

III. "Incremental cost" means, for the purpose of this program, the difference in cost between the purchase and deployment of a conventional school bus versus the purchase and deployment of an electric school bus and may be inclusive of the cost of the vehicle, infrastructure such as electric charging infrastructure necessary to operate the vehicle, and any additional administration cost of implementing an electric school bus program.

IV. "Interconnection equipment" means a group of components or an integrated system that connects an electronic vehicle charging station with the distribution system of an electric utility.

V. "Interconnection facilities" means facilities required by the electric utility to accommodate the interconnection of an electronic vehicle charging station.

VI. "Participating school district" means a school district located within an electric utility company's service territory that:

(a) Participates in an electric school bus vehicle-to-grid or demand response pilot program either as the participating entity or under an agreement with a participating entity; and

(b) Owns its school buses or contracts for school bus services.

VII. "Program costs" mean any costs to acquire and deploy electric school buses.

VIII. "Vehicle-to-grid" means a system in which the energy stored in the batteries of plug-in electric vehicles can be returned to the electrical grid.

374-I:2 Pilot Program Established.

I. There is hereby established an electric school bus pilot program to be administered by the department of environmental services.

II. The commissioner of the department of environmental services may allocate funding from the New Hampshire Volkswagen Mitigation Trust for the electric school bus pilot program and may apply for and accept any other federal funding for the purposes of funding and administering this program.

374-I:3 Requests for Proposals. The department of environmental services shall initiate an electric school bus pilot program within 3 months of the effective date of this chapter to provide available funding for electric school buses and associated charging infrastructure. A request for proposal shall identify the amount of funding that is available to offset the incremental costs of the electric school buses, the electric vehicle service equipment, and the administrative costs of implementing a qualified pilot program.

374-I:4 Qualified Pilot Programs. A qualifying pilot program shall:

I. Allow proposals to be submitted by any of the following:

- (a) Investor-owned utilities;
- (b) Electric vehicle charging equipment providers;
- (c) Municipalities or school districts that operate school buses;
- (d) Entities that have experience in owning and operating electric vehicle charging equipment; or
- (e) School bus companies contracted for services by a New Hampshire school district.

II. Commence on or before December 31, 2023.

III. Allow, pending review and approval of the department of energy, the local electric utility to access and utilize the energy stored in the batteries of the electric school buses at times when such action is necessary to meet current power demand or when utilizing the energy in the stored batteries can lower the cost of supplying power to customers, provided that the participating school district determines that the school buses are not needed to transport students and that the participating entity is fairly compensated for energy recovered from the batteries.

IV. Allow, after the review of the department of energy, the cost to a utility for make-ready transmission or distribution to a facility, and any other costs reasonably incurred by the utility in support of this program to be a recoverable cost.

V. Provide training for school personnel in the proper use of the equipment and facilities.

VI. Require each funded bus to comply with the recommendations the National Transportation Safety Board relative to student transportation and provide for adequate interior heat for winter operations.

VII. Require selected applicants provide the department of energy with any information, data, and analysis that the department requires, including data relative to electric rates, and benefits and costs of the pilot program.

374-I:5 Reports. The department of environmental services shall, by January 31, 2023 and each year thereafter for the duration of any approved pilot program, report on the status of the pilot program to the governor, the senate president, speaker of the house, and the chair of the senate transportation committee, and the chair of the house transportation and science, technology and energy committee. The report shall include:

I. An evaluation of the environmental and health benefits of the pilot program; and

II. The financial costs and benefits of implementing the pilot program to the participating school system and the participating entity, including:

- (a) The deployment, operating, and maintenance of the electric school buses; and
- (b) The use of vehicle-to-grid technology.

374-I:6 Additional Funds. If additional funds become available for the program the department of environmental services shall issue a new request for proposals. Eligible applicants shall include both entities funded and not funded through the initial program.

2 Prospective Repeal. RSA 374-I, relative to electric school bus pilot programs, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2027.

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

2022-1128s

AMENDED ANALYSIS

This bill establishes an electric school bus pilot program within the department of environmental services.

HB 1214-FN, eliminating fees for walking disability placards.

Ought to Pass, Vote 5-0. Senator Sherman for the committee.

This bill eliminates the fee associated with applying for a walking disability placard. The bill would not result in any new fiscal impact since it would align our statute with federal statute and our existing practices.

HB 1437-FN, relative to registration plates for antique farm tractors.

Ought to Pass, Vote 5-0. Senator Sherman for the committee.

This bill provides for the registration of antique farm tractors by the division of motor vehicles. These types of antique vehicles would only be used in events such as parades.

WAYS AND MEANS

SB 313, relative to the authority of the office of professional licensure and certification to establish fees.

Ought to Pass with Amendment, Vote 5-0. Senator Giuda for the committee.

The bill as introduced left many stakeholders with concerns about their ability to have input with regard to the licensing fees for their respective boards. A compromise was reached, and the committee amendment replaces the bill in its entirety. The amendment establishes a committee to study funding sources, fee-setting authority, and fees of the Office of Professional Licensure and Certification (OPLC), and the boards, councils, and commissions within the office. The committee will make recommendations for any necessary changes to the current statutory framework. The Executive Director of the OPLC currently has the authority to establish fees on behalf of the boards, commission, and councils it administers, therefore the amendment also eliminates any existing statutory fees that were in conflict with this authority. It also makes other necessary housekeeping changes to certain statutes.

Senate Ways and Means

March 16, 2022

2022-1118s

04/10

Amendment to SB 313

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

AN ACT relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification.

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

1 Findings. The general court finds that:

I. There are statutory conflicts concerning the fee-setting authority of the office of professional licensure and certification and the boards, councils, and commissions within the office.

II. Some boards are not currently covering 100 percent of operating costs, while other boards are generating revenue more than 125 percent of operating expenses in violation of state statute.

III. Certain licensees may not be able to afford cost of a license.

IV. The office and certain boards dispute how shared costs should be allocated among the boards, councils, and commissions within the office.

V. Other states have used different funding approaches to occupational licensing.

2 Committee Established.

I. There is established a committee to study and make recommendations relative to funding of the office of professional licensure and certification and the boards, councils, and commissions within the office.

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

(a) Three members of the house of representatives, at least 2 of whom shall be from the executive departments and administration committee, appointed by the speaker of the house of representatives.

(b) One member of the senate who serves on the executive departments and administration committee, appointed by the president of the senate.

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

IV. The committee shall:

(a) Review the funding sources, fee-setting authority, and fees of the office and the boards, councils, and commissions, within the office and make recommendations, if any, regarding changes to the current statutory framework.

(b) Identify and make recommendations for changes to funding occupational licensing in New Hampshire, if any.

(c) If necessary, make recommendations for changes to the allocation of shared costs among the boards, councils, and commissions within the office.

(d) Seek input from state agencies and the boards, councils, and commissions within the office, and any other person or entity the committee deems relevant to its study.

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

VI. The committee shall submit a report of its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2022.

3 Acupuncture; Fees. Amend RSA 328-G:9, II(d) to read as follows:

(d) Has paid the ~~[\$110]~~ license fee and filed the application established by the board.

4 Alcohol and Other Drug Use Professionals; Fees. Amend RSA 330-C:8, I to read as follows:

I. The board shall charge licensed alcohol and drug counselors, licensed clinical supervisors, and certified recovery support workers a ~~[\$110]~~ fee for the issuance of an initial license or certificate, and ~~[\$110]~~ **a fee** for the renewal of a license or certificate under this chapter. ~~[The fee for a master licensed alcohol and drug counselor shall be \$240 and the renewal fee shall be \$240.]~~ All licenses shall be renewed biennially on or before June 30 upon payment of the license renewal fee. In addition the board shall establish by rule fees for license and certificate applications, late renewal, and reinstatement of all licenses and certifications authorized by this chapter.

5 Body Art; License Required; Fees. Amend RSA 314-A:2, II to read as follows:

II. ***There shall be a fee for an initial license and a renewal license.*** The procedure and timeframe for license renewals shall be as described in RSA 310-A:1-h.

6 Chiropractic; Licenses and Certificates. Amend RSA 316-A:14-a to read as follows:

316-A:14-a Licenses and Certificates. Each applicant who qualifies under this chapter and who attains a minimum grade of 70 percent upon the examination given under RSA 316-A:13, I shall receive a license from the board as a chiropractor permitted to practice in New Hampshire. ~~[The fee for an initial license and for a license renewal shall be \$300.]~~ ***Each applicant who qualifies under this chapter shall pay a fee for an initial license and a license renewal. The initial license and license renewals shall be valid for the terms established under RSA 310-A:1-h.***

7 Chiropractic; Renewal. Amend RSA 316-A:20, II to read as follows:

II. Each applicant for renewal shall submit satisfactory evidence that the applicant has completed at least 20 hours of continuing education approved by or conducted by the International Chiropractors Associa-

tion, or the American Chiropractic Association, or the New Hampshire board of chiropractic examiners, or any state-chartered chiropractic school or college, within one year prior to the date of renewal. ***In the event of failure to comply with the provisions of this section, the applicant shall appear before the board to show cause why the license should not be suspended.***

8 Electrologists; Fees. Amend RSA 314:10, I to read as follows:

I. ~~[The fee for an initial biennial license and for renewal of the biennial license issued under this chapter shall be \$110.]~~ The executive director shall establish by rule a schedule of fees for ***initial and renewal licenses***, applications, examinations, and license replacement.

