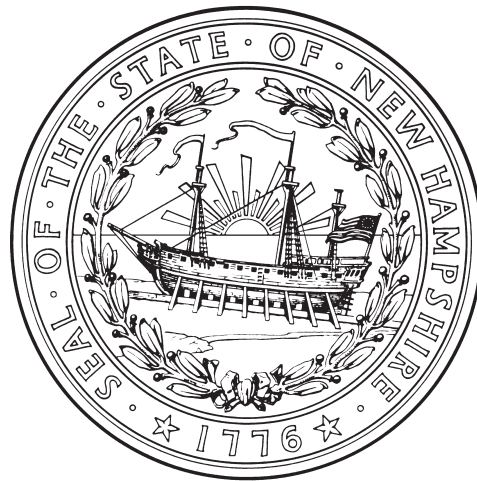


April 13, 2023
Nos. 12-13

STATE OF NEW HAMPSHIRE

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**First Year of the 168th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MARCH 30, 2023 SESSION
COMMENCEMENT – APRIL 13, 2023 SESSION**

SENATE JOURNAL 12 *(continued)*

March 30, 2023

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 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2024 and June 30, 2025.

HB 2-FN-A-LOCAL, relative to state fees, funds, revenues, and expenditures.

HB 25-A, making appropriations for capital improvements.

HB 46-FN, (New Title) establishing a committee to study replacement of bail commissioners with court magistrates.

HB 74-FN, relative to an employee's unused earned time.

HB 250-FN, (2nd New Title) relative to the accidental death benefit payable for a retirement system member.

HB 269-FN, relative to limiting the authority of New Hampshire delegates to policymaking conventions.

HB 330-FN-A, relative to the national guard recruitment incentive program and its funding and rulemaking.

HB 337-FN, relative to directing the office of professional licensure and certification to provide notice of public meetings and an opportunity for comment from the public.

HB 364-FN, relative to transportation for students attending career and technical education centers.

HB 379-FN, (New Title) requiring notice be provided to tenants during residential eviction proceedings regarding legal counsel.

HB 492-FN, requiring the department of education to provide the house and senate standing committees responsible for education with copies of the laws and rules relative to education.

HB 504-FN, relative to the adult parole board and making an appropriation therefor.

HB 519-FN, relative to establishing a chief information security officer for the department of information technology.

HB 534-FN-A, relative to water assistance for natural disasters.

HB 576-FN-A-LOCAL, (New Title) relative to administration of a commercial property assessed clean energy (C-PACE) program in a clean energy efficiency and clean energy district.

HB 639-FN-A, relative to the legalization and regulation of cannabis and making appropriations therefor.

INTRODUCTION OF LEGISLATION

Senator Carson 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 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2024 and June 30, 2025. (Finance)

HB 2-FN-A-LOCAL, relative to state fees, funds, revenues, and expenditures. (Finance)

HB 25-A, making appropriations for capital improvements. (Capital Budget)

HB 46-FN, establishing a committee to study replacement of bail commissioners with court magistrates. (Judiciary)

HB 74-FN, relative to an employee's unused earned time. (Commerce)

HB 250-FN, relative to the accidental death benefit payable for a retirement system member. (Executive Departments and Administration)

HB 269-FN, relative to limiting the authority of New Hampshire delegates to policymaking conventions. (Rules and Enrolled Bills)

HB 330-FN-A, relative to the national guard recruitment incentive program and its funding and rulemaking. (Executive Departments and Administration)

HB 337-FN, relative to directing the office of professional licensure and certification to provide notice of public meetings and an opportunity for comment from the public. (Executive Departments and Administration)

HB 364-FN, relative to transportation for students attending career and technical education centers. (Education)

HB 367-FN-LOCAL, relative to eligibility of students in the education freedom account program. (Education)

HB 379-FN, requiring notice be provided to tenants during residential eviction proceedings regarding legal counsel. (Judiciary)

HB 384-FN-A, relative to building a new legislative parking garage and making an appropriation therefor, renaming the capital project overview committee, and establishing the joint legislative parking garage oversight commission. (Finance)

HB 446, relative to participation in the education freedom accounts program by students with disabilities. (Education)

HB 464-FN, relative to eligible students in the education freedom account program. (Education)

HB 492-FN, requiring the department of education to provide the house and senate standing committees responsible for education with copies of the laws and rules relative to education. (Education)

HB 504-FN, relative to the adult parole board and making an appropriation therefor. (Judiciary)

HB 519-FN, relative to establishing a chief information security officer for the department of information technology. (Executive Departments and Administration)

HB 534-FN-A, relative to water assistance for natural disasters. (Energy and Natural Resources)

HB 576-FN-A-LOCAL, relative to administration of a commercial property assessed clean energy (C-PACE) program in a clean energy efficiency and clean energy district. (Energy and Natural Resources)

HB 639-FN-A, relative to the legalization and regulation of cannabis and making appropriations therefor. (Judiciary)

Out of Recess. Call the Senate to Order.

MOTION TO ADJOURN FROM LATE SESSION

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

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 13

April 13, 2023

The Senate reconvened at 10:00 a.m., a quorum being present.

Without objection, pursuant to Senate Rule 2-33 Senator Gannon will participate remotely. Adopted.

Senator Gannon stated his location and identified anyone present in his location.

The Reverend Father Stephen Lawson, Chaplain to the Senate, offered the following prayer:

Let us pray.

Loving God, bring down your compassion and mercy on us today. We give You thanks for giving us another day to serve the people of New Hampshire. Show us how to draw closer to You and to follow your voice in our hearts. Bless the Senators and staffers gathered here today. Help them to be civil with one another and to speak with humility and love. We ask that you protect our families, and you bring healing to our sick colleagues and friends. Continue to bless our great state with peace and prosperity. May all that we do today be to build a more just and peaceful society. Amen.

Senator Rosenwald led the Pledge of Allegiance.

ANNOUNCEMENTS

PRESIDENT BRADLEY: And now it is my great honor to introduce our second guest who is participating in New Hampshire's first in the nation primary. Welcome please Vivek Ramaswamy.

(The Chair recognized Vivek Ramaswamy.)

VIVEK RAMASWAMY: Yes, thank you for that warm welcome. It is a pleasure to be here in the first in the nation primary, and congratulations on taking steps to keeping it that way. I know you guys have done great work in this room. It's good to find some bipartisanship around tradition. Traditions were not just created for arbitrary reasons. They were created for a reason. We have a responsibility to preserve them. And I'm honored to be in a state that still cares about the substance of the electoral process, not just going through the partisan motions, but getting to the essence of what it actually means to be American. That's what I'm going to talk to you about this morning.

We have lived in the last ten years through a national identity crisis. Faith, patriotism, hard work these things have disappeared. New secular religions, from wokeness to gender ideology to even the climate cult, they have taken the place of those traditional values and filled that void. You ask people my age, I'm a millennial. I'm thirty-seven years old. I'm the first Republican ever to run for president, as a millennial. I'll tell you, as a member of my generation, people my age, really people any age today in this country, we're so hungry for a cause. We're hungry for purpose and meaning and identity. Yet we cannot even answer what it means to be an American in the year 2023. Mental health epidemics, anxiety, depression you wonder where that comes from. It's like two rivers colliding. On one hand, we're hungry for purpose, yet we no longer believe in God. We no longer have faith in our country. We no longer believe in the virtues of hard work and family. Combine that with telling a generation that you can't express yourself freely, that's when you get the mental health epidemic that's raging across America. I think we have an opportunity to fix that. This is not a Republican issue or a Democrat issue. It is an American issue. If we can answer the question for the next generation what it means to be American today, then addressing all of our other challenges from economic to foreign policy become that much easier.

