April 11, 2024
Nos. 8-9

STATE OF NEW HAMPSHIRE

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Second Year of the 168th Session of the New Hampshire General Court

Legislative Proceedings

SENATE JOURNAL

ADJOURNMENT – APRIL 5, 2024 SESSION
COMMENCEMENT – APRIL 11, 2024 SESSION

SENATE JOURNAL 8 *(continued)* *April 5, 2024*

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 1203, relative to prohibiting the charging of rent to charities by charitable gaming facilities.
SB 344, relative to declarations of candidacy for president of the United States.

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

Adopted. Adjournment from the Late Session.

SENATE JOURNAL 9 *April 11, 2024*

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

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

Thank you, Mister President. Good morning, Senators.

Let's pray as your faith allows. Lord, we gather before you today with hearts open to your wisdom and your guidance. As we convene this session of the State Senate, we humbly seek your presence to lead us in righteousness and justice. Grant our Senators discernment to make decisions that honor you and serve the people they represent. As the scriptures guide us in Proverbs, it says, trust in the Lord with all your heart and lead not on your own understanding. In all of your ways, acknowledge him and he will make your path straight. Bless this meeting, Lord, and may your will be done. Amen.

Senator Lang led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

(The Chair recognized Senator Pearl.)

SENATOR PEARL: I wish you all would join me in welcoming my beautiful wife here today. Without her, I couldn't be here, so welcome, Heather.

(The Chair recognized Senator Prentiss.)

SENATOR PRENTISS: Thank you, Mister President. I'd like everyone to take a look over in the right hand corner here of the gallery. We have a group of EMS professionals from throughout New Hampshire and if I don't get all of your names I apologize. Keith Wilding from the Technical College paramedic educator. Craig Clough, Concord Hospital and Loudon Fire. Chris Stawasz, American Medical Response covering Manchester, Nashua. Eric Schelberg from the town of Milford. Did I see Bob Bousquet's head back there from Pittsfield? I don't know if he's still there. And Ken Chamberlain.

Senator D'Allesandro is excused due to medical necessity.

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 to the Committee on Finance; and all other bills, to Third Reading.

HEALTH AND HUMAN SERVICES
HB 322, relative to establishing a committee to study the New Hampshire board of medicine.
Ought to Pass with Amendment, Vote 5-0. Senator Birdsell for the committee.

HB 322 establishes a committee to study the New Hampshire Board of Medicine. The Committee heard testimony that there are significant questions about the practices and operation of the Board, and the resulting impact on the safety of New Hampshire residents. A study committee will provide a venue for discussions on those issues. The Committee adopted a non-germane amendment to the bill, which will appropriate $750,000 to the Department of Health and Human Services for the purposes of supporting a long-term care facility which has recently come under new ownership after several years of neglect by corporate ownership. It is vital to support this facility, as they have been asked to ramp up capacity in a critical segment of our health care sector.

Health and Human Services
April 3, 2024
2024-1428s
09/05

Amendment to HB 322

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

AN ACT relative to establishing a committee to study the New Hampshire board of medicine and making an appropriation to the department of health and human services.

Amend the bill by replacing all after section 5 with the following:

6 Department of Health and Human Services; Certain Licensed Nursing Facilities; Appropriation. Any licensed nursing facilities serving individuals covered by Medicaid with a change in ownership effective in state fiscal year 2023, whose daily Medicaid rate has remained below the state average nursing facility daily rate as calculated by the department of health and human services for the period from July 1, 2022, through the January 1, 2024, rate change shall be eligible for a one-time general fund payment from a pro rata share of a funding pool. Therefore, for the biennium ending June 30, 2025, the sum of $750,000 is hereby appropriated to the department of health and human services for the purposes of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

7 Effective Date.

I. Section 6 of this act shall take effect July 1, 2024.

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

2024-1428s

AMENDED ANALYSIS

This bill establishes a committee to study the New Hampshire board of medicine. This bill further makes an appropriation to the department of health and human services relative to certain licensed nursing facilities.

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

REGULAR CALENDAR

COMMERCE
SB 328-FN, relative to deceptive ticket sale practices.
Ought to Pass with Amendment, Vote 5-0. Senator Chandley for the committee.

Commerce
February 20, 2024
2024-0792s
08/02

Amendment to SB 328-FN

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

1 New Paragraph; Regulation of Business Practices for Consumer Protection; Acts Unlawful; Unauthorized Resellers. Amend RSA 358-A:2 by inserting after paragraph XVIII the following new paragraph:

XIX.(a) In this paragraph:

(1) "Resale" means the second or subsequent sale of a ticket. "Resale" includes a sale by any means, including in person, by telephone, by mail, by e-mail, by facsimile, or through a website or other electronic means.

(2) "Reseller" means a person engaged in the resale of tickets.

(3) "Secondary ticket exchange" means an electronic marketplace that enables consumers to sell, purchase, and resell tickets.

(4) "Speculative ticket" means a ticket that is not in the actual or constructive possession of a reseller at the time of sale. "Speculative ticket" includes a ticket sold by a reseller that, at the time of resale:

(A) Is not in the physical possession of the reseller;

(B) Is not owned by the reseller; or

(C) Is not under contract to be transferred to the reseller.

(5) "Ticket" means physical, electronic, or other evidence, that grants the possessor of the evidence license to enter a place of entertainment for one or more events at a specified date and time.