9 Embalmers and Funeral Directors; Fees. Amend RSA 325:12-a to read as follows:

325:12-a Fees. ~~[The fee for an initial 2-year license and for renewal of a license issued under this chapter shall be: \$110 for embalmers and \$300 for funeral directors.]~~ The board shall establish fees for ***initial and renewal licenses***, examination of applicants, for apprentices, for funeral home inspections, and for transcribing and transferring records and other services.

10 Massage Therapists and Massage Establishments; License Issuance. Amend RSA 328-B:6, I(a) to read as follows:

(a) Submits the required application form and ~~[\$110]~~ licensing fee.

11 Massage Therapists and Massage Establishments; License Issuance. Amend RSA 328-B:7 to read as follows:

328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire on the last day of the birth month of the licensee in the even-numbered year, upon approval of the executive director of the renewal application and submission of the required ~~[\$110]~~ renewal fee.

12 Board of Registration of Medical Technicians; Fees. Amend RSA 328-I:6, I to read as follows:

I. The board may register any person who submits a completed application ***and pays the established fee***. ~~[The fee for registration under this chapter shall be \$110.]~~

13 Board of Registration of Medical Technicians; Renewal of Registration. Amend RSA 328-I:8 to read as follows:

328-I:8 Renewal of Registration. Certificates of registration issued under this chapter shall be subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the board. ~~[The fee for renewal of certificates of registration shall be \$110.]~~ Certificates of registration for medical technician shall be renewed upon the payment of the renewal fee.

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

The board shall admit to examination for licensure as a nursing home administrator any candidate who pays a ~~[\$300]~~ licensing fee and submits evidence of good moral character and suitability prescribed by the board and evidence that the candidate is at least 21 years old and has completed preliminary education satisfactory to the board; provided:

15 Ophthalmic Dispensing; Application and Registration Fees. Amend RSA 327-A:7 to read as follows:

327-A:7 Application and Registration Fees. Every application for a certificate of registration for ophthalmic dispensing shall be accompanied by a non-refundable registration fee~~[of \$110]~~. Upon approval of the application by the executive director, the applicant shall be issued a certificate of registration for ophthalmic dispensing, which shall be renewed biennially on or before June 30 upon payment of the renewal fee. ~~[The fee for renewal of any certificate of registration shall be \$110.]~~

16 Optometry; Licenses; Qualification. Amend RSA 327:6 to read as follows:

327:6 Licenses; Qualifications. No person, except as otherwise provided in this chapter, shall practice optometry without a license. The board shall not issue a license to any applicant until the person has passed an examination approved by the board, and has presented satisfactory evidence in the form of affidavits properly sworn to, that the person is over 18 years of age and of good moral character, has completed a minimum of 2 years at a college of arts and sciences and has graduated from a school or college of optometry approved

by the board, maintaining a minimum of 4 years in optometric training. Persons who submit an application which demonstrates that they meet the eligibility requirements of this chapter and any rules adopted by the board pursuant to RSA 541-A, and pay the ~~[\$300]~~ licensing fee, shall be licensed by the board.

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

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

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

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

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

(3) That the business complies with all lawful directions and requests for information from the board of pharmacy and the board of registration in optometry of all states in which it conducts business; ~~and~~

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

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

~~[(c) The board of pharmacy or the board of registration in optometry shall assess the following registration fees for out-of-state contact lens sale companies:-~~

~~(1) \$300 for the initial registration.-~~

~~(2) \$150 for an annual registration renewal.]~~

18 Podiatry; Licenses. Amend RSA 315:8, I to read as follows:

I. The board shall issue a license to applicants who have submitted a complete application, paid a ~~[\$300]~~ license fee, achieved a satisfactory examination score, and satisfied all other criteria of competence and professional character required by this chapter.

19 Psychologists; Establishment of Fees. Amend RSA 329-B:12, I to read as follows:

I. ~~[The fee for an initial license shall be \$300.]~~ **There shall be a fee for an initial license.** The license shall be renewed biennially on or before June 30 upon payment of a ~~[\$300]~~ renewal fee.

20 Reflexologists; Structural Integrators; and Asian Bodywork Therapists; Practitioner License Issuance. Amend RSA 328-H:8, I(c) to read as follows:

(c) Makes payment of the ~~[\$110]~~ license fee;

21 Reflexologists, Structural Integrators, and Asian Bodyworks. Amend RSA 328-H:9, II to read as follows:

II. All licenses issued pursuant to this chapter shall be renewed biennially on or before June 30 upon approval by the executive director of the renewal application and submission of the required ~~[\$110]~~ renewal fee.

22 Court Reporters; Term of License. Amend RSA 310-A:173 to read as follows:

310-A:173 Term of License; Renewal. The term of licensure under this subdivision shall be every 2 years. All licenses issued by the board shall expire on the last day of the month of the licensee's birth in the year 2 years following the year of issuance. The secretary of the board shall notify every licensee of the date of the expiration of the license and the amount of the fee that shall be required for its renewal for 2 years~~[-such amount to be not less than \$200]~~. Such notice shall be mailed at least one month in advance of the date of expiration. Renewal may be effected at any time during the month of expiration by the payment of the fee established by the board and submission of evidence satisfactory to the board showing fulfillment of continuing education requirements. If a licensee fails to renew such license within the 12 months after the date of expiration, it shall become null and void and the licensee shall be required to reapply for licensure. The board, pursuant to rules adopted under RSA 310-A:171, shall charge up to a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee.

23 Septic System Evaluators; Fees. Amend RSA 310-A:208, I and II to read as follows:

I. Application for licensure~~[-, the fee for which shall not exceed \$150 for the initial 2-year license].~~

II. Renewal for license holders~~[-, the fee for which shall not exceed \$150 for the 2-year renewal].~~

24 Certification of Heating Equipment Installers. Amend RSA 153:16-b, II and III to read as follows:

II. The mechanical licensing board with the approval of the ~~[commissioner]~~ **executive director of the office of professional licensing and certification** shall adopt rules, pursuant to RSA 541-A, relative to the establishment of minimum education and training standards for voluntarily certified heating equipment installers and heating equipment service personnel.

III. The mechanical licensing board with the approval of the ~~[commissioner]~~ **executive director of the office of professional licensing and certification** shall adopt rules, which shall not be subject to RSA 541-A, relative to the establishment of fees for voluntary certification under this section. After the first year of this program, such fees shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the previous fiscal year. Fees collected shall be deposited in the general fund.

25 State Board of Fire Control; Rulemaking. Amend the introductory paragraph of RSA 153:28, I to read as follows:

I. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the ~~[state fire marshal]~~ **office of professional licensure and certification** and with the approval of the ~~[commissioner of safety]~~ **executive director of the office of professional licensure and certification**, shall adopt rules, pursuant to under RSA 541-A, necessary for the proper implementation of the licensure requirements established in this subdivision, which shall include the following:

26 State Board of Fire Control; Rulemaking. Amend RSA 153:28, II-V to read as follows:

II. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the ~~[state fire marshal]~~ **office of professional licensure and certification** and with the approval of the ~~[commissioner of safety]~~ **executive director of the office of professional licensure and certification**, shall establish application fees for licensure, for renewal, for late renewal, and for reinstatement of licenses under this subdivision pursuant to RSA 541-A. Such licensing fees including any endorsements shall not exceed \$500 per individual. The board shall also adopt fees for replacement licenses, for certified copies and reports, for inspections done pursuant to this subdivision, for letters of verification requested by individuals or jurisdictions relating to licensure and certification, and for transcribing and transferring records and other services. The fee for examination by third parties shall be separate from the fees established by the board. Fees established by the board shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the board budgeted for the biennium in which they will apply. Fees collected shall be deposited in the general fund.

III. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the ~~[state fire marshal]~~ **office of professional licensure and certification** and with the approval of the ~~[commissioner of safety]~~ **executive director of the office of professional licensure and certification**, shall adopt technical standards for fuel gas fitting and plumbing by rule under RSA 541-A. The board shall use applicable codes as adopted by the state of New Hampshire.

IV. The ~~[state fire marshal]~~ **office of professional licensure and certification** shall assist and support the board in administering and enforcing the provisions of this subdivision.

V. The board, **through the office of professional licensure and certification**, may enter into reciprocity agreements which shall permit the licensing of fuel gas fitters and plumbers from states which have a mutual mechanical licensing reciprocity agreement with this state, for all mechanical licenses listed in paragraph I(a) provided the board determines that the requirements for licensure in that state are equivalent to, or greater than, those established by this subdivision.

27 State Board of Fire Control; Examinations; Licenses. Amend RSA 153:29, I to read as follows:

I. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the ~~[state fire marshal]~~ **office of professional licensure and certification** and with the approval of the ~~[commissioner of safety]~~ **executive director of the office of professional licensure and certification**, shall establish, through rulemaking pursuant to RSA 541-A, the nature of

the examinations required for issuance of fuel gas fitter licenses and plumbers licenses. The scope of such examinations and the methods of procedure shall be prescribed by the board. This may include an outside organization approved by the board.