So what does it mean to be American? To me it means you believe in basic ideas. Ideas like merit. That you get ahead in this country not on the color of your skin, but on the content of your character and your contributions. Means you believe in the rule of law. That means that you know what? People like my parents can come to this country legally through the front door to make their contributions as they did, raising two kids, not just me, but my brother, too, who went on to found successful companies that helped thousands of Americans. Yes, we should legally want more like them. But it also means that your first act of entering this country cannot be a law breaking one. Means you believe in concepts like free speech and open debate in this country. To say that you get to speak your mind freely as long as I get that same right in return. It means we live in a country where the government does not use private companies to do through the back door, what government could not get done through the front door under the Constitution, including censoring its political critics. Means you believe that, here's a radical idea for you, that the people in this room, people like you, who we elect to run the government, ought to be the ones who actually run the government, rather than a managerial class that both in the states and in the Federal Government, actually runs the show today. And that's why, for example, I've become the first U.S. Presidential candidate in this race who said that if I'm elected U.S. President, I will take those agencies that should have never existed, like the U.S. Department of Education, and actually shut them down. Eighty-three billion dollars flowing through an agency in Washington, D.C. that's actually holding your schools here in the state of New Hampshire hostage, saying that they don't get money unless those schools adopt one sided political agendas advanced by the U.S. Department of Education. I don't care if you're a Republican or a Democrat. That Federal Government has no business educating the children of this state or any other state across this union. You want to use that money better, dissolve that \$83 billion. For 25 percent of it, we could put three armed security guards actually protecting our kids in every school in this country. You ask yourself, what's a better use of that money? It isn't even close. Take an agency like even the FBI or the ATF or the government agencies that once existed to fulfill a function but today have become so toxic, so politicized, that the only answer left is actually to shut them down. And when you need, you create something new to take its place. When I pledge to say I would shut down the FBI and build a new administrative agency to actually enforce the law rather than to make it up. First they said that was a partisan point. You want to know what; the FBI was weaponized against Democrats, including Martin Luther King, before it was actually weaponized against Republicans. This is not a partisan issue.

And that is why I love coming to this state. I say the real defining conflict of our time in America, it's not between red and blue. It's not between black and white. It's not between men and women. It's not what they would have you believe. It is between whether you are pro American, whether you believe in those basic ideals that set this country into motion 250 years ago in places not far from where we are here in Concord, where those first shots were fired. Are you pro-American or are you fundamentally anti American? Do you wish to apologize for the ideals on which this nation was founded? Do you wish to apologize for the existence of a country that embodies those ideals? That is actually the question we face as a country. You know what we might disagree on whether corporate tax rates should be high or low, whether Ivermectin treats COVID. Okay, fine. Those are details. But on the basic rules of the road, meritocracy, free speech, open debate, self-governance, over aristocracy, the rule of law. I think most of us in this room, we agree on those basic rules of the road. If you agree on those ideals, we're on the same team. If you disagree with me, then let's talk about it, because that's actually what we need to be reviving in this country, representing not just a partisan system, but actually a pro-American movement that now lives itself through what I want to see as a new Republican Party. That is the new American dream for this country. Is not just about green pieces of paper. It's about reviving conviction in our purpose as citizens.

Tell you, for the last ten, fifteen years in this country, we've grown so accustomed to celebrating our diversity and our differences so much that we forgot all the ways we're really just the same as one people. Bound by that common set of ideals. I'm looking around the room here today. I see people of different shades of melanin, different genders, two of them, if you ask me. That's good, that's diversity. But it only means something if there is something greater that unites us across that diversity. Think about it. Without that, we're just a group of higher mammals roaming a common geographic space, doing what our iPhones told us to do on a given day. That isn't America. That is not the America I learned to pledge allegiance to as a kid. That is not the America I see today. America is a place that is bound together by a common set of ideals, a vision of what a place can be. And I believe deep in my bones, those ideals still exist, and I'm running for President to revive them. Yes, I am an unapologetic America first conservative. But even if you're with me in that movement, you listen to me when I say this. To put America first, we need to rediscover what America is.

E pluribus unum; from many one. That is the vision that won us the American Revolution 250 years ago. That is the vision that reunited us after the Civil War. That is the vision that won us two world wars and the cold war. That is still the vision that gives hope to the free world as we know it. And if we can revive those ideals over fractious group identity or grievance politics, then I'll tell you nobody in the world, not a nation, not a corporation, not a virus is going to defeat us. That is what this thing we call American exceptionalism is all about.

And the note I'll leave to you all in closing is that there is not a time in my life, and I'll be so bold as to make this statement, there won't be a time in our lifetime when state legislators actually have a bigger opportunity to shape our culture for the better. There have been times where it had to come from other forces in our culture. But in the states today, from primary education to capital markets to how your pensioners pension fund money is invested to create a country that they did not vote for. To actually revive civic education, to keep traditions like being a first in the nation primary alive, not just for your state, but for the country. There is not a moment in American history in this century where you in this room will be able to make a more positive difference for reviving that culture. And here's my promise to you: If you rise to the occasion, if you do it, my promise to you is that we will not be, as I said in that book when I wrote it, I was in a bad mood when I wrote that book. I said are we a nation in decline? Are we Rome? Are we Carthage? My promise to you is if you, it's not going to be just me, it's going to be all of us rising to the occasion. It's going to be you rising to the occasion. If you're able to do it, then we will not be that nation in decline. We will be a nation whose best days are still ahead of us. A nation, yes, going through adolescence right now, a little young figuring out who we're really going to be when we grow up. But we will get to the other side of that with conviction because of the work of each of you in this room and the constituents who you represent and who I will be traveling this state over the next five days to meet hand to hand. And as we will be here for the next year, as we make our run for President of the United States, thank you. God bless New Hampshire. God bless the United States. Thank you for having me. I appreciate that.

PRESIDENT BRADLEY: So you could be, will be the second person, Marianne Williamson was here, to sign our first in the nation primary license plate.

VIVEK RAMASWAMY: It's first now, we're going to keep it that way. Thank you.

PRESIDENT BRADLEY: And since you're going to be spending a lot of time in New Hampshire, here's a calendar of the white mountains. It's your homework. Enjoy.

VIVEK RAMASWAMY: Okay, I like it. Thank you very much. I appreciate it.

PRESIDENT BRADLEY: So Mister Ramaswamy said that if anybody wants to ask him any specific questions he'll be out in the hall. Okay? Thank you, very much.

INTRODUCTION OF GUESTS

Senator Watters introduced students from Maple Wood School in Somersworth visiting in the gallery.

Senator Abbas introduced Michael Geha, President of the New Hampshire Police Association visiting in the gallery.

Senator Soucy introduced Connor Joyce from Gratham visiting in the gallery.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Mister President, I have the honor today to have my daughter-in-law with me, my son, and the principal of Concord High School. We call this an educational experience. Welcome.

Mike Reardon is the principal of Concord High School. Renee D'Allesandro is the school nurse of the year. And my son Michael is one of the most successful businessmen in the state. So, the President asked me to be brief so I have a resolution.

The New Hampshire State Senate. A resolution. Be it known that the New Hampshire State Senate extends its congratulations to Renee D'Allesandro in recognition of her being named New Hampshire School Nurse of the Year by the New Hampshire School Nurses Association. And be it further known that the New Hampshire Senate extends its best wishes for continued success in all future endeavors. Signed by Senator Lou D'Allesandro from District 20.