(6) "Ticket Issuer" means a person that, directly or indirectly, issues initial tickets for an entertainment event. "Ticket issuer" includes a musician or musical group, an operator of a venue, a sponsor or a promoter of an entertainment event, a sports team participating in an entertainment event, a sports league whose teams are participating in an entertainment event, a theater company, a marketplace operated for consumers to make an initial purchase of tickets, or an agent of any of the persons listed in this subparagraph.

(b) This paragraph applies only to secondary ticket exchanges, ticket issuers, and resellers. The listing for a ticket and each step of a transaction to purchase a ticket shall:

(1) Clearly and conspicuously disclose the total price of the ticket, including all fees and taxes;

(2) Provide an itemized listing of all charges that comprise the total price of the ticket, including all fees and taxes; and

(3) Identify the seat number and zone or section of the ticket, to the extent applicable to the seat and venue.

(c) A reseller shall provide the ticket issuer with the contact information of the resale ticket purchaser to enable the ticket issuer to notify the resale ticket purchaser of any change in the event circumstances, such as an event cancellation or rescheduling.

(d) This paragraph shall not apply to a fee that a secondary ticket exchange may charge for the service of providing a marketplace for the resale of a ticket. Except as provided in this paragraph, the total price at which a reseller may sell or offer to sell a ticket shall not exceed the total price of the initial ticket, including all fees and taxes in connection with the initial ticket. If initial tickets were purchased for a series of events, such as season tickets for a sports team, the total resale price of a ticket for a single event shall not exceed the total price of a comparable ticket, including all fees and taxes. The fee that a secondary ticket exchange may charge for the service of providing a marketplace for the resale of a ticket shall not exceed 10 percent of the total price of the initial ticket. Subject to reasonable restrictions imposed by a ticket issuer, a person shall not prohibit or restrict the transfer or resale of a ticket that was made available to the general public for purchase.

(e) A reseller shall not sell or offer to sell speculative tickets

(f) A secondary ticket exchange shall not provide a marketplace for the resale of a ticket that violates this section.

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

2024-0792s

AMENDED ANALYSIS

This bill regulates secondary ticket exchanges, ticket issuers, and resellers and prohibits speculative ticket sales.

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

Senator Chandley offered a Floor Amendment.

Sen. D'Allesandro, Dist 20
Sen. Chandley, Dist 11
April 3, 2024
2024-1423s
02/08

Floor Amendment to SB 328-FN

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

1 New Paragraph; Regulation of Business Practices for Consumer Protection; Acts Unlawful; Unauthorized Resellers. Amend RSA 358-A:2 by inserting after paragraph XVIII the following new paragraph:

XIX.(a) In this paragraph:

(1) "Clear and conspicuous" or "clearly and conspicuously" means that a required disclosure is difficult to miss (i.e., easily noticeable) and easily understandable by ordinary consumers.

(2) "Resale" means the second or subsequent sale of a ticket. "Resale" includes a sale by any means, including in person, by telephone, by mail, by e-mail, by facsimile, or through a website or other electronic means.

(3) "Reseller" means a person engaged in the resale of tickets.

(4) "Secondary ticket exchange" means an electronic marketplace that enables consumers to sell, purchase, and resell tickets.

(5) "Speculative ticket" means a ticket that is not in the actual or constructive possession of a reseller at the time of sale. "Speculative ticket" includes a ticket sold by a reseller that, at the time of resale:

(A) Is not in the physical possession of the reseller;

(B) Is not owned by the reseller; or

(C) Is not under contract to be transferred to the reseller.

(6) "Ticket" means physical, electronic, or other evidence, that grants the possessor of the evidence license to enter a place of entertainment for one or more events at a specified date and time.

(7) "Ticket Issuer" means a person that, directly or indirectly, issues initial tickets for an entertainment event. "Ticket issuer" includes a musician or musical group, an operator of a venue, a sponsor or a promoter of an entertainment event, a sports team participating in an entertainment event, a sports league whose teams are participating in an entertainment event, a theater company, a marketplace or service operated for consumers to make an initial purchase of tickets, or an agent of any of the persons listed in this subparagraph.

(8) "URL" means the Uniform Resource Locator associated with an online website.

(b) This subparagraph applies only to secondary ticket exchanges, ticket issuers, resellers, and any person selling or reselling a ticket. The listing for a ticket shall:

(1) Clearly and conspicuously disclose the total price of the ticket, including all fees, surcharges, and taxes required to be paid in order to purchase the ticket, from the first time a price is displayed and anytime thereafter;

(2) Not increase the total price of the ticket from the first time a price is displayed, excluding the addition of reasonable postage or carrier charges incurred to ship non-electronic tickets based on the location or delivery method selected by the purchaser, which shall be disclosed and added to the total cost prior to purchase;

(3) Provide an itemized listing of all charges that comprise the total price of the ticket, including all fees, surcharges, and taxes prior to purchase;

(4) Identify the row number and zone or section of the ticket, to the extent applicable to the seat and venue; and

(5) Provide a clear and conspicuous statement, before a visitor purchases an event ticket from the ticket issuer, reseller, or secondary ticket exchange that the issuer, reseller, or exchange is engaged in the secondary sale of event tickets.

(c) A person shall not prohibit or restrict the transfer or resale of a ticket that was made available to the general public for purchase.