28 State Board of Fire Control; Examinations; Licenses. Amend RSA 153:29, IV to read as follows:

IV. ~~[The licensee shall have in his or her possession a current biennial license issued by the board.]~~ The license **issued** shall be available for inspection on request. The board shall issue a license suitable to be carried by the individual licensee.

29 State Board of Fire Control; Mechanical Licenses. Amend RSA 153:29-a, III to read as follows:

III. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the ~~[state fire marshal]~~ **office of professional licensure and certification** and with the approval of the ~~[commissioner of safety]~~ **executive director of the office of professional licensure and certification**, shall adopt rules, pursuant to RSA 541-A, relative to the application and renewal procedure and any eligibility requirements in addition to those in this subdivision for a fuel gas fitter license or plumber for business entities issued pursuant to this section.

30 State Board of Fire Control; Appeals From Board Decisions. RSA 153:33 is repealed and reenacted to read as follows:

153:33 Appeals From Board Decisions. Any person affected by a final decision of the board may appeal such final decision to the state building code review board, pursuant to RSA 155-A:11-a, within 30 days of the date of the final order.

31 New Hampshire Building Code; Appeals of Decisions. Amend the section heading in RSA 155-A:11-a and RSA 155-A:11-a, I to read as follows:

155-A:11-a Appeal of Decisions ~~[of the Electricians' Board and the Board of Home Inspectors]~~.

I. The board shall hear appeals of final decisions of the board established under RSA 319-C:4 ~~[and]~~, the board established under RSA 310-A:186, **and the board established under RSA 153:27-a**.

32 State Board of Fire Control; Inspectors. Amend RSA 153:34, I and II to read as follows:

I. The ~~[state fire marshal]~~ **office of professional licensure and certification** with the approval of the board and the ~~[commissioner of safety]~~ **executive director of the office of professional licensure and certification** shall have the authority to appoint such inspectors as are necessary to insure compliance throughout the state with practices consistent with the public safety and welfare. Any person so employed shall be under the administration and supervisory direction of the ~~[state fire marshal]~~ **office of professional licensure and certification**.

II. An inspector appointed under this subdivision shall have the authority to enter any premises in which a fuel gas fitter or plumber subject to regulation is performing, or has completed, work regulated under this subdivision for the purpose of making such inspection as is necessary to carry out his or her duties under this subdivision. If consent for such inspection is denied or not reasonably obtainable, the ~~[state fire marshal]~~ **executive director of the office of professional licensure and certification**, or his or her designee, may obtain an administrative inspection warrant under RSA 595-B.

33 State Board of Fire Control; Voluntary Certification of Water Treatment Technicians. Amend RSA 153:38, IV and V to read as follows:

IV. The board may issue certification without examination to those water treatment technicians who provide adequate documentation of having operated in the capacity of a water treatment technician for a period of at least one year prior to January 1, ~~[2004]~~ **2024** and who pay the required fees.

V. The board, with the approval of the ~~[commissioner]~~ **executive director of the office of professional licensure and certification**, shall adopt rules pursuant to RSA 541-A to implement the certification requirements established in this section, including the application procedure and any eligibility requirements in addition to those in this section for certification as a certified water treatment technician or water treatment trainee, the renewal of certification and reinstatement of certification, and to establish the fees for certification of water treatment technicians and water treatment trainees.

34 Repeal. RSA 310-A:1-h, I, relative to certain professions administered by the office of professional licensure and certification, is repealed.

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

2022-1118s

AMENDED ANALYSIS

This bill clarifies that the executive director of the office of professional licensure and certification has authority to establish fees on behalf of the boards, commissions, and councils administered by the office of professional licensure and certification. The bill also establishes a committee to study and make recommendations relative to the funding of the office of professional licensure and certification.

HB 355, relative to Keno.

Ought to Pass with Amendment, Vote 5-0. Senator Daniels for the committee.

This bill allows licensed lottery retailers located in jurisdictions that have voted to allow the sale of Keno to sell Keno. This is a fairness issue as under current law, licensed lottery retailers are required to cash out Keno winnings, but they cannot enjoy the benefit of selling Keno. The committee amended the bill to allow these businesses to decide for themselves whether or not they wish to display Keno on an active screen at their location. The Lottery Commission testified that they estimate an increase of \$5.9 million in net revenue to the state from the passage of this bill.

Senate Ways and Means

March 16, 2022

2022-1131s

08/05

Amendment to HB 355

Amend RSA 284:45, VI(a)(10) as inserted by section 1 of the bill by replacing it with the following:

(10) A lottery retailer licensed pursuant to RSA 284:21-h, if the city, town or unincorporated place where the retailer is located has voted pursuant to RSA 284:51, to allow the sale of keno. Lottery retailers licensed to sell keno under this subparagraph may display keno on an active screen at the retailer.

HB 364, revising the definition of charitable organizations relative to games of chance.

Inexpedient to Legislate, Vote 5-0. Senator Rosenwald for the committee.

While the committee appreciated the sponsor's attempt to simplify the statute as it relates to charities and raffles, the bill caused confusion and did not appear to accomplish the desired outcome. The Ways and Committee believes this bill is unnecessary and recommends it be found inexpedient to legislate.

HB 591-FN, relative to certain liquor license fees.

Ought to Pass with Amendment, Vote 5-0. Senator Rosenwald for the committee.

There has historically been a \$6 upcharge for a combination liquor license for grocery and convenience stores that also choose to sell tobacco. The \$6 charge was unintentionally left as a fee for standalone retail stores that only sold tobacco. This bill corrects that oversight, establishing a retail tobacco license fee based on the number of registers in the store. The bill also clarifies certain other liquor license fee provisions by connecting the licenses with the fees in statute. The committee amendment corrects a small drafting error.

Senate Ways and Means

March 16, 2022

2022-1133s

08/10

Amendment to HB 591-FN

Amend RSA 178:29, II as inserted by section 2 of the bill by replacing it with the following:

II. Off-premises[~~licenses~~] **licensees** shall pay **one of** the following applicable fees annually:

HB 1228-FN, relative to recommendations of the joint committee on dedicated funds.

Ought to Pass, Vote 5-0. Senator Giuda for the committee.

This bill is the result of the work done by the Joint Committee on Dedicated Funds. The committee was established to review the purpose of all dedicated funds on a rotating five-year basis and make recommendations. The committee sought and received significant input from affected agencies. As a result of that work, the bill repeals certain inactive dedicated funds and deposits any remaining funds into other, active dedicated funds and removes the anti-lapsing provisions of certain dedicated funds. It also revises the reporting requirements for certain dedicated funds.

HB 1323, relative to hike safe cards.

Ought to Pass, Vote 5-0. Senator Hennessey for the committee.

This bill allows the Executive Director of the Fish and Game Department to establish the fee for the individual and family hike safe cards. The committee heard testimony that the hike safe card program works extremely well, and the Department has no plans to change the current fee structure, which is \$25 for an individual hike safe card or \$35 for a family hike safe card. The purchase of a hike safe card prevents the hiker from facing billing charges should they require a rescue, unless the person is judged to have done any of the actions listed in RSA 153-A:24, I. The hike safe cards are voluntary and can be easily purchased online or at the Department itself. Funds received from the purchase of hike safe cards go into a non-lapsing, dedicated fund that must be used for Search and Rescue purposes.

The question is on the adoption of the Consent Calendar. Adopted.

ANNOUNCEMENTS

PRESIDENT MORSE: Before we go to the Regular Calendar, right now my understanding is we have sixteen bills in committee that are coming to the floor next week, that are Senate bills. And whatever you send today from FNs will go to Finance and those are coming to the floor. So, we'll be upwards of twenty or twenty-one bills on the 31st. What the Senate may do, depending on how Finance and the other committees play nice next week, on Monday and Tuesday we'll definitely have to create an Addendum Calendar because of Finance, and we'll have that, but we may pick up all the bills in the committees that do work on Monday and Tuesday. Having said that, if we can do that and pick up most of the non-controversial Consent Calendar type bills, we will not be in session on the 7th. So, if the committees can do their work, we can take the 7th off. I guarantee you there's two or three committees that want to meet on the 7th, but they're going to fight for the time, I guess. Are we ready?

REGULAR CALENDAR

EDUCATION

SB 238, relative to special education services in chartered public schools.

Ought to Pass with Amendment, Vote 4-1. Senator Ward for the committee.

Senate Education

March 8, 2022

2022-1035s

10/04

Amendment to SB 238

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

1 New Paragraph; Special Education Services; Chartered Public Schools. Amend RSA 194-B:5 by inserting after paragraph VII the following new paragraph:

VIII.(a) A chartered public school and a resident district of a student with disabilities shall enter into a memorandum of understanding (MOU) to ensure compliance with RSA 194-B:3, II(e). The MOU shall include, but not be limited to, the following: how the chartered public school and school district will cooperate with each other per RSA 194-B:11, III(c) and how the school district proposes to provide special education services and supports to students with disabilities within the chartered public school to ensure a free appropriate public education and adherence to state and federal special education laws, rules, and regulations. The MOU may also contain, but is not limited to, the following information: where the services will be provided and whether the school district will provide the services directly, or through a contract with the chartered public school or outside provider.