Very few people get to kiss the recipient. It's my highlight of the day.

SPECIAL ORDER

Without objection, the following bills are Special Ordered to the beginning of the Calendar. Adopted.

JUDICIARY

HB 49-FN-A, relative to postponing the closure of the Sununu Youth Services Center.

HB 88, relative to reproductive rights.

HB 224-FN, repealing the criminal and civil penalties from the fetal life protection act.

COMMERCE

HB 117, relative to the termination of tenancy at the expiration of the tenancy or lease term.

ENERGY AND NATURAL RESOURCES

HB 56, relative to permits for the siting of new landfills.

AMENDED FN REPORT FOR APRIL 13, 2023

W/F	Bill	Title	R/C	Committee
Waive	HB 207	relative to school district unanticipated funds.	Consent	EDU
Finance	HB 377	(New Title) relative to screening and intervention in public schools and public charter schools for dyslexia and related disorders, and establishing an addition to adequate education grants for certain pupils screened for dyslexia and related disorders.	Consent	EDU
Finance	HB 435	relative to relief aid calculation in determining grants for adequate education.	Consent	EDU
Waive	HB 550	establishing a committee to study chartered public school dissolution.	Consent	EDU
Waive	HB 219	relative to certain public utilities statutes.	Consent	ENR
Waive	HB 278	(New Title) relative to retirement system employer reports.	Consent	EDA
Waive	HB 613	relative to regulation of the individual health insurance market under RSA 404-G.	Consent	HHS
Waive	HB 54	relative to antique car inspections.	Consent	TRANS
Waive	HB 163	relative to authorized license plate decals.	Consent	TRANS
Waive	HB 198	modifying the new resident drivers' license transfer requirement.	Consent	TRANS
Waive	HB 268	relative to the furnishing of special number plates to the liquor commission, division of enforcement and licensing, and official cover plates to the house clerk.	Consent	TRANS
Waive	HB 522	relative to money transmitters.	Regular	COM
Waive	HB 595	relative to the oversight of the public deposit investment pool.	Regular	COM
Waive	HB 233	relative to useful thermal energy under the renewable portfolio standards.	Regular	ENR
Waive	HB 30	allowing a county to exempt its chief administrative officer from compulsory participation in the retirement system.	Regular	EDA
Waive	HB 193	relative to administration of the New Hampshire retirement system.	Regular	EDA
Waive	HB 457	relative to state treasury pension and insurance fund management.	Regular	EDA
Waive	HB 49	relative to postponing the closure of the Sununu Youth Services Center.	Regular	JUD
Waive	HB 224	repealing the criminal and civil penalties from the fetal life protection act.	Regular	JUD

Please Note:

Senate Rule 4-5 requires every bill and joint resolution appropriating money, and every other bill which is accompanied by a fiscal note pursuant to RSA 14:44, which has been referred to another committee and found Ought to Pass by the Senate, shall be referred to the Finance Committee for review, unless otherwise ordered by the Senate upon recommendation of the Chair of the Finance Committee.

Senator Gray has reviewed the bills in the Consent and Regular Calendars to be acted upon by the Senate on April 13, 2023, and his recommendations are listed above.

Bills listed as Waive should be sent to third reading and bills listed as Finance should be sent to the Finance Committee.

The recommendations are only applicable to bills found Ought to Pass.

Without objection, the FN Report is adopted.

CONSENT CALENDAR REPORTS REMOVED

ENERGY AND NATURAL RESOURCES

HB 96, by Senator Gendreau

CONSENT CALENDAR

Senator Carson 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 71, repealing a department of education report on chartered public school funding. Ought to Pass, Vote 5-0. Senator Lang for the committee.

As introduced HB 71 seeks to remove the requirement for the commissioner of the department of education to submit a report to the fiscal committee of the general court for each payment made by the state to a chartered public school in a fiscal year. This bill would repeal RSA 194-B:11 I(e), which is noted as the exact same bill as SB 25. This bill comes upon the request of the department of education as a law change caused the reporting requirement to be moot.

HB 170, requiring the teaching of cursive handwriting and multiplication tables. Ought to Pass, Vote 5-0. Senator Gendreau for the committee.

As introduced HB 170 requires school boards to teach cursive handwriting and the memorization of multiplication tables. This bill seeks to change the language of current statute RSA 189:11-C from the school board of each school district "is encouraged" to "is required" to provide instruction in regards to cursive handwriting and the memorization of multiplication tables. The intent of this bill is to provide students an adequate development of cursive handwriting and multiplication skills in order to further their education past grade five and eventually into the workforce.

Senators Altschiller, Rosenwald and Whitley are in opposition to the motion of Ought to Pass.

HB 207-FN, relative to school district unanticipated funds. Ought to Pass, Vote 5-0. Senator Gendreau for the committee.

HB 207 raised the amount of unanticipated funds requiring notice and a public hearing from \$5,000 to \$20,000. In the event there are unanticipated funds, school boards are required to hold a public hearing, and offer notice on the time, place, and subject of the hearing in a local paper at least a week prior to the date of the hearing. Any contribution larger than \$20,000 is held to this requirement, although districts may individually elect to adopt a lower threshold.

HB 377-FN, relative to screening and intervention in public schools and public charter schools for dyslexia and related disorders, and establishing an addition to adequate education grants for certain pupils screened for dyslexia and related disorders.

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

As introduced HB 377-FN would require additional dyslexia and related disorder screening and intervention for students enrolled in public school levels kindergarten through third grade. This bill changes

the literacy screening requirements from one time in kindergarten and first grade to twice yearly from kindergarten through third grade, and clarifies the intervention timeline. The intent of HB 377-FN is to ensure that all children in our state develop strong literacy skills that they will need to succeed in life, through catching dyslexia and related disorders earlier.

HB 435, relative to relief aid calculation in determining grants for adequate education.
Ought to Pass, Vote 5-0. Senator Lang for the committee.

As introduced HB 435 increases the amount for relief aid grants based on eligibility for free or reduced priced school meals, and adjusts the grants by changes in the consumer price index. The bill comes at the request of the Department of Education, and intends to change how the relief funding provision in the school funding formula is structured and calculated. The structure and calculation would change from the Department of Education prorating portions of aid against all of the communities across the state to the statewide total of \$17,500,000 to the Department of Education, after the relief funding grant is calculated, applying the biennial consumer price index (CPI) adjustment to the total relief funding grant as calculated for each municipality. The purpose of this change is to prevent budgetary concerns with school district funding per the Department of Education's November 15th fiscal year estimates.

HB 452, relative to the department of education procedures for school building aid applications.
Ought to Pass, Vote 5-0. Senator Prentiss for the committee.

HB 452 would modify the school building aid application process. Specifically, the timeline and sequence of events that composed the application and approval procedure would be adjusted. Under HB 452, building aid applications would be considered annually, as opposed to biennially. Additionally, the ranking process and subsequent town vote would occur following approval of the state budget; traditionally, this was done prior to budgetary approval. Finally, HB 452 would also ensure that charitable contributions towards building aid were no longer subtracted from total project costs.

HB 550-FN, relative to chartered public school dissolution.
Ought to Pass with Amendment, Vote 5-0. Senator Fenton for the committee.

HB 550 would establish a study committee to determine the steps necessary to ensure the orderly closure of a chartered public school. HB 550 requires that the study committee be composed of members from both chambers of the legislature, for the purposes of analyzing risk management, disposal of property, dissolution of assets, and current practices as they related to the dissolution process of chartered schools, among other liabilities.