(d) A reseller shall not sell or offer to sell speculative tickets. Nothing in this section shall be construed to prohibit a reseller or a secondary ticket exchange from offering a service to a consumer to obtain a ticket on behalf of the consumer if the reseller or secondary ticket exchange complies with the following:

(1) Does not market or list the service as a ticket.

(2) Maintains a clear, distinct, and easily discernible separation between the service and event tickets through unavoidable visual demarcation that persists throughout the entire service selection and purchasing process.

(3) Clearly and conspicuously discloses before selection of the service that the service is not a ticket and that the purchase of the service does not guarantee a ticket.

(4) In the event the service is unable to obtain the specified ticket purchased through the service for the consumer, provides the consumer that purchased the service, within a reasonable amount of time:

(A) A full refund for the total cost of the service to obtain a ticket on behalf of the consumer; or

(B) Subject to availability, a replacement ticket in the same or a comparable location with the approval of the consumer; and

(5) Does not obtain more tickets in each transaction than the numerical limitations for tickets set by the venue and artist for each respective event.

(e) This subparagraph shall not apply to a person who is acting on behalf of a ticket issuer. A person who owns, operates, or controls a website to sell, resell, or facilitate the sale or resale of a ticket may not use or display:

(1) Any trademarked or copyrighted URL, title, designation, image, mark, or any other symbol of a ticket issuer; or

(2) Any combination of text, images, website, graphics, website display, or website addresses that is substantially similar to the website of a ticket issuer in a manner that could reasonably be expected to mislead a potential purchaser.

(3) This subparagraph does not prohibit a reseller or secondary ticketing exchange from using text or images containing the name of a ticket issuer, a place of entertainment, or an event in order to:

(A) Describe an event;

(B) Identify the location at which the event will occur; or

(C) Identify the space within the venue that the event ticket would or has entitled the bearer to occupy for an entertainment event.

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

2024-1423s

AMENDED ANALYSIS

This bill regulates secondary ticket exchanges, ticket issuers, and resellers, and prohibits speculative ticket sales.

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.

Senator Lang moved to Lay on the Table. Adopted.

ELECTION LAW AND MUNICIPAL AFFAIRS
SB 448-FN, relative to the Woodsville fire district.
Ought to Pass with Amendment, Vote 5-0. Senator Gray for the committee.

Election Law and Municipal Affairs
March 28, 2024
2024-1369s
11/05

Amendment to SB 448-FN

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

1 Town of Haverhill; Woodsville Fire District. 1887, 204:1 - 204:4, as amended by 1899, 196:1 - 196:4; 1913, 313:1; 1990, 37:1; 2009, 147:1; and 2021, 124:1, is repealed and reenacted to read as follows:

Section 1. The Woodsville fire district is hereby established as a village district governed by RSA chapter 52 and shall have all the rights, duties, and obligations of a village district pursuant to such chapter. The district shall be a body corporate and politic pursuant to such chapter. Woodsville is established for the purposes set forth in RSA 52:1, I(a), (b), (c), (d), (e), (f), (g), (h), (i), (k), (m) and (n).

Section 2. The board of commissioners, and all other officers and officials of the Woodsville fire district, shall have and hold their offices of the village district as though duly elected or appointed pursuant to RSA chapter 52, until the next duly called annual meeting.

Section 3. The boundaries of the district shall be co-extensive with the boundaries of the existing fire district established by the town of Haverhill board of selectmen on or about December 1, 1990.

Section 4. All obligations and liabilities of the fire district shall be the obligations and liabilities of the village district. All legal or equitable interests in property of any kind, wherever located and by whomever held belonging to the existing fire district shall vest, subject to all liens, claims and encumbrances, in the village district.

2 Repeal. 1887, 204:5 – 204:13, as amended by 1899, 196:5-196:13, relative to the Woodsville fire district, is repealed.

3 New Section; Town and Village District Expenses. Amend RSA 52 by inserting after section 52:1-a the following new section:

52:1-b Town and Village District Expenses. Any village district organized under the provisions of this chapter may at a regular or special village district meeting vote to cooperate or act jointly with other village districts or with towns to defray expenses and take other appropriate action necessary to protect its interest in connection with purposes stated in RSA 52:1, I(a)-(n) for state and local issues. Such village districts may enter into such agreements pursuant to RSA 53-A.

4 Highway Maintenance and Fire Protection Responsibilities; Woodsville Fire District.

I. Each year, the Woodsville fire district and not the town of Haverhill is responsible for maintenance of class IV and V highways within its limits:

(a) The town shall compensate the district an amount determined by the following formula:

(1) For each mile of class IV and V highway in the district, the district shall receive 50 percent of the average cost for Haverhill to maintain the class IV and class V highways in the previous year, as determined by Haverhill's per mile expenditures for highway operations as reported to the department of revenue administration; and

(2) The district shall receive 50 percent of the amount determined by a fraction of the cost, calculated with reference to subparagraph (b), to maintain class IV and V highways, the numerator of which shall be the assessed valuation of the properties in the district, and the denominator of which shall be the assessed valuation of the properties in the entire town of Haverhill as determined annually from the town's prior year MS-1 form.

(b) The calculation of the cost to maintain class IV and V highways set forth in subparagraphs (a)(1) and (2) shall include items, including but not limited to, the cost of labor (including benefits), road maintenance contracts, insurance, first line supervision, materials, maintenance of equipment, and depreciation of equipment. The calculation of cost shall not include any amount for highway capital projects.