(b) The department of education shall develop and provide chartered public schools and school districts with a model MOU document to use as a guide.

(c) At least 2 weeks prior to the start of the school year, a chartered public school and a resident district of a student with disabilities shall review the MOU to ensure that all public charter school students receive services in accordance with their IEP.

2 Effective Date. This act shall take effect January 1, 2023.

The question is on the adoption of the Committee Amendment. Adopted.

Senator Ward offered a Floor Amendment.

Sen. Ward, Dist 8
March 22, 2022
2022-1180s
10/08

Floor Amendment to SB 238

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2023.

The question is on the adoption of the Floor Amendment. Adopted.

Sen. Kahn, Dist 10
March 22, 2022
2022-1175s
10/04

Floor Amendment to SB 238

Amend RSA 194-B:5, VIII(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Prior to the start of the school year, a chartered public school and a resident district of a student with disabilities shall review the MOU to ensure that all public charter school students receive services in accordance with their IEP.

The question is on the adoption of the Floor Amendment. Failed.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

SB 426-FN, relative to the adequate education grants for fiscal year 2023.
Inexpedient to Legislate, Vote 3-2. Senator Ward for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Rosenwald, seconded by Senator Bradley.

The following Senators voted Yes: Hennessey, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 13 - Nays: 9. Adopted.

SB 453-FN-A-L, relative to statewide pre-kindergarten funding.
Interim Study, Vote 3-2. Senator Ward for the committee.

The question is on the adoption of the motion of Interim Study.

A roll call was requested by Senator Sherman, seconded by Senator Soucy.

The following Senators voted Yes: Hennessey, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 13 - Nays: 9. Adopted.

Recess. Out of recess.

ELECTION LAW AND MUNICIPAL AFFAIRS

SB 241, apportioning executive council districts.
Interim Study, Vote 3-2. Senator Gray for the committee.

The question is on the adoption of the motion of Interim Study. Failed.

Senator Gray moved Ought to Pass.

Senator Gray offered a Floor Amendment.

Sen. Gray, Dist 6
March 22, 2022
2022-1188s
08/10

Floor Amendment to SB 241

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

1 Councilor Districts. RSA 662:2 is repealed and reenacted to read as follows:

662:2 Councilor Districts. The state is divided into 5 districts for the choosing of councilors, each of which may elect one councilor. The districts shall be constituted as follows:

I. Councilor district number 1 is constituted of the towns, cities, and unincorporated places of Albany, Alexandria, Alton, Atkinson and Gilmanton Academy Gt, Bartlett, Bean's Grant, Bean's Purchase, Belmont, Berlin, Bridgewater, Bristol, Brookfield, Cambridge, Center Harbor, Chandler's Purchase, Chatham, Clarks-ville, Colebrook, Columbia, Conway, Crawford's Purchase, Cutt's Grant, Dalton, Danbury, Dix's Grant, Dix-ville, Dover, Dummer, Durham, Eaton, Effingham, Errol, Erving's Location, Farmington, Franklin, Freedom, Gilford, Gilmanton, Gorham, Green's Grant, Hadley's Purchase, Hale's Location, Hart's Location, Hebron, Hill, Jackson, Jefferson, Kilkenny, Laconia, Lancaster, Livermore, Low and Burbank's Grant, Madbury, Madison, Martin's Location, Meredith, Middleton, Milan, Millsfield, Milton, Moultonborough, New Durham, New Hampton, Northfield, Northumberland, Odell, Ossipee, Pinkham's Grant, Pittsburg, Randolph, Roches-ter, Rollinsford, Sanbornton, Sandwich, Sargent's Purchase, Second College Grant, Shelburne, Somersworth, Stark, Stewartstown, Stratford, Success, Tamworth, Thompson & Meserve's Purchase, Tilton, Tuftonboro, Wakefield, Waterville Valley, Wentworth's Location, Whitefield, and Wolfeboro.

II. Councilor district number 2 is constituted of the towns and cities of Acworth, Alstead, Andover, Ash-land, Bath, Benton, Bethlehem, Boscawen, Bow, Bradford, Campton, Canaan, Canterbury, Carroll, Charles-town, Chesterfield, Claremont, Concord, Cornish, Croydon, Dorchester, Dublin, Easton, Ellsworth, Enfield, Franconia, Gilsum, Grafton, Grantham, Grotton, Hancock, Hanover, Harrisville, Haverhill, Henniker, Hinsdale, Holderness, Hopkinton, Keene, Landaff, Langdon, Lebanon, Lincoln, Lisbon, Littleton, Lyman, Lyme, Marl-borough, Marlow, Monroe, Nelson, New London, Newbury, Newport, Orange, Orford, Peterborough, Piermont, Plainfield, Plymouth, Roxbury, Rumney, Salisbury, Sharon, Springfield, Sugar Hill, Sullivan, Sunapee, Surry, Sutton, Thornton, Unity, Walpole, Warner, Warren, Webster, Wentworth, Westmoreland, Wilmot, Winchester, and Woodstock.

III. Councilor district number 3 is constituted of the towns and cities of Atkinson, Brentwood, Chester, Danville, Derry, East Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton, Hampton Falls, Kensington, Kingston, New Castle, Newfields, Newington, Newmarket, Newton, North Hampton, Pelham, Plaistow, Portsmouth, Raymond, Rye, Salem, Sandown, Seabrook, South Hampton, Stratham, and Windham.

IV. Councilor district number 4 is constituted of the towns and cities of Allenstown, Auburn, Barnstead, Barrington, Bedford, Candia, Chichester, Deerfield, Epsom, Goffstown, Hooksett, Lee, Londonderry, Loudon, Manchester, Northwood, Nottingham, Pembroke, Pittsfield, and Strafford.

V. Councilor district number 5 is constituted of the towns and cities of Amherst, Antrim, Bennington, Brookline, Deering, Dunbarton, Fitzwilliam, Francestown, Goshen, Greenfield, Greenville, Hillsborough, Hol-lis, Hudson, Jaffrey, Lempster, Litchfield, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, Nashua, New Boston, New Ipswich, Richmond, Rindge, Stoddard, Swanzey, Temple, Troy, Washington, Weare, Wilton, and Windsor.

2 Application. The changes in councilor districts established by this act shall not affect constituencies or terms of office of councilors presently in office. The councilor districts established by this act shall be in ef-fect for the purpose of electing councilors at the 2022 state general election. If there shall be a vacancy in a councilor district for any reason prior to the 2022 state general election, the vacancy shall be filled by and from the same councilor district that existed for the 2020 state general election.

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

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator Birdsell.

The following Senators voted Yes: Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Hennessey, Watters, Prentiss, Kahn, Rosenwald, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 12 - Nays: 10. Adopted.

Senator Soucy offered a Floor Amendment.

Sen. Soucy, Dist 18

Sen. Perkins Kwoka, Dist 21

March 22, 2022

2022-1189s

05/04

Floor Amendment to SB 241

Amend the bill by replacing section 1 with the following:

1 Councilor Districts. RSA 662:2 is repealed and reenacted to read as follows:

662:2 Councilor Districts. The state is divided into 5 districts for the choosing of councilors, each of which may elect one councilor. The districts shall be constituted as follows:

I. Councilor district number 1 is constituted of the counties of Belknap, Carroll, Coos, Grafton, and Sullivan.

II. Councilor district number 2 is constituted of the county of Strafford, the towns of Allenstown, Andover, Boscawen, Bow, Bradford, Canterbury, Chichester, Danbury, Deerfield, Dunbarton, Epsom, Henniker, Hill, Hopkinton, Loudon, Newbury, New London, Northfield, Northwood, Nottingham, Pembroke, Pittsfield, Salisbury, Sutton, Warner, Webster, and Wilmot and the cities of Concord and Franklin.

III. Councilor district number 3 is constituted of the towns of Atkinson, Brentwood, Candia, Chester, Danville, East Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton, Hampton Falls, Hudson, Kensington, Kingston, New Castle, Newfields, Newington, Newmarket, Newton, North Hampton, Pelham, Plaistow, Raymond, Rye, Salem, Sandown, Seabrook, South Hampton, Stratham, and Windham, and the city of Portsmouth.

IV. Councilor district number 4 is constituted of the towns of Auburn, Bedford, Derry, Goffstown, Hooksett, Litchfield, Londonderry, Merrimack, and the city of Manchester.

V. Councilor district number 5 is constituted of the county of Cheshire, the towns of Amherst, Antrim, Bennington, Brookline, Deering, Francestown, Greenfield, Greenville, Hancock, Hillsborough, Hollis, Lyndeborough, Mason, Milford, Mont Vernon, New Boston, New Ipswich, Peterborough, Sharon, Temple, Weare, Wilton, and Windsor, and the city of Nashua.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator Avard.