Senate Education
April 11, 2023
2023-1355s
10/07

Amendment to HB 550-FN

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

1 Committee Established; Chartered Public School Dissolution. There is established a committee to study the current chartered public school dissolution process and identify ways to ensure an orderly school closure that will support students, avoid insolvency, and reduce liability to the school and the state.

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

(a) Four members of the house of representatives, at least 2 of whom are from the education committee, appointed by the speaker of the house of representatives.

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

II.(a) The committee shall seek the expertise and advice from:

(1) A financial administrator (employee or contractor), preferably a CPA, for a charter school, nominated by the commissioner of education.

(2) The administrator of the department of education's chartered public school office.

(3) A representative of the charitable trust unit of the department of justice.

(4) The commissioner of the department of administrative services, or designee.

(5) Any other person or entity relevant to the duty of the committee.

(b) Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall study the following issues related to the operation of chartered public schools, which are recognized by the state as both private non-profit organizations and public schools:

(a) Existing federal and state statutes and rules related to financial and risk management, and dissolution including the disposal of property, inventory and monetary assets.

(b) Identification of all state agencies that do, or should, have responsibilities related to the monitoring of financial status and practices, maintenance of fiscal solvency, and the dissolution process.

(c) Financial liability of the state, school districts, and the employees, boards, parents and volunteers of chartered schools.

(d) Current practices and best practices for schools and state agencies, related to maintenance of financial stability, risk management, and the dissolution process of chartered schools.

(e) Non-financial issues related to dissolution including, but not limited to, notification of closure, placement of students and retention of academic records.

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

V. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the chairs of the education committees in both the house of representatives and senate, the house clerk, the senate clerk, the governor, and the state library on or before December 15, 2023.

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

2023-1355s

AMENDED ANALYSIS

The bill establishes a committee to study the chartered public school dissolution process.

HB 604, relative to reading specialists.

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

HB 604 would require the Commissioner for the Department of Education to request the contracting of, or employment of a reading specialist within the Department. The Department reading specialist would be responsible for assisting the Department in the provision of supportive resources for students with dyslexia and/or related disorders.

HB 654, relative to the one-year certificate of teaching eligibility.

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

HB 654 would permit school boards to renew a teacher's one-year certificate of teaching eligibility for a second, consecutive year. Recipients for certificate extension would be held to the professional code of ethics and conduct which traditionally apply to all educators, and further the educators in question would be required to possess a bachelor's degree at minimum, in addition to being subject to criminal background checks pursuant to RSA 189:13-a.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 203, relative to publication of annual county budgets.

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

This bill provides needed updates to the statute relative to the publication and delivery of annual county budgets for Hillsborough and Rockingham Counties. It specifies when the public hearing should be held and that notice of the meeting to adopt the budget can be mailed or delivered. Additionally, a copy of the proposed annual budget must now be made available on the county website.

HB 237, relative to the date of asset evaluation for purposes of determining eligibility for certain property tax exemptions.

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

This bill provides a consistent asset measurement date for every New Hampshire municipality and New Hampshire property tax payer, when considering applications for means-tested property tax exemptions. Currently, there is no consistent date for asset measurement which results in some applicants being treated disparately. Passage of this bill will align the asset determination date with the income determination date, at the end of the prior calendar year.

HB 296, relative to local authority for granting driveway permits.
Ought to Pass with Amendment, Vote 5-0. Senator Gray for the committee.

This bill, as amended, will update RSA 153:5 as it pertains to the State Fire Code and driveway permits. In order to clarify final authority, this legislation establishes that the State Fire Code shall not supersede the determination of local land use and planning boards for residential driveway approvals. Additionally, before issuing the approval, the local land use boards must give due consideration to any written recommendations of the municipal Fire Chief regarding fire department access.

Election Law and Municipal Affairs

April 4, 2023

2023-1316s

10/05

Amendment to HB 296

Amend the bill by replacing section 1 with the following:

1 New Paragraph; State Fire Code; Authority for Driveway Permits. Amend RSA 153:5 by inserting after paragraph V the following new paragraph:

VI. The provisions of the state fire code and associated rules shall not supersede the authority of local land use boards under planning and zoning provisions of Title LXIV of the RSA to regulate and permit driveway access, when not governed by RSA 236:13, for detached one or two-family dwelling units in a structure used only for residential purposes, and provided that minimum driveway width shall not be less than 12 feet for driveways over 150 feet in length. Before issuing the approval, the local land use boards shall give due consideration to any written recommendations of the municipal fire chief regarding fire department access, to include width, vertical clearance, grade, suitability of road surface, bridges, dead-ends, and the ability to pass and turn around once in the driveway.

ENERGY AND NATURAL RESOURCES

HB 219-FN, relative to certain public utilities statutes.

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

House Bill 219-FN has two main objectives, recodify an RSA chapter on transportation network companies and establish a legislative committee to study provisions no longer under the administration of the Department of Energy or the Public Utilities Commission. House Bill 219-FN was introduced at the request of the Public Utilities Commission to examine certain statutes to determine if they should be repealed or recodified to another department. The committee established by HB 219-FN will examine these statutes and recommend the appropriate determination for these statutes. The Senate Energy and Natural Resources committee voted unanimously on a motion of ought to pass on House Bill 219-FN.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 278-FN, relative to retirement system employer reports.

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

HB 278 ratifies a provision for the retirement system to receive employer compensation reports to assess a penalty for noncompliance. This bill serves to reinstate an inadvertently repealed provision of requiring employer compensation reports that was recently repealed by law.

HEALTH AND HUMAN SERVICES

HB 613-FN, relative to regulation of the individual health insurance market under RSA 404-G.

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

HB 613-FN makes various changes to RSA 404-G, relative to the individual health insurance market, and is a request of the Insurance Department. Many changes have been made to RSA 404-G since it was first written and it now contains many amendments, outdated references, and confusing language. The Committee heard this has become a problem, especially, in judicial contexts when the statute has to be interpreted. The Committee Amendment ensures that the rewritten RSA 404-G reflects changes made in other legislation around the funding mechanism for the Granite Advantage Medicaid Expansion program, ensuring the various bills do not cancel each other out.

Health and Human Services

April 5, 2023

2023-1329s

05/07

Amendment to HB 613-FN

Amend the bill by replacing section 1 with the following:

1 Individual Health Insurance Market; Purpose. Amend RSA 404-G:1 to read as follows:

404-G:1 Purpose of Provisions. The [purpose] ***purposes*** of this chapter [is] ***are*** to:

I. Protect the citizens of this state who participate in the individual health insurance market by providing a mechanism to equitably distribute the excessive risk sometimes associated with this market and to [enable insurers to better protect against the costs of covering high risk individuals] ***promote market stability***.