(c) The district shall also receive a share of the state highway block grant funds received by the town in the previous year, calculated according to the formulas in RSA 235:23, but based on population and road mileage of the district compared to the population and road mileage of the entire town of Haverhill.

(d) If district residents vote at an annual district meeting or special meeting to relinquish to the town of Haverhill the district's responsibility respecting highways within its limits, such vote shall take effect at the start of the next fiscal year, provided such date is at least 3 months from the vote.

II. Each year the Woodsville fire district and not the town of Haverhill is responsible for fire protection within its limits.

(a) The town shall compensate the district as follows:

(1) For every square mile of area covered by the district, one half of the average cost for Haverhill to provide fire protection per square mile, in the previous year, for the area covered by the town fire department; and

(2) For every resident covered by the district fire department, one half of the average cost per capita to provide fire protection, in the previous year, to the residents covered by the town fire department.

The cost to provide fire protection in subparagraphs (a)(1) and (2) shall be the total gross fire budget of the town from the previous year.

(b) If district residents vote at an annual district meeting or special meeting to relinquish to the town of Haverhill the district's responsibility respecting fire protection within its limits, such vote shall take effect at the start of the next fiscal year, provided such date is at least 3 months from the vote.

5 Applicability. Section 4 of this act shall apply to the town of Haverhill and the Woodsville fire district and is suspended if agreements pursuant to RSA 52:1-b and RSA 53-A covering the issues in section 4 are in effect.

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

2024-1369s

AMENDED ANALYSIS

This bill establishes the Woodsville Fire District as a village district, with all rights, duties, and obligations of such a district. The bill also allocates responsibility for highway maintenance and fire protection between the district and town of Haverhill.

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

Senator Gray offered a Floor Amendment.

Sen. Gray, Dist 6
April 10, 2024
2024-1473s
11/05

Floor Amendment to SB 448-FN

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

1 Town of Haverhill; Woodsville Fire District. 1887, 204:1 - 204:4, as amended by 1899, 196:1 - 196:4; 1913, 313:1; 1990, 37:1; 2009, 147:1; and 2021, 124:1, is repealed and reenacted to read as follows:

Section 1. The Woodsville fire district is hereby established as a village district governed by RSA chapter 52 and shall have all the rights, duties, and obligations of a village district pursuant to such chapter. The district shall be a body corporate and politic pursuant to such chapter. Woodsville is established for the purposes set forth in RSA 52:1, I(a), (b), (c), (d), (e), (f), (g), (h), (i), (k), (m) and (n).

Section 2. The board of commissioners, and all other officers and officials of the Woodsville fire district, shall have and hold their offices of the village district as though duly elected or appointed pursuant to RSA chapter 52, until the next duly called annual meeting.

Section 3. The boundaries of the district shall be co-extensive with the boundaries of the existing fire district established by the town of Haverhill board of selectmen on or about December 1, 1990.

Section 4. All obligations and liabilities of the fire district shall be the obligations and liabilities of the village district. All legal or equitable interests in property of any kind, wherever located and by whomever held belonging to the existing fire district shall vest, subject to all liens, claims and encumbrances, in the village district.

2 Repeal. 1887, 204:5 – 204:13, as amended by 1899, 196:5-196:13, relative to the Woodsville fire district, is repealed.

3 New Section; Town and Village District Expenses. Amend RSA 52 by inserting after section 52:1-a the following new section:

52:1-b Town and Village District Expenses. Any village district organized under the provisions of this chapter may at a regular or special village district meeting vote to cooperate or act jointly with other village districts or with towns to defray expenses and take other appropriate action necessary to protect its interest in connection with purposes stated in RSA 52:1, I(a)-(n) for state and local issues.

4 Highway Maintenance and Fire Protection Responsibilities; Woodsville Fire District.

I. Each year, the Woodsville fire district and not the town of Haverhill is responsible for maintenance of class IV and V highways within its limits:

(a) The town shall compensate the district an amount determined by the following formula:

(1) For each mile of class IV and V highway in the district, the district shall receive 50 percent of the average cost for Haverhill to maintain the class IV and class V highways in the previous year, as determined by Haverhill's per mile expenditures for highway operations as reported to the department of revenue administration; and

(2) The district shall receive 50 percent of the amount determined by a fraction of the cost, calculated with reference to subparagraph (b), to maintain class IV and V highways, the numerator of which shall be the assessed valuation of the properties in the district, and the denominator of which shall be the assessed valuation of the properties in the entire town of Haverhill as determined annually from the town's prior year MS-1 form.

(b) The calculation of the cost to maintain class IV and V highways set forth in subparagraphs (a)(1) and (2) shall include items, including but not limited to, the cost of labor (including benefits), road maintenance contracts, insurance, first line supervision, materials, maintenance of equipment, and depreciation of equipment. The calculation of cost shall not include any amount for highway capital projects.

(c) The district shall also receive a share of the state highway block grant funds received by the town in the previous year, calculated according to the formulas in RSA 235:23, but based on population and road mileage of the district compared to the population and road mileage of the entire town of Haverhill.

(d) If district residents vote at an annual district meeting or special meeting to relinquish to the town of Haverhill the district's responsibility respecting highways within its limits, such vote shall take effect at the start of the next fiscal year, provided such date is at least 3 months from the vote.

II. Each year the Woodsville fire district and not the town of Haverhill is responsible for fire protection within its limits.