The following Senators voted Yes: Watters, Prentiss, Kahn, Rosenwald, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Hennessey, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 9 - Nays: 13. Failed.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

SB 405-FN, relative to fines and penalties for election law violations.

Ought to Pass with Amendment, Vote 5-0. Senator Birdsell for the committee.

Election Law and Municipal Affairs
 March 14, 2022
 2022-1101s
 04/10

Amendment to SB 405-FN

Amend the bill by replacing sections 3 and 4 with the following:

3 Political Expenditures and Contributions; Penalties. Amend RSA 664:21, V to read as follows:

V.(a) Whoever violates any of the provisions of RSA 664:16-a ~~[or the provisions of RSA 664:17 relative to removing, defacing, or destroying political advertising on private property]~~ shall be subject to a civil penalty not to exceed \$1,000.

(b) *Whoever violates, or orders, aids, or abets a violation of RSA 664:17, relative to removing, defacing, or destroying political advertising on private property, shall be subject to a civil penalty of \$250 for each piece of political advertising removed, defaced, or destroyed, up to a maximum of \$2,000.*

(c) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 664:16-a or ~~[the provisions of] RSA 664:17 [relative to removing, defacing, or destroying political advertising on private property a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the general fund]~~ ***the civil penalties under subparagraphs (a) and (b).***

~~[(c)]~~ **(d)** The attorney general shall ~~[have authority to]~~ notify suspected violators of RSA 664:16-a or ~~[the provisions of] RSA 664:17 [relative to removing, defacing, or destroying political advertising on private property]~~ of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action~~[, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the general fund].~~

4 New Paragraphs; Political Expenditures and Contributions; Penalties. Amend RSA 664:21 by inserting after paragraph VII the following new paragraphs:

VIII.(a) Except as otherwise provided in this section, whoever violates, or orders, aids, or abets a violation of any provision of this section or RSA 664:14 shall be subject to a civil penalty of \$250 for each piece of political advertising removed, up to a maximum of \$2,000.

(b) The attorney general shall notify suspected violators of this section of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators within the civil penalty limits established in this section without court action.

(c) Whoever is subject to a civil penalty under this paragraph shall also be subject to the payment of restitution for damages.

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

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

Recess. Out of recess.

ENERGY AND NATURAL RESOURCES

SB 262, relative to customer generators of electric energy.

Ought to Pass with Amendment, Vote 4-1. Senator Avard for the committee.

Energy and Natural Resources
 March 15, 2022
 2022-1109s
 10/05

Amendment to SB 262

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

1 Limited Electrical Energy Producers Act; Definition; Customer Generator. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns, operates, or purchases power from an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of up to and including one megawatt ***or 125 percent of the customer's average electric consumption over the past 12 months if greater than one megawatt but less than 5 megawatts***, except as provided for a municipal host as defined in paragraph II-c, [~~that is located behind a retail meter on the customer's premises;~~] ***provided it*** is interconnected and operates in parallel with the electric grid, and is used to offset the customer's own electricity requirements. Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility. ***The term small generator shall apply to a customer-generator whose facility has a total maximum generating capacity of not more than 500 kilowatts alternating current, and the term large customer-generator shall apply to a customer-generator whose facility has a total maximum generating capacity greater than 500 kilowatts alternating current up to 5 megawatts for a single customer account or municipality.***

2 Net Energy Metering; Apportionment. Amend RSA 362-A:9, I to read as follows:

I. Standard tariffs providing for net energy metering shall be made available to eligible customer-generators by each electric distribution utility in conformance with net metering rules adopted and orders issued by the commission. Each net energy metering tariff shall be identical, with respect to rates, rate structure, and charges, to the tariff under which a customer-generator would otherwise take default generation supply service from the distribution utility. [~~Such tariffs shall be available on a first-come, first-served basis within each electric utility service area under the jurisdiction of the commission until such time as the total rated generating capacity owned or operated by eligible customer-generators totals a number equal to 100 megawatts, with 50 megawatts of the 100 megawatts allocated to the 4 electric distribution utilities that were subject to the commission's jurisdiction in 2010 multiplied by each such utility's percentage share of the total 2010 annual coincident peak energy demand distributed by those 4 utilities, and 50 megawatts of the 100 megawatts allocated to the state's 3 investor-owned electric distribution utilities, multiplied by each such utility's percentage share of the total 2010 annual coincident peak energy demand distributed by those 3 utilities, all to be determined by the commission and to be utilized by eligible customer-generators located within each such utilities' service territory. Eighty percent of each utility's share of the 50 megawatts shall be apportioned to facilities with a total generating capacity of not more than 100 kilowatts and 20 percent to facilities with a total generating capacity in excess of 100 kilowatts, but no greater than one megawatt. The 50 megawatts of capacity shall be made available to eligible customer-generators until such time as commission approved alternative net metering tariffs approved by the commission become available. No more than 4 megawatts of such total rated generating capacity shall be from a combined heat and power system as defined in RSA 362-A:1-a, I-d.]~~

3 Net Energy Metering; Accounting. Amend RSA 362-A:9, II to read as follows:

II. Competitive electricity suppliers registered under RSA 374-F:7 and municipal or county aggregators under RSA 53-E may determine the terms, conditions, and prices under which they agree to provide generation supply to and credit, as an offset to supply, or purchase the generation output exported to the distribution grid from eligible customer-generators. The commission may require appropriate disclosure of such terms, conditions, and prices or credits. Such output shall be accounted for as a reduction to the customer-generators' electricity supplier's wholesale load obligation for energy supply as a load ~~[service]~~ ***serving*** entity, net of any applicable line loss adjustments, as approved by the commission. Nothing in this paragraph shall be construed as limiting or otherwise interfering with the provisions or authority for municipal or county aggregators under RSA 53-E, including, but not limited to, the terms and conditions for net metering.

4 Net Energy Metering; Application. Amend RSA 362-A:9, IV(b) to read as follows:

(b) For facilities with a total peak generating capacity of more than [~~100 kilowatts~~] ***500 kilowatts, but not more than 5 megawatts***, the customer-generator shall pay all applicable charges on all kilowatt hours supplied to the customer over the electric distribution system, less a credit on default service charges equal to the metered energy generated by the customer-generator and fed into the electric distribution system over a billing period.

5 New Paragraph; Net Energy Metering; On-site Consumption. Amend RSA 362-A:9 by inserting after paragraph IV the following new paragraph:

IV-a.(a) Facilities eligible for the net metering tariff under this section for customer generators larger than 100 kilowatts and up to one megawatt with an in-service date after January 1, 2022 and not acting as a group net metering host, must consume at least 20 percent of the generation on site, on an annual basis.

(b) On-site consumption requirements under this section shall not apply to low and moderate income customers as defined in administrative rules of the public utilities commission in PUC 902.21.

6 Net Energy Metering; Group Host Requirements. Amend RSA 362-A:9, XIV(a) to read as follows:

XIV.(a) A customer-generator may elect to become a group host for the purpose of reducing or otherwise controlling the energy costs of a group of customers [~~who are not customer-generators~~]. The group of customers shall be located within the service territory of the same electric distribution utility as the host. The host shall provide a list of the group members to the commission and the electric distribution utility and shall certify that all members of the group have executed an agreement with the host regarding the utilization of kilowatt hours produced by the eligible facility and that the total historic annual load of the group members together with the host exceeds the projected annual output of the host's facility. The department shall verify that these group requirements have been met and shall register the group host. The department shall establish the process for registering hosts, including periodic re-registration, and the process by which changes in membership are allowed and administered. Net metering tariffs under this section shall not be made available to a customer-generator group host until such host is registered by the department.

7 Findings; Distributed Energy Resources. Customer-owned distributed energy resources (DERs) that connect to the distribution grid can provide a beneficial hedge against volatile electricity prices and stimulate investment and employment in the state economy. Because DERs frequently utilize clean, renewable energy sources, they can reduce air pollution and greenhouse gas emissions to benefit public health and environmental quality. For these reasons, the general court finds it is in the public interest to stimulate the deployment of DERs in New Hampshire and eliminate unreasonable barriers thereto.

8 New Paragraph; Distributed Energy Resources; Hosting Capacity Maps. Amend RSA 362-A:9 by inserting after paragraph XXI the following new paragraph:

XXII. No later than January 1, 2023, the electric distribution utilities shall publish on their websites a hosting capacity map showing the estimated maximum amount of distributed generation that can be accommodated on the distribution system at a given location under existing grid conditions and operations, without adversely impacting safety, power quality, reliability, or other operational criteria, and without requiring significant infrastructure upgrades. The maps shall provide relevant electrical information regarding the circuit and affiliated substation for each location, including interconnected and queued distributed generation, and shall be updated regularly.

9 Department of Energy; Customer-generator Interconnection; Department Investigation; Report.

I. Within 90 days of the effective date of this section, the department of energy shall initiate a proceeding to investigate modification of the rules of the public utilities commission in PUC 903.01(e) to ensure cost-effective, predictable, and timely interconnection procedures for customer generators to the state's electric distribution system. In so doing, the department shall consult with electric distribution utilities, distributed generation project developers, and any person or entity the department deems relevant to its study.