II. [~~Create a nonprofit, voluntary organization to facilitate the availability of affordable individual non-group health insurance by establishing an assessment mechanism and an individual health insurance market mandatory risk sharing plan as a mechanism to distribute the risks associated within the individual nongroup market and to support the New Hampshire granite advantage health care program established in RSA 126-AA.~~] ***Authorize the creation of a nonprofit, voluntary organization which shall be known as the New Hampshire individual health plan benefit association, "the association" or "the New Hampshire health plan", to promote the purposes and carry out the requirements of this chapter under the oversight by the commissioner.***

III. [~~Establish a high risk pool that will provide access to health insurance to all residents of the state who are denied health insurance for medical or health reasons. The premiums charged for coverage in the high risk pool shall be affordable and the coverage provided shall be reasonably comprehensive and comparable to coverage available outside of the high risk pool. It is the intent of the legislature that the high risk pool shall be adequately funded through an annual, and if necessary, a special assessment mechanism, that the high risk pool shall utilize cost containment measures, including, but not limited to, providing network-based coverage, and that measures shall be taken to avoid inappropriate shifting of costs and risk to the high risk pool.~~] ***Support the affordability and accessibility of health insurance in the state's individual market.***

IV. [~~Authorize the association to establish a federally qualified high risk pool pursuant to section 1101 of the Patient Protection and Affordable Care Act of 2009 (PL 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (PL 111-152).~~] ***Establish one or more individual health insurance market mandatory risk sharing plans as a mechanism to distribute the risks associated within the nongroup, individual market.***

V. ***Support the New Hampshire granite advantage health care program established in RSA 126-AA or any successor program.***

VI. ***Establish an assessment mechanism to fund the association's programs as defined in RSA 404-G:2, IX and the association's support of the New Hampshire granite advantage health care program established in RSA 126-AA or any successor program.***

Amend RSA 404-G:2, IX as inserted by section 2 of the bill by replacing it with the following:

IX. [~~"Insurer" means any entity licensed pursuant to RSA 402, RSA 420-A, or RSA 420-B.~~] ***"Program" means any initiative undertaken by the association with the approval of the commissioner to fulfill any stated purpose of this chapter or any other statutory requirement, including but not limited to the reinsurance program authorized under RSA 420-N:6-a and supporting the New Hampshire granite advantage health care program under RSA 126-AA.***

Amend the bill by replacing section 3 with the following:

3 Plan of Operations; Assessments. RSA 404-G:5 and RSA 404-G:5-a are repealed and reenacted to read as follows:

404-G:5 Plan of Operation. The board of directors of the association shall adopt a plan of operation which shall provide for the implementation of each program authorized or required under this chapter or under other statutory provisions referring to this chapter. The plan of operation shall be approved by the commissioner prior to implementation and may be amended from time to time with the approval of the commissioner. The plan of operation shall provide substantially the following:

I. Description of each program's objectives including a description of how the association anticipates fulfilling those objectives.

II. Description of how the program will be funded including a description regarding how assessments will be calculated, collected, and distributed, how any excess assessment revenue will be addressed, and the establishment of any reserve funds.

III. Administrative matters. The plan of operation shall further provide for all of the following:

(a) Responsibility for the handling and accounting of funds and other assets of the association.

(b) The financial and other records required to be kept, including the annual report to be submitted to the commissioner.

(c) Compliance with this chapter and any other applicable laws and regulations, including without limitation the terms of any federal waiver or other grant that may fund, in whole or in part, any of the association's programs.

(d) Such other administrative provisions as are necessary or proper for the execution of the powers and duties of the association.

404-G:5-a Assessments. The association shall establish and collect assessments for each program in accordance with the plan of operation approved by the commissioner.

I. Method of Determining Assessments.

(a) Assessments shall be calculated based on the number of lives covered by assessable entities. The number of covered lives shall be determined each month during the calendar year. Any assessment shall be calculated as the number of covered lives multiplied by a specified assessment rate. The assessment amount shall be subject to approval by the commissioner. The association shall provide a basis for recommending the specified assessment rate, including a projection of the calculated assessment amount and consideration of any prior year shortfalls or overages.

(b) Each covered life should be included in the assessment only once. The association shall adopt procedures by which affiliated assessable entities calculate their assessment on an aggregate basis and procedures to ensure that no covered life is counted more than once.

II. Unless otherwise determined by the association, the assessable entity responsible for the payment of the associated claims for the covered lives shall be the entity responsible for reporting assessable lives and payment of the corresponding assessment.

III. The association may establish a special assessment in addition to the regular assessment with the approval of the commissioner.

(a) The association shall only establish a special assessment if the association determines that its funds are or will become insufficient to fulfill the program's purpose.

(b) The association shall only assess, through the special assessment, at a rate necessary to fund the deficiency ascertained in subparagraph (a).

IV. The regular assessment rate established by the association shall be:

(a) Calculated on a calendar year basis and fixed throughout the calendar year;

(b) Established no later than the first day of November preceding the calendar year for which the rate is to be applied;

(c) Calculated to be sufficient to meet the funding needs for the implementation of the programs administered by the association, including the reinsurance mechanism provided for under RSA 420-N:6-a and the association's share of the costs of the New Hampshire granite advantage health care program established under RSA 126-AA in the amount described in subparagraph (d); and

(d) An amount not to exceed the lesser of the remainder amount, as defined in RSA 126-AA:1, V, or the amount specified in RSA 126-AA:1, V(a) plus taxes attributable to premiums written for medical and other medical-related services for the newly eligible Medicaid population. The association shall transfer all amounts collected pursuant to this subparagraph to the New Hampshire granite advantage health care trust fund established pursuant to RSA 126-AA:3.

V. The commissioner shall approve the regular assessment rate, and any special assessment rate, if he or she finds that the amount petitioned by the board is no greater than is necessary to fulfill the purposes of this chapter. For the purpose of making this determination, the commissioner may, at the expense of the association, seek independent actuarial certification of the need for the proposed assessment or special assessment amount.

TRANSPORTATION

HB 54-FN, relative to antique car inspections.

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

This bill changes the month for antique motor vehicle inspections. The bill moves the date for the inspections from March to April.

HB 111, establishing a committee to study electrical vehicle charging for residential renters. Ought to Pass with Amendment, Vote 5-0. Senator Watters for the committee.

This bill establishes a committee to study electrical vehicle charging for residential renters. The committee amendment changed the number of senators on the committee from three to one and lowered the quorum from four members to three.

Senate Transportation
March 28, 2023
2023-1246s
02/07

Amendment to HB 111

Amend the bill by replacing section 2 with the following:

2 Membership and Compensation.

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

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

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

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

Amend the bill by replacing section 4 with the following:

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

HB 137, relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.

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

This bill allows the commissioner of the department of safety to adopt by reference certain U.S. coast Guard rules on boating safety equipment regulations and boating safety state numbering system regulations. The bill also establishes a committee to study boat registration fees. The committee amendment added one member from the New Hampshire Camp Directors Association.

Senate Transportation
April 5, 2023
2023-1338s
02/10

Amendment to HB 137

Amend paragraph II of section 3 of the bill by replacing it with the following:

II. The members of the committee shall seek input, advice, and expertise from the following persons and organizations:

- (a) The commissioner of the department of environmental services, or designee.
- (b) The commissioner of the department of safety, or designee.
- (c) The executive director of the fish and game department, or designee.
- (d) The director of the Pease development authority, division of ports and harbors, or designee.
- (e) A representative of the New Hampshire Marine Trades Association.
- (f) A member of the New Hampshire Town Clerks Association.
- (g) A member of the New Hampshire state police-marine patrol unit.
- (h) The director of the division of motor vehicles, or designee.
- (i) A representative from NH LAKES.

- (j) A representative from a local lake association.
- (k) Representatives of the recreational powerboating community.
- (l) A representative from the New Hampshire Rivers Council.
- (m) A representative from the New Hampshire Camp Directors Association.
- (n) Any person or entity the committee deems relevant to its study.

HB 153, relative to roadway pedestrian control signals.

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

This bill aligns the definition of pedestrian control signals with the Manual on Uniform Traffic Control Devices and allows crossing during “Don’t Walk” signals if such crossing does not interfere with any vehicular traffic.

HB 163-FN, relative to authorized license plate decals.

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

This bill expands the list of authorized veteran decal plates to include other medals not currently listed and also adds the Space Force for authorized veteran decal plates.