(a) The town shall compensate the district as follows:

(1) For every square mile of area covered by the district, one half of the average cost for Haverhill to provide fire protection per square mile, in the previous year, for the area covered by the town fire department; and

(2) For every resident covered by the district fire department, one half of the average cost per capita to provide fire protection, in the previous year, to the residents covered by the town fire department.

The cost to provide fire protection in subparagraphs (a)(1) and (2) shall be the total gross fire budget of the town from the previous year.

(b) If district residents vote at an annual district meeting or special meeting to relinquish to the town of Haverhill the district's responsibility respecting fire protection within its limits, such vote shall take effect at the start of the next fiscal year, provided such date is at least 3 months from the vote.

5 Applicability. Section 4 of this act shall apply to the town of Haverhill and the Woodsville fire district and is suspended if agreements pursuant to RSA 52:1-b covering the issues in section 4 are in effect.

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

2024-1473s

AMENDED ANALYSIS

This bill establishes the Woodsville Fire District as a village district, with all rights, duties, and obligations of such a district. The bill also allocates responsibility for highway maintenance and fire protection between the district and town of Haverhill.

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

Senator Prentiss offered a Floor Amendment.

Sen. Prentiss, Dist 5
April 4, 2024
2024-1434s
11/05

Floor Amendment to SB 448-FN

Amend subparagraph II(a) as inserted by section 4 of the bill by replacing it with the following:

(a) The town shall compensate the district as follows: for every resident covered by the district fire department, the average cost per capita to provide fire protection in the previous year to the residents covered by the town fire department. The cost to provide fire protection in this subparagraph shall be the total gross fire budget of the town from the previous year.

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.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION
SB 373, relative to the state building code.
Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

Senate Executive Departments and Administration
March 27, 2024
2024-1364s
11/05

Amendment to SB 373

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

1 State Building Code Amendment. The state building code review board shall amend the International Energy Conservation Code 2018, R402.4.1.2 to read as follows:

The building or dwelling unit shall be tested for air leakage. The maximum air leakage rate for any building or dwelling unit under any compliance path shall not exceed 5.0 air changes per hour or 0.28 cubic feet per minute (CFM) per square foot [0.0079 m3/(s × m2)] of dwelling unit enclosure area. Testing shall be conducted in accordance with ANSI/RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Notwithstanding any other building code requirements, the air exchange rate shall be set to no more than 5.

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.

SB 481, relative to establishing Juneteenth, June 19, as an annual holiday.
Ought to Pass, Vote 4-1. Senator Perkins Kwoka for the committee.

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

FINANCE
SB 134-FN, relative to disability pensions for public safety employees who are victims of violence.
Ought to Pass with Amendment, Vote 7-0. Senator Birdsell for the committee.

Senate Finance
April 9, 2024
2024-1467s
05/08

Amendment to SB 134-FN

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

1 New Subparagraphs; Violent Accidental Disability Retirement Allowance. Amend RSA 100-A:6, II by inserting after subparagraph (d) the following new subparagraphs:

(e)(1) Upon the application of a group II member in service or of the member's employer, any member shall be retired by the board of trustees on a violent accidental disability retirement allowance where the member has been totally and permanently incapacitated for duty as the result of a purposeful, hostile, and violent attack upon such member in the line of duty. In this section, a "purposeful, hostile, and violent attack" means a physical attack with a deadly weapon, as defined in RSA 625:11, V, and done with conscious intent and with such force that it results in the infliction of serious bodily injury, as defined in RSA 625:11, VI.

(2) The provisions of subparagraph (e)(1) shall apply provided that:

(A) The member is found to be mentally or physically incapacitated for the further performance of duty and that such incapacity is likely to be permanent;

(B) The member did not intend for injury to result from the member's conduct; and

(C) The incapacitating event has been determined by the commissioner of safety to meet the criteria of a violent attack under this section and certified to the retirement system on a form approved by the board of trustees. Solely for the purpose of making this determination and notwithstanding any other law to the contrary, the commissioner of safety may obtain any records held by any state or municipal official regarding the circumstances, cause, or manner of violent injury disability. The commissioner of safety may consult with the labor commissioner and may disclose any information or records obtained in the course of his or her inquiry. Any records held by the commissioner of safety pursuant to this section shall not be subject to the right-to-know law, RSA 91-A, and shall not be subject to disclosure in any civil action.

(D) The injury has been found to be compensable by the employer, the employer's insurance carrier, or the commissioner of labor pursuant to RSA 281-A:43.

(3) If the board of trustees is unable to grant violent accidental disability retirement benefits after review of medical and factual information submitted by the member and by a physician designated by the board, then the member shall be entitled to a hearing before the board in order to determine whether the member qualifies for disability retirement benefits. The hearing before the board may be designated to a presiding officer. The presiding officer designated by the board shall not be the same person who made an initial disability determination and recommendation to the board based on the medical and factual information submitted by the member and physician as stated above.

(f) Upon violent accidental disability retirement, the group II member shall receive a violent accidental disability retirement allowance equal to the member's earnable compensation during their last 12 months of active service at the date of the member's disability or an annual allowance of $75,000, whichever is greater.

2 Retrospective Application for Benefit. Members who retired under accidental disability on or after July 1, 2018 shall have 90 days from the effective date of this act to file application for violent accidental disability benefits under section 1 of this act and, if approved, such members' benefit shall be modified effective to the date of the application for violent accidental disability retirement benefits.