II. The department's investigative proceeding shall examine and make specific recommendations concerning the following:

(a) How to create transparent, consistent and reasonable engineering standards for interconnection, with special consideration given to established best practices used by other states as set forth in the Interstate Renewable Energy Council's (IREC) 2019 Model Interconnection Procedures.

(b) How to ensure timely, consistent, and reasonably-priced interconnection studies.

(c) How to ensure just and reasonable pricing of grid modernization upgrades mandated by the distribution utility for interconnection of distributed energy resources, including transparency and consistency in pricing guidelines and appropriate cost-sharing among parties benefitting from such upgrades.

(d) How to ensure distribution system upgrades paid for by customer-generators are not claimed as part of the utility rate-base.

(e) Whether it is appropriate to establish an “Interconnection Working Group” convened at the department of energy to regularly assess if interconnection standards need modification.

(f) Any other topic the department reasonably believes it should consider in order to diligently conduct the proceeding.

III. The department shall report its findings and recommendations to the standing committees of the house of representatives and senate with jurisdiction over energy and utility matters no later than one year after initiating the proceeding. The report shall identify ways any recommended statutory changes can reduce barriers to cost-effective, predictable, and timely interconnection of distributed energy resources to the state’s electric distribution system.

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

2022-1109s

AMENDED ANALYSIS

This bill modifies the definition of an eligible customer generator of electric energy under the limited electrical energy producers act, changes the apportionment of net energy metering capacity eligibility, requires electric utilities to publish on their websites a hosting capacity map, and requires the department of energy to investigate and report on customer-generator interconnection procedures.

The question is on the adoption of the Committee Amendment. Adopted.

Senator Avard offered a Floor Amendment.

Sen. Avard, Dist 12

March 18, 2022

2022-1148s

10/05

Floor Amendment to SB 262

Amend the bill by replacing section 4 with the following:

4 Net Energy Metering; Application. Amend RSA 362-A:9, IV to read as follows:

IV.(a) For facilities with a total peak generating capacity of not more than ~~[100]~~ **500** kilowatts, when billing a customer-generator under a net energy metering tariff that is not time-based, the utility shall apply the customer’s net energy usage when calculating all charges that are based on kilowatt hour usage. Customer net energy usage shall equal the kilowatt hours supplied to the customer over the electric distribution system minus the kilowatt hours generated by the customer-generator and fed into the electric distribution system over a billing period.

(b) For facilities with a total peak generating capacity of more than ~~[100 kilowatts]~~ **500 kilowatts, but not more than 5 megawatts**, the customer-generator shall pay all applicable charges on all kilowatt hours supplied to the customer over the electric distribution system, less a credit on default service charges equal to the metered energy generated by the customer-generator and fed into the electric distribution system over a billing period.

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

SB 341-L, relative to treatment of PFAS contaminants in the drinking water of the Merrimack Village Water District.

Interim Study, Vote 5-0. Senator Avard for the committee.

Senator Daniels moved to Lay on the Table. Adopted.

SB 368-FN, relative to animal vending licenses.

Ought to Pass with Amendment, Vote 4-1. Senator Watters for the committee.

Energy and Natural Resources

March 15, 2022

2022-1108s

08/05

Amendment to SB 368-FN

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

AN ACT relative to the unlicensed sale of live animals and establishing the agricultural hearings officer revolving fund.

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

1 Penalty; Unlicensed Sale of Live Animals. Amend RSA 437:10, II to read as follows:

II. In addition to the penalty under paragraph I, any pet vendor who violates any of the provisions of this subdivision or rule adopted under it may be subject to an administrative fine levied by the commissioner, not to exceed \$1,000 for [each] *the first* violation, *and up to \$5,000 for each subsequent violation*.

2 New Section; Revolving Fund for Agricultural Hearings Officers. Amend RSA 425 by inserting after section 11 the following new section:

425:11-a Revolving Fund for Agricultural Hearings Officers.

I. There is established within the department of agriculture, markets, and food a revolving fund for agricultural hearings officers. All fines collected by the department shall be deposited into the fund. The fund shall be nonlapsing and continually appropriated to the department to fund the department's adjudicative procedures, including, but not limited to, the costs associated with contracting with one or more hearing officers who shall be responsible for administering all aspects of the department's adjudicative procedure as directed by the commissioner. The department of agriculture, markets, and food shall every quarter forward any unpaid fines assessed in an adjudicative proceeding to the attorney general for collection in accordance with RSA 7:15-a.

II. At the end of each quarter of the fiscal year any balance in the fund in excess of \$10,000 shall be deposited in the general fund.

3 New Subparagraph; Revolving Fund for Agricultural Hearings Officers. Amend RSA 6:12: II(b) by inserting after subparagraph (383) the following new subparagraph:

(384) Moneys deposited in the revolving fund for agricultural hearings officers under RSA 425:11-a.

4 Effective Date. This act shall take effect July 1, 2022.

2022-1108s

AMENDED ANALYSIS

This bill increases the fine for subsequent offenses of unlicensed sale of live animals.

This bill also establishes the revolving fund for agricultural hearing officers.

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

SB 380-FN, relative to solid waste rules and landfill containment tests.

Interim Study, Vote 4-1. Senator Avard for the committee.

The question is on the adoption of the motion of Interim Study.

A roll call was requested by Senator Avard, seconded by Senator Hennessey.

The following Senators voted Yes: Ward, Avard, Cavanaugh, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Morse.

The following Senators voted No: Hennessey, Bradley, Watters, Prentiss, Gray, French, Ricciardi, Kahn, Daniels, Rosenwald, Carson, Reagan, Gannon, Sherman.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 8 - Nays: 14. Failed.

Senator Hennessey moved Ought to Pass.

Senator Hennessey offered a Floor Amendment.

Sen. Hennessey, Dist 1
March 23, 2022
2022-1212s
08/05

Floor Amendment to SB 380-FN

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

1 New Subparagraphs; Solid Waste Working Group; Duties. Amend RSA 149-M:61, III by inserting after subparagraph (h) the following new subparagraphs:

(i) Review and make recommendations regarding municipal solid waste plans and implementing the prohibition of any landfill in the state from accepting waste from a municipality that does not have a solid waste management plan.

(j) Review and make recommendations regarding the development of a solid waste disposal site evaluation committee or better defining alternative site analysis in RSA 149-M:9.

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

2022-1212s

AMENDED ANALYSIS

This bill adds duties to the solid waste working group relative to solid waste plans and disposal sites.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Avard, seconded by Senator Gannon.

The following Senators voted Yes: Hennessey, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Rosenwald, Carson, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: Avard, Cavanaugh.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 20 - Nays: 2. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to the Committee on Finance (Rule 4-5).

FINANCE

SB 226-FN, establishing a recruitment and retention program for state employment.
Interim Study, Vote 5-2. Senator Hennessey for the committee.

Recess. Out of recess.

The question is on the adoption of the motion of Interim Study.

A roll call was requested by Senator D'Allesandro, seconded by Senator Avard.

The following Senators voted Yes: Hennessey, Bradley, Gray, French, Ward, Daniels, Avard, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, Ricciardi, Kahn, Rosenwald, Carson, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 11 - Nays: 11. Failed.

Senator Bradley moved to Lay on the Table.

A roll call was requested by Senator Bradley, seconded by Senator Avard.

The following Senators voted Yes: Hennessey, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Carson, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 12 - Nays: 10. Adopted.

SB 381-FN-A, establishing an office of the advocate for special education.
Ought to Pass, Vote 7-0. Senator Reagan for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

SB 387-FN-A, making an appropriation to the body-worn and dashboard camera fund.
Inexpedient to Legislate, Vote 5-2. Senator Daniels for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Rosenwald, seconded by Senator Avard.

The following Senators voted Yes: Hennessey, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 13 - Nays: 9. Adopted.

SB 394-FN, relative to the definition of a child with a disability under special education laws.
Ought to Pass, Vote 7-0. Senator Giuda for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

SB 408-FN, directing the department of health and human services to make adjustments to the facility fee reimbursement schedule for freestanding birthing centers.
Inexpedient to Legislate, Vote 4-2. Senator Daniels for the committee.

The question is on the adoption of the motion of Inexpedient to Legislate.

A roll call was requested by Senator Prentiss, seconded by Senator Bradley.

The following Senators voted Yes: Daniels.

The following Senators voted No: Hennessey, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Avard, Rosenwald, Carson, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 1 - Nays: 21. Failed.

Senator Prentiss moved Ought to Pass.

Senator Prentiss offered a Floor Amendment.

Sen. Prentiss, Dist 5

March 16, 2022

2022-1126s

05/10

Floor Amendment to SB 408-FN

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

1 Findings. The general court recognizes the critical services and choices provided to families, newborns, and the health care community by freestanding birthing centers in New Hampshire.

2 Department of Health and Human Services; Facility Fee for Birthing Centers. The commissioner of the department of health and human services shall adopt by rule under RSA 541-A an amendment to the Medicaid facility fee reimbursement rate for freestanding birthing centers, as defined in RSA 151:2, to ensure that the rate is comparable to that for hospitals.