HB 198-FN, modifying the new resident drivers’ license transfer requirement.

Re-refer to Committee, Vote 5-0. Senator Ward for the committee.

This bill would have required nonresident drivers who establish residency in New Hampshire to notify the department of safety if they then cease to become residents within 60 days, or if their out of state driver’s license expires or is relinquished. The committee felt the bill needed some additional work prior to being ready to vote on.

HB 268-FN, relative to the furnishing of special number plates to the liquor commission, division of enforcement and licensing, and official cover plates to the house clerk.

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

This bill would require the state to pay number plate fees for plates furnished to the liquor commission, division of enforcement and licensing. It also would authorize the issuance of official cover license plates for the house clerk. The amendment also adds the senate clerk to obtain plates.

Senate Transportation

April 11, 2023

2023-1357s

07/10

Amendment to HB 268-FN

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

AN ACT relative to the furnishing of special number plates to the liquor commission, division of enforcement and licensing, and official cover plates for the house and senate clerks.

Amend the bill by replacing section 2 with the following:

2 Official Cover Plates. Amend RSA 261:90 to read as follows:

261:90 Official Cover Plates. Upon payment of a fee, the director may issue and shall designate official cover plates with the reproduction of the state seal thereon to be affixed to a vehicle of United States senators from this state, representatives to congress from this state, the governor, members of the governor’s council, the president of the senate, members of the senate, the speaker of the house of representatives, ***the clerk of the house of representatives, the clerk of the senate***, members of the house of representatives, the attorney general, the secretary of state, the state treasurer, the President of the United States and members of his or her executive staff, and any ambassador or member of the foreign diplomatic corps. The fee for official cover plates shall be \$1 in addition to any other number plate manufacturing fee otherwise required. The official cover plates, exclusive of the seal, shall be white with green lettering, which shall alternate with red lettering every other biennium. Official cover plates shall have the title of the person requesting the plates, except for members of the governor’s council whose plates shall have their council district numbers embossed on them, and members of the general court, whose plates shall have their house seat numbers or their senate district numbers embossed on them unless the president of the senate, for members of the senate, or the speaker of the house of representatives, for members of the house of representatives, shall designate a title for their plates.

The president of the senate, or a designee, and the speaker of the house of representatives, or a designee, shall provide the director with input as needed on the cover plate design for members of the general court. The director shall not issue more than 2 sets of official cover plates to any person. Official cover plates may be attached only to vehicles registered in the name of the person issued the plates or the name of the spouse of a member of the general court, or any vehicle being operated by a member of the general court. Nothing herein shall be construed as affecting the issuance of regular motor vehicle plates and the payment of the registration fee therefor. Official cover plates shall be manufactured at the state prison and the prison shall provide the plates to the department at the prison's cost.

2023-1357s

AMENDED ANALYSIS

This bill would require the state to pay number plate fees for plates furnished to the liquor commission, division of enforcement and licensing. It also would authorize the issuance of official cover license plates for the house and senate clerks.

WAYS AND MEANS

HB 285, authorizing the department of revenue administration to incorporate the New Hampshire equalization manual into the administrative rules and relative to the development of forms or returns by the department. Ought to Pass, Vote 5-0. Senator Rosenwald for the committee.

This bill allows the Department of Revenue Administration to incorporate by reference the New Hampshire equalization manual into the department's administrative rules. The manual is voluminous and frequently updated, therefore allowing the department to incorporate by reference the relevant sections, the process will be streamlined and much more efficient. The bill also amends RSA 21-J:1, II to clarify that forms returned to the department are required to be signed under the penalty of perjury.

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

REGULAR CALENDAR

JUDICIARY

HB 49-FN-A, relative to postponing the closure of the Sununu Youth Services Center. Ought to Pass, Vote 3-1. Senator Carson for the committee.

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

EARLY SESSION

THIRD READING AND FINAL PASSAGE

Senator Carson moved that, HB 49-FN-A, having been ordered to third reading, be, by this resolution, read a third time, its title be the same as adopted, and be ordered by the Senate to be passed at the present time in the early session. Adopted.

HB 88, relative to reproductive rights.

Inexpedient to Legislate, Vote 3-2. Senator Carson for the committee.

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

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

The following Senators voted Yes: Gendreau, Lang, Gray, Innis, Ward, Ricciardi, Avard, Carson, Murphy, Pearl, Birdsell, Abbas, Gannon, Bradley.

The following Senators voted No: Watters, Prentiss, Fenton, Chandley, Rosenwald, Whitley, Soucy, D'Allesandro, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 14 - Nays: 10. Adopted.

ANNOUNCEMENTS

(The Chair recognized Senator Whitley.)

SENATOR WHITLEY: Thank you, Mister President. It is really my honor right now to rise after such a vigorous debate to share something that I think all of our colleagues really agree with. I think it's safe to say that everyone in this body has an immense amount of respect and appreciation for the first responders in our state, from our firefighters to our members of law enforcement, to our emergency medical technicians who

all, without hesitation, run towards emergencies, disasters, and catastrophic events. The Granite State is a better, safer place because of their acts of courage and sacrifice. And I think it's also safe to say that every member of this body knows, personally or in their community, a fantastic first responder.

In fact, we have one in this chamber who I have personally seen run to emergencies when they happen. My colleague and dear friend from District 5 has served this state and the nation through her twenty years of leadership in emergency medical services at the national, state, and regional levels, and served as New Hampshire's first female chief of EMS at the Department of Safety and the state's trauma system coordinator. I have always been inspired by my friend from District 5's drive and dedication to her work here in the Senate and her work as an EMT. Sharing an office with her. I can fully attest to the fact that her schedule is something I'm not sure any of us would be able to keep up with, except for her. She is constantly triaging work calls and meetings with constituent requests and championing her important pieces of legislation on behalf of all of the residents within our state. As we all know, Senator Prentiss is an incredibly effective legislator, reaching across the aisle to improve the lives of all Granite Staters. She is tireless, not only in her work ethic and commitment, but also in her kindness and willing to hold space for me and my colleagues when we need it.

And so, Mister President, on behalf of the entire Senate, I would like to present this Whereas recognizing what we already knew, that my dear friend has provided lifesaving work in so many ways and is now being recognized for this with NAEMT 2023 recipient of the EMS Advocate of the Year Award. So please join me in congratulating the Senator from District 5 on her well-deserved recognition. Thanks. Congratulations, Senator Prentiss.

Recess. Out of recess.

HB 224-FN, repealing the criminal and civil penalties from the fetal life protection act.
Inexpedient to Legislate, Vote 3-2. Senator Abbas for the committee.

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

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

The following Senators voted Yes: Gendreau, Lang, Gray, Innis, Ward, Ricciardi, Avard, Carson, Murphy, Pearl, Birdsell, Abbas, Gannon, Bradley.

The following Senators voted No: Watters, Prentiss, Fenton, Chandley, Rosenwald, Whitley, Soucy, D'Allesandro, Perkins Kwoka, Altschiller.

Roll Call, Yeas: 14 - Nays: 10. Adopted.

COMMERCE

HB 117, relative to the termination of tenancy at the expiration of the tenancy or lease term.
Inexpedient to Legislate, Vote 4-0. Senator Soucy for the committee.

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

Senator Prentiss is in favor of the motion of Inexpedient to Legislate.

ENROLLED BILL AMENDMENT

April 13, 2023
2023-1369-EBA
07/05

Enrolled Bill Amendment to HB 49-FN-A

The Committee on Enrolled Bills to which was referred HB 49-FN-A

AN ACT relative to postponing the closure of the Sununu Youth Services Center.