3 Maximum Benefit Limitation; Reference Added. Amend RSA 100-A:6-a to read as follows:

100-A:6-a Maximum Retirement Benefit. Notwithstanding any other provision of this chapter to the contrary, for members who commenced service before July 1, 2009, or have attained vested status prior to January 1, 2012, a member's initial calculation of the retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed 100 percent of the member's highest year of earnable compensation. For members who commenced service on or after July 1, 2009, and have not attained vested status prior to January 1, 2012, a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of 85 percent of the member's average final compensation or $120,000. Nothing in this section shall affect the ability of a member to receive disability benefits pursuant to RSA 100-A:6, II(b) and (c) ***or RSA 100-A:6, II(e) and (f)***. This provision shall not limit the application of supplemental allowances.

4 Disability Retirement Benefits. Amend RSA 100-A:6, III(b)(4) to read as follows:

(4) The provisions of subparagraph (b)(1) shall not apply to a group II accidental disability beneficiary whose total of years of service as a member in group II plus years of accidental disability retirement is at least 20 years, as determined by the board, and who has attained the age of 45***, or a group II violent accidental disability beneficiary, regardless of age or years of service***. Any such accidental disability ***or violent accidental disability*** beneficiary shall receive retirement allowance benefits under this section without reduction for gainful occupation.

5 Benefits Upon Member's Death After Retirement - Group II Members. Amend RSA 100-A:12, II to read as follows:

II. Upon the death of a group II member who has retired on or after April 1, 1987, or upon the death of a group II member who has filed an application for retirement benefits with the board of trustees after January 1, 1991, there shall be paid to the person nominated by the member by written designation filed with the board, if living, otherwise to the retired member's estate, in addition to the amount payable under RSA 100-A:11 a lump sum of $3,600 if the member retired before July 1, 1988, and if the member is married on the date of such member's retirement, there shall be paid to such surviving spouse an allowance to continue until the spouse's death or remarriage equal to 50 percent of the member's service, ordinary disability, [~~or~~] accidental disability***, or violent accidental disability*** retirement allowance payments. For any person who is a group II member as of June 30, 1988, and who retires on or after July 1, 1988, the lump sum payment shall be $10,000. For any person who becomes a member of group II on or after July 1, 1988, and on or prior to July 1, 1993, the lump sum payment shall be $3,600. It is the intent of the legislature that future group II members shall be included only if the total cost of such inclusion can be terminally funded.

6 New Subparagraph; New Hampshire Retirement System; Medical Benefits; Payment by Retirement System; Group II. Amend RSA 100-A:52, I by inserting after subparagraph (g) the following new subparagraph:

(h) Any member retired on a violent accidental disability retirement allowance pursuant to RSA 100-A:6, II(e).

7 New Hampshire Retirement System; Medical Benefits; Payment by Retirement System; Group II. Amend RSA 100-A:52, II to read as follows:

II.***(a)*** For the fiscal year beginning July 1, 2011, the maximum amount payable by the retirement system under this subdivision on account of each person qualified under paragraph I who is not entitled to Medicare benefits, shall be $375.56 per month, and on account of each person qualified under paragraph I who is entitled to Medicare benefits, shall be $236.84 per month. The rate payable under this paragraph shall not be increased.

(b) Notwithstanding subparagraph (a), for the fiscal year beginning July 1, 2024, the maximum amount payable by the retirement system under this subdivision on account of each person qualified under subparagraph I(h) as result of a violent accidental disability who is not entitled to Medicare benefits, shall be $1,000 per month, and on account of each person qualified under subparagraph I(h) who is entitled to Medicare benefits, shall be $630.63 per month. The rate payable under this paragraph shall not be increased.

8 New Hampshire Retirement System; Medical Benefits; Application. Amend RSA 100-A:55, I to read as follows:

I. The additional benefits provided under RSA 100-A:52 shall apply to persons who are active or retired members of group II as of June 30, 2000; to persons who prior to July 1, 1988, had completed no less than 20 years of group II creditable service, but who for reasons other than retirement or death ceased to be a group II member prior to attaining the age of 45, and who, as of July 1, 1993, are eligible for vested deferred retirement benefits; [~~and~~] to persons who are group II permanent policemen or permanent firemen members on disability retirement as the natural and proximate result of injuries suffered while in the performance of duty who become permanent policemen members of group II before July 1, 2005 or permanent firemen members of group II before July 1, 2005***; and to persons who are group II permanent policemen or permanent firemen members retired under a violent accidental disability***. Such additional benefits shall not apply to other persons who become members of group II after the dates stated in this paragraph, without future legislation to include them. It is the intent of the legislature that future group II members shall be included only if the total cost of such inclusion can be terminally funded.

9 Medical Insurance Benefits; Retired Group II Employees. Amend RSA 21-I:30, VII(b) to read as follows:

(b) Dies or retires and is eligible for accidental death***,*** [~~or~~] accidental disability***, or violent accidental disability*** retirement benefits, regardless of the state employee's age or number of years of creditable service; or

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

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 309-FN, relative to the vesting period for members of the state retirement system.
Interim Study, Vote 5-2. Senator Gray for the committee.

Senator Gray moved to Lay on the Table. Adopted.

SB 354-FN, relative to insurance cost-sharing calculations.
Ought to Pass, Vote 7-0. Senator Innis for the committee.