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

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

SB 420-FN-A-L, establishing an extraordinary need grant for schools.
Ought to Pass, Vote 7-0. Senator Hennessey for the committee.

The question is on the adoption of the motion of Ought to Pass.

A roll call was requested by Senator Avard, seconded by Senator Bradley.

Recess. Out of recess.

The following Senators voted Yes: Hennessey, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Sherman, Morse.

The following Senators voted No: Gannon.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 21 - Nays: 1. Adopted, bill ordered to Third Reading.

SB 424-FN, relative to renewable energy and natural gas.
Ought to Pass, Vote 7-0. Senator Rosenwald for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

HB 398, making an appropriation to the department of environmental services for funding eligible waste-water projects.
Ought to Pass, Vote 7-0. Senator Giuda for the committee.

The question is on the adoption of the motion of Ought to Pass. Adopted, bill ordered to Third Reading.

HB 412, making an appropriation to the department of environmental services for the purpose of funding public water system projects.
Inexpedient to Legislate, Vote 7-0. Senator Daniels for the committee.

Senator Bradley moved to Lay on the Table. Adopted.

HEALTH AND HUMAN SERVICES

HB 1390, relative to access to language translation services in telemedicine.
Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

Health and Human Services

March 16, 2022

2022-1130s

05/04

Amendment to HB 1390

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

1 Telemedicine and Telehealth Services; Language Access Services. Amend RSA 310-A:1-g, V(b) and (c) to read as follows:

(b) Maintain a medical record; ~~and~~

(c) Subject to the patient's consent, forward the medical record to the patient's primary care or treating provider, if appropriate; **and**

(d) Provide meaningful language access if the individual is practicing in a facility that is required to ensure meaningful language access to limited-English proficient speakers pursuant to 45 C.F.R. section 92.101 or RSA 354-A, or to deaf or hard of hearing individuals pursuant to 45 C.F.R. section 92.102, RSA 521-A, or RSA 354-A.

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

The question is on the adoption of the Committee Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

JUDICIARY

SB 344, relative to the quorum requirements under the right to know law of meetings open to the public.
Pending Motion: Floor Amendment 2022-1135s, SJ 5. Senator Daniels.

Sen. Daniels, Dist 11

March 16, 2022

2022-1135s

07/08

Floor Amendment to SB 344

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

AN ACT relative to the participation requirements of meetings open to the public under the right to know law.

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

1 Access to Governmental Records and Meetings; Meetings Open to the Public; Physical Quorum Requirements Removed. Amend RSA 91-A:2, III to read as follows:

III. ~~[A public body]~~ **Political subdivisions of the state** may, but ~~[is]~~ **are** not required to, **enact regulations by vote of the local or county legislative body to** allow one or more members of ~~[the]~~ **a public** body to participate in a meeting by electronic or other means of communication for the benefit of the public and the governing body, subject to the provisions of this paragraph. **Nothing in this paragraph shall apply to the general court.**

(a) A member of the public body may participate in a meeting other than by attendance in person at the location of the meeting only when such attendance is not reasonably practical. Any reason that such attendance is not reasonably practical shall be stated in the minutes of the meeting.

~~[(b)]~~ Except in an emergency, a quorum of the public body shall be physically present at the location specified in the meeting notice as the location of the meeting. For purposes of this subparagraph, an “emergency” means that immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period of time requiring action. The determination that an emergency exists shall be made by the chairman or presiding officer of the public body, and the facts upon which that determination is based shall be included in the minutes of the meeting.]

~~[(c)]~~ **(b)** Each part of a meeting required to be open to the public shall be audible or otherwise discernable to the public at ~~[the]~~ **a physical and electronic** location specified in the meeting notice as the location of the meeting **with at least 2 members present in person at the physical location**. Each member participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting, **shall, in the case of video participation, have their video on and displaying the member's face**, and shall be audible or otherwise discernable to the public in attendance at the meeting's location. Any member participating in such fashion shall identify the persons present in the location from which the member is participating. No meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously at the meeting location specified in the meeting notice.

~~[(d)]~~ **(c)** Any meeting held pursuant to the terms of this paragraph shall comply with all of the requirements of this chapter relating to public meetings, **shall provide a mechanism for the public to alert the public body during the meeting if there are problems with access, electronically or otherwise, shall be adjourned until the public is able to access the meeting, electronically or otherwise**, and shall not circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.

~~[(e)]~~ **(d)** A member participating in a meeting by the means described in this paragraph is deemed to be present at the meeting for purposes of voting. All votes taken during such a meeting shall be by roll call vote.

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

2022-1135s

AMENDED ANALYSIS

This bill removes the physical presence quorum requirement for meetings and establishes requirements for electronic participation in meetings of a public body under RSA 91-A.

Recess. Out of recess.

SPECIAL ORDER

Without objection, SB 344 is Special Ordered to the next session. Adopted.

TRANSPORTATION

SB 449, relative to the retention of social security numbers by the division of motor vehicles.
Ought to Pass with Amendment, Vote 3-2. Senator Birdsell for the committee.

Senate Transportation

March 16, 2022

2022-1127s

12/08

Amendment to SB 449

Amend the bill by replacing section 1 with the following:

1 Social Security Numbers; Driver's License Application Form Options. Amend RSA 263:40-a, I-II to read as follows:

I.(a) An applicant for a driver's license who has not previously been licensed to drive a motor vehicle in this state shall provide his or her social security number in the application. The applicant shall be given the opportunity to determine whether to have his or her ***complete social security number or only the last 5 digits of their*** social security number retained in the records of the department of safety. The application form shall include a box to check off [if] ***which portion of their social security number*** the applicant [does not wish] ***wishes*** to have [~~his or her social security number~~] retained in the records of the department.

(b) The application form for a renewal of a driver's license may request the social security number of the applicant. An applicant who is a resident of New Hampshire shall be given the opportunity to determine whether to provide the ***complete social security number or only the last 5 digits of the*** social security number. The application form shall include a box to check off if the applicant does not wish to provide his or her ***complete social security number or only the last 5 digits of their*** social security number pursuant to this paragraph.

(c) The application form for an initial driver's license or a renewal of a driver's license shall include a box to check off if the applicant does not wish to have his or her computerized image, likeness, or photograph retained in the records of the department of safety. The driver's license shall display the mailing address of the licensee and shall not display the licensee's social security number.

II. Notwithstanding RSA 91-A, RSA 260:14, RSA 261:60, or any other provision of law to the contrary, the social security number shall not be a public record open to the inspection of any person. The department shall not sell or otherwise provide individual social security numbers or lists of social security numbers for any purpose which is not stated in this paragraph. The department shall only make the social security number available to other states for driver record purposes, to any national driver information repository established pursuant to federal law, or [~~on their request on a case by case basis~~] (a) ***on their request, on a case by case basis***, to a law enforcement agency that requires the social security number for investigative purposes, [~~or~~] (b) ***on their request, on a case by case basis***, to the department of health and human services for use only in the administration of child support enforcement, ***or (c) on their request, on a case by case basis, to the department of state for voter verification and identification purposes, provided that the department may only transmit the last 4 digits of an individual's social security number.***

The question is on the adoption of the Committee Amendment. Adopted.

Senator Sherman offered a Floor Amendment.

Sen. Sherman, Dist 24

March 23, 2022

2022-1192s

12/10

Floor Amendment to SB 449

Amend RSA 263:40-a, I(a) and (b) as inserted by section 1 of the bill by replacing them with the following:

I.(a) An applicant for a driver's license who has not previously been licensed to drive a motor vehicle in this state shall provide his or her social security number in the application. The applicant shall be given the opportunity to determine whether to have his or her ***complete social security number, only the last 5 digits of their*** social security number, ***or no portion of their social security number*** retained in the

records of the department of safety. The application form shall include a box to check off [if] ***which portion of their social security number, if any,*** the applicant [~~does not wish~~] ***wishes*** to have [~~his or her social security number~~] retained in the records of the department.

(b) The application form for a renewal of a driver's license may request the social security number of the applicant. An applicant who is a resident of New Hampshire shall be given the opportunity to determine whether to provide the ***complete social security number, only the last 5 digits of the*** social security number, ***or none of the social security number***. The application form shall include a box to check off if the applicant does not wish to provide ***any portion of*** his or her social security number pursuant to this paragraph.

2022-1192s

AMENDED ANALYSIS

This bill gives an applicant for a driver's license the opportunity to determine whether to have his or her complete social security number, only the last 5 digits of their social security number, or no portion of their social security number retained in the records of the department of safety. This bill also permits the department to transmit the last 4 digits of an individual's social security number to the department of state for voter identification purposes.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Sherman, seconded by Senator Birdsell.

The following Senators voted Yes: Watters, Prentiss, French, Kahn, Rosenwald, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Hennessey, Bradley, Gray, Ward, Ricciardi, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 10 - Nays: 12. Failed.

The question is on the adoption of the motion of Ought to Pass with Amendment.

A roll call was requested by Senator Avar, seconded by Senator Daniels.

The following Senators voted Yes: Hennessey, Bradley, Gray, Ward, Ricciardi, Daniels, Avar, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, French, Kahn, Rosenwald, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators were excused: Giuda, Whitley.