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 49-FN-A

This enrolled bill amendment makes a grammatical correction to the bill.

Enrolled Bill Amendment to HB 49-FN-A

Amend section 3 of the bill by replacing line 5 with the following:

qualified architect ~~[on or before March 1, 2023]~~ ***within 60 days of the effective date of this act,***

Without objection the Enrolled Bill Amendment to HB 49-FN-A is adopted.

ENERGY AND NATURAL RESOURCES

HB 56, relative to permits for the siting of new landfills.

Inexpedient to Legislate, Vote 3-2. Senator Avard for the committee.

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

Senator Prentiss is in opposition to the motion of Inexpedient to Legislate.

Recess. Out of recess.

Senator Altschiller moved that all members be allowed to remove their overcoats.

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 49-FN-A, relative to postponing the closure of the Sununu Youth Services Center.

Without objection the Report of Committee on Enrolled Bills is adopted.

COMMERCE

HB 167, relative to nano brewery licensing.

Ought to Pass, Vote 4-0. Senator Ricciardi for the committee.

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

HB 235, establishing a committee to study the landlord tenant mediation program.

Ought to Pass, Vote 4-0. Senator Soucy for the committee.

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

HB 248, relative to revenue from commemorative bottles of liquor.

Ought to Pass, Vote 4-0. Senator Chandley for the committee.

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

HB 407, relative to regulations on alcohol.

Ought to Pass with Amendment, Vote 4-0. Senator Innis for the committee.

Commerce

April 4, 2023

2023-1312s

07/05

Amendment to HB 407

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

8 Alcoholic Beverages; Definitions and General Provisions; Purchases of Sacramental Wines. Amend RSA 175:3 to read as follows:

175:3 Purchases of Sacramental Wines.

I. Any duly authorized officer of a regularly organized religious body may order from any source for shipment to such religious body wines to be used for sacramental purposes only in the services of such religious body.

II. Notwithstanding any other provision of Title XIII, the commission shall be authorized to approve and offer for sale any sacramental wine containing 6 percent or less alcohol by volume.

9 Alcoholic Beverages; Liquor Licenses and Fees; On-Premises Beverage and Liquor Licenses; Dining Cars. Amend RSA 178:21, II(d) to read as follows:

(d) Dining Cars. The commission may issue a license to any railroad or car corporation, or designee, operating any dining cars in which food is served within this state, authorizing the holder of the license to sell in such cars liquor, beverages, and specialty beverages to be consumed in such cars. Such license shall be good throughout the state in both license and non-license territory, and only one such license shall be required for all cars operated in the state by the same owner. ***Dining cars traveling through New Hampshire from out of state jurisdictions may purchase supplies of liquor, wine, and beverages from sources other than as provided in RSA 179:32.***

10 Alcoholic Beverages; Liquor Licenses and Fees; On-Premises Cocktail Lounge Licenses; Rail Cars. Amend RSA 178:22, V(p) to read as follows:

(p) Rail Cars. The commission may issue a cocktail lounge license to any railroad or rail car corporation, or their designees, operating rail cars authorizing the licensee to sell liquor, beverages, and specialty beverages in such cars to be consumed in such cars. The license shall be good throughout the state in both license and non-license territory, and only one license shall be required for all cars operated on the same line by the same owner. ***Rail cars traveling through New Hampshire from out of state jurisdictions may purchase supplies of liquor, wine, and beverages from sources other than as provided in RSA 179:32.***

11 Effective Date. This act shall take effect 60 days after 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.

HB 477, to prohibit municipal inspections of owner-occupied units of multi-unit housing.
Inexpedient to Legislate, Vote 4-0. Senator Ricciardi for the committee.

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

HB 520, relative to escrow accounts maintained by licensed nondepository mortgage bankers, brokers, and servicers.

Ought to Pass with Amendment, Vote 4-0. Senator Soucy for the committee.

Commerce
April 4, 2023
2023-1311s
02/07

Amendment to HB 520

Amend the bill by replacing section 3 with the following:

3 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.

HB 522-FN, relative to money transmitters.
Ought to Pass, Vote 4-0. Senator Innis for the committee.

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

HB 595-FN, relative to the oversight of the public deposit investment pool.
Ought to Pass, Vote 4-0. Senator Chandley for the committee.

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

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 36, relative to fees of sheriffs and deputy sheriffs.
Ought to Pass, Vote 4-0. Senator Soucy for the committee.

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

HB 286, relative to the removal of political advertising.
Ought to Pass, Vote 4-0. Senator Murphy for the committee.

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

HB 335, relative to notice of tax lien on real estate subject to a lien for old age assistance.
Ought to Pass, Vote 4-0. Senator Gray for the committee.

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

HB 336, relative to the format of election ballots.
Ought to Pass, Vote 4-0. Senator Soucy for the committee.

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

ENERGY AND NATURAL RESOURCES

HB 233-FN, relative to useful thermal energy under the renewable portfolio standards.
Ought to Pass, Vote 4-0. Senator Pearl for the committee.

Senator Avard offered a Floor Amendment.

Sen. Avard, Dist 12

April 5, 2023

2023-1321s

10/05

Floor Amendment to HB 233-FN

Amend the bill by replacing sections 1 and 2 with the following:

1 Electric Renewable Portfolio Standards; Useful Thermal Energy. Amend RSA 362-F:2, XV-a to read as follows:

XV-a. "Useful thermal energy" means renewable energy delivered from class I sources ***with a total gross nameplate heating capacity of its renewable energy certificate eligible units combined, of greater than 1,000,000 btu per hour*** that can be metered and that is delivered in New Hampshire to an end user in the form of direct heat, steam, hot water, or other thermal form that is used for heating, cooling, humidity control, process use, or other valid thermal end use energy requirements and for which fuel or electricity would otherwise be consumed. ***For sources with a total gross nameplate heating capacity of its renewable energy certificate eligible units combined of 1,000,000 btu per hour or less, energy delivered shall be verified by a method that is approved by the department of energy.***

2 Renewable Energy Certificates; Useful Thermal. Amend RSA 362-F:6, V to read as follows:

V. A qualified producer of useful thermal energy ***with a total gross nameplate heating capacity of its renewable energy certificate eligible units combined, of greater than 1,000,000 btu per hour*** shall provide for the metering of useful thermal energy produced in order to calculate the quantity of megawatt-hours for which renewable energy certificates are qualified, and to report to the department of energy under rules adopted pursuant to RSA 362-F:13. ***For sources with a total gross nameplate heating capacity of its renewable energy certificate eligible units combined, of 1,000,000 btu per hour or less, energy delivered shall be verified by a method that is approved by the department of energy in order to calculate the quantity of megawatt-hours for which renewable energy certificates are qualified, and to report to the department of energy under rules adopted pursuant to RSA 362-F:13.*** Monitoring, reporting, and calculating the useful thermal energy produced in each quarter shall be expressed in megawatt-hours, where each 3,412,000 BTUs of useful thermal energy is equivalent to one megawatt-hour.

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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 30-FN, allowing a county to exempt its chief administrative officer from compulsory participation in the retirement system.

Ought to Pass, Vote 4-0. Senator Altschiller for the committee.

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

HB 109, relative to the occupational therapy practice act.

Ought to Pass, Vote 4-0. Senator Altschiller for the committee.

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

HB 127, relative to the declaration of a state of emergency.

Inexpedient to Legislate, Vote 4-0. Senator Carson for the committee.

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

HB 138, relative to the oversight of the commissioner of the department of agriculture, markets, and food.