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

SB 392-FN-A, relative to lead paint hazard remediation.
Ought to Pass, Vote 7-0. Senator Rosenwald for the committee.

Senator Carson moved to Lay on the Table. Adopted.

SB 394-FN-A, relative to the cyanobacteria mitigation loan and grant fund.
Ought to Pass, Vote 7-0. Senator Birdsell for the committee.

Recess. Out of recess.

Senator Gray moved to Lay on the Table. Adopted.

SB 397-FN-A, making an appropriation for OHRV trails.
Ought to Pass, Vote 7-0. Senator Gray for the committee.

Senator Gray moved to Lay on the Table. Adopted.

SB 406-FN-A, making an appropriation to the department of health and human services to increase rates for shelter programs.
Ought to Pass with Amendment, Vote 7-0. Senator Rosenwald for the committee.

Senate Finance
April 9, 2024
2024-1465s
05/06

Amendment to SB 406-FN-A

Amend paragraph II as inserted by section 1 of the bill by replacing it with the following:

II. Programs receiving funding under paragraph I shall, to the greatest extent practicable, prioritize veterans in the distribution of services and shall not knowingly provide services to any person not legally present in the United States. The department of health and human services shall require recipients of this funding to submit financial projections covering the term of the contract as well as ongoing financial statements demonstrating organizational financial sustainability.

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 407-FN, relative to direct pay for ambulance services.
Ought to Pass with Amendment, Vote 7-0. Senator Birdsell for the committee.

Senate Finance
April 3, 2024
2024-1422s
05/08

Amendment to SB 407-FN

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

1 Accident and Health Insurance; Individual Policies; Reimbursement for Ambulance Service Providers. Amend RSA 415:6-q to read as follows:

415:6-q Reimbursement for Ambulance Service Providers.

I. Each insurer that issues or renews any individual policy, plan, or contract of accident or health insurance that constitutes health coverage under RSA 420-G:2, IX, and that provides benefits for medically necessary ambu-

lance services shall reimburse the ambulance service provider directly [~~or by a check payable to the insured and the ambulance service provider subject to the terms and conditions of the policy, plan, or contract~~]. ***An insurer shall provide reimbursement for ambulance services at rates negotiated between the insurer and the provider of such services. In the absence of agreed upon rates, an insurer shall pay for such services at the rates set by the local government or contracted entity subject to a public process prior to adoption or readoption, or at the rate of 325 percent of the published rate for ambulance services established under the Medicare law for the same ambulance service provided in the same geographic area, or according to the participating ambulance provider's billed charges, whichever is the lesser amount. All current rates set by local government and the entities shall remain in place unless a change is proposed. This section shall apply to unscheduled emergency calls and emergency interfacility transfers. This section shall not apply to policies that do not include coverage for ambulance services.***

II. Nothing in this section shall preclude an insurer from negotiating with and subsequently entering into a contract with a non-participating ambulance provider that establishes rates of reimbursement for emergency medical services.

III. In the event of a dispute between a health care provider and an insurance carrier relative to this process, RSA 420-J:8-e shall apply.

2 Accident and Health Insurance; Group Policies; Reimbursement for Ambulance Service Providers. Amend RSA 415:18-v to read as follows:

415:18-v Reimbursement for Ambulance Service Providers.

I. Each insurer that issues or renews any policy of group or blanket accident or health insurance that constitutes health coverage under RSA 420-G:2, IX, and that provides benefits for medically necessary ambulance services shall reimburse the ambulance service provider directly [~~or by a check payable to the insured and the ambulance service provider subject to the terms and conditions of the policy, plan, or contract~~]. ***An insurer shall provide reimbursement for ambulance services at rates negotiated between the insurer and the provider of such services. In the absence of agreed upon rates, an insurer shall pay for such services at the rates set by the local government or contracted entity subject to a public process prior to adoption or readoption, or at the rate of 325 percent of the published rate for ambulance services established under the Medicare law for the same ambulance service provided in the same geographic area, or according to the participating ambulance provider's billed charges, whichever is the lesser amount. All current rates set by local government and the entities shall remain in place unless a change is proposed. This section shall apply to unscheduled emergency calls and emergency interfacility transfers. This section shall not apply to policies that do not include coverage for ambulance services.***

II. Nothing in this section shall preclude an insurer from negotiating with and subsequently entering into a contract with a non-participating ambulance provider that establishes rates of reimbursement for emergency medical services.

III. In the event of a dispute between a health care provider and an insurance carrier relative to this process, RSA 420-J:8-e shall apply.

3 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.

SB 410-FN, making appropriations to the department of health and human services to support community and transitional housing through community mental health centers.
Ought to Pass with Amendment, Vote 7-0. Senator Gray for the committee.

Senate Finance
April 9, 2024
2024-1464s
05/06

Amendment to SB 410-FN

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

1 Appropriation; Department of Health and Human Services; Housing Grants.

I. For the fiscal year ending June 30, 2025, the sum of $500,000 is appropriated to the department of health and human services for the purpose of housing grants. The general fund appropriation under this section shall be nonlapsing and continually appropriated to the department to support the stabilization and growth of community and transitional housing through the state's community mental health centers designated under administrative rule He-M 425.03. Of this amount, the governor shall determine if any remaining discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds can be used for this purpose and any remainder shall be general funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The department of health and human services shall issue a request for grant applications for the purpose of awarding housing grants to community mental health centers to retain and create new housing in the community. Grants may be disbursed for up to $25,000 per bed. The department shall initiate the request for grant applications and grant disbursement by December 1, 2024. All grant awards made pursuant to this section shall require the recipient community mental health center to use reasonable best efforts to prioritize the provision of aid to veterans, as defined in RSA 21:50, who are in need of such aid. All grant awards made pursuant to this section shall prohibit the recipient community mental health center receiving such grant from using any such funds to knowingly provide aid to any person not legally present in the United States.