Roll Call, Yeas: 12 - Nays: 10. Adopted, bill ordered to Third Reading.

MOTION TO REMOVE FROM THE TABLE

Senator Carson moved to remove SB 227-FN from the Table. Adopted.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 227-FN, relative to death benefits for first responders who die from suicide.

The pending motion is Ought to Pass with Amendment.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

CONSENT CALENDAR REPORTS REMOVED

PRESIDENT MORSE: We are at the conclusion of the Regular Calendar and will take up the bill that was removed from the Consent Calendar.

WAYS AND MEANS

HB 1063, relative to the technical changes to the administration of certain taxes by the department of revenue administration.

Ought to Pass with Amendment, Vote 5-0. Senator Hennessey for the committee.

Senate Ways and Means
 March 16, 2022
 2022-1119s
 10/05

Amendment to HB 1063

Amend the bill by deleting section 1 and renumbering the original sections 2-5 to read as 1-4, respectively.

The question is on the adoption of the Committee Amendment. Adopted.

Senator Hennessey offered a Floor Amendment.

Sen. Hennessey, Dist 1
 Sen. Morse, Dist 22
 Sen. Soucy, Dist 18
 Sen. Bradley, Dist 3
 Sen. D'Allesandro, Dist 20
 March 22, 2022
 2022-1176s
 10/05

Floor Amendment to HB 1063

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

AN ACT relative to the technical changes to the administration of certain taxes by the department of revenue administration and relative to county redevelopment district bonds for an unincorporated place.

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

4 County Unincorporated Places; Redevelopment Districts. Amend RSA 33:20 to read as follows:

33:20 Redevelopment Districts in Unincorporated Places and Redevelopment District Bonds. In an unincorporated place, the county commissioners, with the approval of a majority of the county convention present and voting, may: (i) separately from, and in addition to, bonds guaranteed pursuant to RSA 162-I:9-a, authorize the issuance of bonds by the county, the source for repayment of which shall be limited to assessment revenues generated by redevelopment districts created under this section, and shall not be a general obligation of the county and not included in net indebtedness as defined in RSA 33:1, III; and (ii) establish redevelopment districts to ensure that assessment revenues generated hereunder from revitalization projects are sufficient to repay such bonds. The boundaries of the redevelopment district shall be configured so that it includes, but is not limited to, all of the property available to be developed, redeveloped, or revitalized through the issuance of such bonds, or otherwise benefiting from the improvements financed, in whole or in part, with the proceeds of any bonds issued by the county hereunder or bonds issued by the business finance authority and guaranteed pursuant to RSA 162-I:9-a. Every owner of each lot or parcel located within the redevelopment district shall be subject to an assessment. The amount of the assessment shall be sufficient to provide for repayment of the debt service related to the bond. **[The] *Notwithstanding any provision of law to the contrary, including RSA 28:24, the manner of sale and*** terms of any bonds to be issued by the county, and the amount of the assessment, payment terms and method for collection, shall be established in a financing plan prepared by the ~~[bond recipient]~~ ***project developer or developers*** and adopted by the county commissioners. The financing plan shall include the delegation of collection responsibilities to the county. The county commissioners may enter into such agreements as they deem necessary to ensure repayment and to implement the financing plan and including without limitation such terms and conditions as is deemed necessary to provide for the segregation and pledge of the assessments to secure repayment of the bonds. The assessment shall be used solely to pay debt service related to the bond and pay the county's expenses of establishing and administering the redevelopment district and issuing the bonds. The incremental increase in value of any project located in a redevelopment district shall be exempt from all property taxes and shall not be considered in the apportionment of county taxes to the unincorporated place, for so long as any bonds issued under this section or guaranteed pursuant to RSA 162-I:9-a, I remain outstanding. The equalization and apportionment provisions of RSA 21-J shall be applied in a manner consistent with the foregoing sentence. Any unpaid assessment under this chapter shall constitute a lien pursuant to RSA 80 on the assessed property. Collection and enforcement of assessments under this section shall be in accordance with RSA 80. The county commissioners may negotiate a payment in lieu of taxes agreement with the project developer or developers in the redevelopment district who shall also pay all fees for an independent bond counsel. In

order to establish a redevelopment district, issue bonds, and adopt a financing plan hereunder, the county commissioners must find that such actions will likely create, revive, or preserve employment opportunities or increase the social or economic prosperity of the county, any of which would be in the public interest. The county commissioners may negotiate with the project developer or developers to arrange for administration of the redevelopment district, including without limitation fire protection and public safety services, and to provide funding for said administration and services through assessments on available valuation of property within the redevelopment district, fees to property owners, direct payment by a developer or developers, or other means. Under no circumstances shall the county or the unincorporated place, as issuer of a bond under this section, have any obligation of any kind to repay any of the principal or interest of the bond. In this section, "redevelopment district" in an unincorporated place means an eligible facility in an unincorporated place designated as a redevelopment district by the county commissioners.

2022-1176s

AMENDED ANALYSIS

This bill makes technical changes to the business profits tax, the meals and rooms tax, and the administration of taxes by the department of revenue administration. This bill also clarifies the procedure for the issuance of redevelopment district bonds by the county commissioners for an unincorporated place.

The question is on the adoption of the Floor Amendment. Adopted.

The question is on the adoption of the motion of Ought to Pass with Amendment. Adopted, bill ordered to Third Reading.

MOTION TO ADJOURN FROM EARLY SESSION

Senator Bradley moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time, that all bills and resolutions ordered to Third Reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

Adopted. Adjournment from the Early Session.

LATE SESSION ANNOUNCEMENTS

(The Chair recognized Senator Ricciardi.)

SENATOR RICCIARDI: Thank you, Mister President, members of the Senate. It's an honor to be here today as a Greek American and celebrate the 201st anniversary of Greek Independence Day. March 25th just like 4th of July isn't just a day of celebration, it's a reminder about the sacrifices that our forefathers made in the advancement of freedom and democracy. It is a reminder that even though the concept of democracy first took shape in ancient Greece over 2,000 years ago, and they found themselves under the brutal reign of a foreign empire for over 400 years. All around our great state, groups of Greeks and Greek Americans are celebrating with flag raising ceremonies and singing the national Greek anthem. This year these celebrations are even more remarkable as we see Ukrainian flags flown in solidarity and support of those citizens fighting for their very own freedoms. It is also a reminder that the human spirit desires to be free. To every Greek and Greek American in our state, happy Greek Independence Day, Zíto i Elláda, which means long live Greece.

Without objection, all Personal Privileges and Unanimous Consent shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17). Adopted.

LATE SESSION Third Reading and Final Passage

HB 355, relative to Keno.

HB 398, making an appropriation to the department of environmental services for funding eligible wastewater projects.

HB 591-FN, relative to certain liquor license fees.

HB 1029, relative to the Claremont police commission.

HB 1063, relative to the technical changes to the administration of certain taxes by the department of revenue administration and relative to county redevelopment district bonds for an unincorporated place.

HB 1074, relative to notice to a chartered public school of a special education services meeting.

HB 1214-FN, eliminating fees for walking disability placards.

HB 1228-FN, relative to recommendations of the joint committee on dedicated funds.

HB 1323, relative to hike safe cards.
HB 1327, including diabetes in the conditions listed for eligibility for a service animal.
HB 1390, relative to access to language translation services in telemedicine.
HB 1437-FN, relative to registration plates for antique farm tractors.
SB 227-FN, relative to death benefits for first responders who die from suicide.
SB 238, relative to special education services in chartered public schools.
SB 241, apportioning executive council districts.
SB 243, permitting transfer on death deeds for real property.
SB 262, relative to customer generators of electric energy.
SB 271, relative to the Burgess BioPower facility.
SB 287, relative to balance billing for certain health care services.
SB 313, relative to the authority of the office of professional licensure and certification to establish fees and establishing a committee to study and make recommendations relative to funding of the office of professional licensure and certification.
SB 365, relative to absentee ballot outer envelopes.
SB 368-FN, relative to the unlicensed sale of live animals and establishing the agricultural hearings officer revolving fund.
SB 381-FN-A, establishing an office of the advocate for special education.
SB 394-FN, relative to the definition of a child with a disability under special education laws.
SB 405-FN, relative to fines and penalties for election law violations.
SB 408-FN, directing the department of health and human services to make adjustments to the facility fee reimbursement schedule for freestanding birthing centers.
SB 416-FN, relative to behavioral health assessment and treatment for children in out-of-home placements.
SB 420-FN-A-LOCAL, establishing an extraordinary need grant for schools.
SB 424-FN, relative to renewable energy and natural gas.
SB 427-FN, modifying the absentee voter registration process, absentee ballot application, and absentee ballot voting process.
SB 449, relative to the retention of social security numbers by the division of motor vehicles.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator Bradley moved that the business of the day being completed, that the Senate recess to the Call of the Chair for the purposes of introducing legislation, referring bills to committee, scheduling hearings, sending and receiving messages, vacating bills, and processing enrolled bill reports and amendments and when we recess, we recess to the Call of the Chair.

Adopted. The Senate is in recess to the Call of the Chair.