Ought to Pass, Vote 4-0. Senator Pearl for the committee.

INTRODUCTION OF GUESTS

Senator Pearl introduced his wife Heather visiting in the gallery.

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

HB 193-FN, relative to administration of the New Hampshire retirement system.
Ought to Pass, Vote 4-0. Senator Gendreau for the committee.

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

HB 206, including the Space Force in various definitions of the armed forces.
Ought to Pass, Vote 4-0. Senator Gendreau for the committee.

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

HB 262, relative to laboratory testing by licensed naturopaths
Ought to Pass, Vote 4-0. Senator Pearl for the committee.

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

HB 325, relative to the controlled drug prescription health and safety program advisory council members.
Ought to Pass, Vote 4-0. Senator Carson for the committee.

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

HB 391, relative to the memorandum of understanding on data sharing between the department of health and human services and the department of environmental services.
Ought to Pass, Vote 4-0. Senator Altschiller for the committee.

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

HB 457-FN, relative to state treasury pension and insurance fund management.
Ought to Pass, Vote 4-1. Senator Carson for the committee.

Recess. Out of recess.

SPECIAL ORDER

Without objection, HB 457-FN is Special Ordered to the next session. Adopted.

HB 564, relative to ratification of amendments to the state building code and state fire code, and the membership of the state advisory board of fire control.
Ought to Pass, Vote 4-0. Senator Carson for the committee.

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

HB 20, naming a bridge in the town of Merrimack for the Honorable Richard "Dick" Hinch.
Ought to Pass, Vote 5-0. Senator Ricciardi for the committee.

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

HB 52, naming a bridge in Hinsdale as the General John Stark Memorial Bridge.
Ought to Pass, Vote 5-0. Senator Ward for the committee.

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

HB 189, renaming a portion of route 140 in Gilmanton in honor of Private First Class Nicholas Cournoyer.
Ought to Pass, Vote 5-0. Senator Ward for the committee.

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

CONSENT CALENDAR REPORTS REMOVED

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

ENERGY AND NATURAL RESOURCES

HB 96, recognizing May 3rd as Old Man of the Mountain Day.
Ought to Pass, Vote 5-0. Senator Birdsell for the committee.

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

MOTION TO ADJOURN FROM EARLY SESSION

Senator Carson 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.

ANNOUNCEMENTS

(The Chair recognized Senator Altschiller.)

SENATOR ALTSCHILLER: Thank you, Mister President. Last night, a credible threat of a potential school shooting at Portsmouth High School which serves both District 24 and District 21 came in. For the safety of the students, teachers, staff, first responders, and the surrounding school community the decision to cancel school for today was made shortly before 11:00 p.m. last night. The perpetrator of this stochastic terrorism was apprehended a few hours ago. Since this body last met on March 30th, there have been twenty more mass shootings in our nation, bringing our total to 149. We look forward to taking action on gun violence prevention before these terrifying threats become an even grimmer reality. Thank you, Mister President.

(The Chair recognized Senator Prentiss:

SENATOR PRENTISS: Thank you, Mister President and colleagues. Unanimous consent. I actually want to take this opportunity to wish my husband, Christian Simon, a happy birthday. He is now retired after thirty years as a firefighter-paramedic for the city of Lebanon. He retired as a senior captain. And I couldn't be here and do everything that I do without the love and support of my husband. So he is once again home today, holding down the fort, managing my mom and all of those things. So I just wanted to take this opportunity to thank him and to wish him a happy birthday.

PRESIDENT BRADLEY: So let me just say thank you to all members of the Senate staff. You folks have been really working hard to get out the House Bills. We're going to have a three week break from sessions. I think Senator Gray will be hard at work on the Finance Committee with other Finance members, so stay in touch with Finance members.

And I wish I had the opportunity to introduce a guest who I saw in the hall, Doug Teschner. I think some of you would remember former Representative Doug Teschner. Rather ironic that he would be here on the day that we pass House Bill 96, the Old Man of the Mountain Day, because back in the day, when I used to be able to rock climb, we climbed up right under the chin of the old man of the mountain and Doug had to really teach me a thing or two about rock climbing because I got into a jam. So there's always a way out. At any rate, we won't be here for three weeks. Enjoy, and let's see you all on, I believe, May 11th.

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 20, naming a bridge in the town of Merrimack for the Honorable Richard "Dick" Hinch.

HB 30-FN, allowing a county to exempt its chief administrative officer from compulsory participation in the retirement system.

HB 36, relative to fees of sheriffs and deputy sheriffs.

HB 49-FN-A, relative to postponing the closure of the Sununu Youth Services Center.

HB 52, naming a bridge in Hinsdale as the General John Stark Memorial Bridge.

HB 54-FN, relative to antique car inspections.

HB 71, repealing a department of education report on chartered public school funding.

HB 96, recognizing May 3rd as Old Man of the Mountain Day.

HB 109, relative to the occupational therapy practice act.

HB 111, establishing a committee to study electrical vehicle charging for residential renters.

HB 137, relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.

HB 138, relative to the oversight of the commissioner of the department of agriculture, markets, and food.

HB 153, relative to roadway pedestrian control signals.

HB 163-FN, relative to authorized license plate decals.

HB 167, relative to nano brewery licensing.

HB 170, requiring the teaching of cursive handwriting and multiplication tables.

HB 189, renaming a portion of route 140 in Gilmanton in honor of Private First Class Nicholas Cournoyer.

HB 193-FN, relative to administration of the New Hampshire retirement system.

HB 203, relative to publication of annual county budgets.

HB 206, including the Space Force in various definitions of the armed forces.

HB 207-FN, relative to school district unanticipated funds.

HB 219-FN, relative to certain public utilities statutes.
HB 233-FN, relative to useful thermal energy under the renewable portfolio standards.
HB 235, establishing a committee to study the landlord tenant mediation program.
HB 237, relative to the date of asset evaluation for purposes of determining eligibility for certain property tax exemptions.
HB 248, relative to revenue from commemorative bottles of liquor.
HB 262, relative to laboratory testing by licensed naturopaths
HB 268-FN, relative to the furnishing of special number plates to the liquor commission, division of enforcement and licensing, and official cover plates for the house and senate clerks.
HB 278-FN, relative to retirement system employer reports.
HB 285, authorizing the department of revenue administration to incorporate the New Hampshire equalization manual into the administrative rules and relative to the development of forms or returns by the department.
HB 286, relative to the removal of political advertising.
HB 296, relative to local authority for granting driveway permits.
HB 325, relative to the controlled drug prescription health and safety program advisory council members.
HB 335, relative to notice of tax lien on real estate subject to a lien for old age assistance.
HB 336, relative to the format of election ballots.
HB 391, relative to the memorandum of understanding on data sharing between the department of health and human services and the department of environmental services.
HB 407, relative to regulations on alcohol.
HB 452, relative to the department of education procedures for school building aid applications.
HB 520, relative to escrow accounts maintained by licensed nondepository mortgage bankers, brokers, and servicers.
HB 522-FN, relative to money transmitters.
HB 550-FN, relative to chartered public school dissolution.
HB 564, relative to ratification of amendments to the state building code and state fire code, and the membership of the state advisory board of fire control.
HB 595-FN, relative to the oversight of the public deposit investment pool.
HB 604, relative to reading specialists.
HB 613-FN, relative to regulation of the individual health insurance market under RSA 404-G.
HB 654, relative to the one-year certificate of teaching eligibility.

MOTION TO RECESS TO CALL OF THE CHAIR

Senator Carson 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.