2 Appropriation; Department of Health and Human Services; Community Mental Health Center Supported Housing Programs. There is hereby appropriated to the department of health and human services the sum of $500,000 for the fiscal year ending June 30, 2025 for community mental health center supported housing programs operated by community mental health centers designated under administrative rule He-M 425.03. The general fund appropriation shall be nonlapsing and continually appropriated to the department to support for the purpose of covering non-billable services for supported community housing. Of this amount, the governor shall determine if any remaining discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds can be used for this purpose and any remainder shall be general funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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.

Senator Gray moved to Lay on the Table. Adopted.

SB 417-FN, relative to out-of-home placements for children.
Ought to Pass with Amendment, Vote 7-0. Senator Gray for the committee.

Senate Finance
April 3, 2024
2024-1421s
05/02

Amendment to SB 417-FN

Amend RSA 169-C:19-e, I-a(g) as inserted by section 3 of the bill by replacing it with the following:

(g) The results of the department's evidence-based safety assessment of that parent, their home, and any other adults in the home. A parent's failure to cooperate with the department's assessment, or to provide any records necessary to such a determination, shall be weighed as a factor in the fitness of that parent.

Amend RSA 169-F:7 and 169-F:8 as inserted by section 6 of the bill by replacing them with the following:

169-F:7 Oversight of Children in Care; Department Responsibilities.

I. Any child in a court-ordered placement pursuant to RSA 169-B, RSA 169-C, or RSA 169-D shall be seen in-person on at least a monthly basis, by their assigned case worker. In the event the assigned case worker is not available, another case worker or supervisor familiar with the child and/or case may perform the visit. The visit to the child shall include a private meeting with the child, in a safe place as determined by the case worker and child, to inquire about care received, as well as an in-person tour of the child's living quarters. The monthly contact shall also include contact with the child's placement provider, therapeutic providers, and educational providers, preferably in real-time, but at least by written correspondence. In addition, for any child placed in a residential placement by the department, these visits shall include a tour of the facil-

ity where the child may have access to; a check-in with appropriate leadership about program culture and therapeutic programming; a check-in with program direct care staff about the child's progress in the program; and a check-in with the clinical director and/or the child's therapeutic provider about the program culture, therapeutic programming, and the child's individual progress, strengths, and challenges in the program, which may occur outside of the in-person visit in virtual real-time if circumstances require.

II. The department shall develop, in consultation with the office of child advocate, a standard operating procedure and form for monthly visits with children conducted by the department, pursuant to RSA 169-F:5, I, to be completed during each monthly in-person visit.

169-F:8 Court Oversight of Children in Residential Programs.

I. Except in cases of emergency placement, prior to placing a child in residential treatment programs or psychiatric residential treatment programs, except in emergency situations, the court shall:

(a) Consider all assessments and plans for the child, including assessment of whether a residential treatment program is the most effective and appropriate level of care, in the least restrictive environment for the child, and any child-specific, short- and long-term goals for the child and the family. The assessment shall specify, in writing:

(1) Whether the child's needs can be met in a kin, fictive kin or foster family home, not primarily dependent upon availability of community resources.

(2) If the assessment recommends a residential treatment program:

(A) The specific reasons why the child's needs cannot be met in a kin, fictive kin or foster family home, not primarily dependent upon availability of community resources; and

(B) Why recommended placement in a residential treatment program is the setting that will provide the child with the most effective and appropriate level of care, in the least restrictive environment.

(3) How the placement is consistent with the short- and long-term goals for the child, as specified in the case plan or permanency plan for the child.

(b) Confirm that the school district has complied with its legal obligations to assess the educational impact of the placement, and consider the school district's input on that impact.

(c) Determine that the needs of the child cannot be met through placement with a parent, legal guardian, legal custodian, kin or fictive kin caregiver, or in a foster family home; and that placement of the child in a residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment; and that placement is consistent with the short- and long-term goals, including mental, behavioral, and physical health goals, for the child as specified in the permanency plan for the child, or as outlined in the family services plan. A shortage or lack of foster family homes shall not be an acceptable primary reason for determining that the needs of the child cannot be met in a foster family home.

(d) Review information relating to the facility, which may include staff-to-child ratio; staff training; program culture; therapeutic, clinical and milieu programming; educational programming; recreational programming; and, family connections, in order to ensure that the program is the most effective and appropriate level of care, in the least restrictive environment for the child, and meets the child-specific short- and long-term goals for the child and the family.

(e) Approve or disapprove of the placement, in a written order, containing all of the necessary findings laid out in this section.

II. In the case of an emergency necessitating immediate placement of a child in a residential treatment program, the department shall notify the court within 2 business days of such placement, in order for the court to make the required findings of paragraph I.

III. Prior to determining that a residential treatment program is the most effective and appropriate level of care, in the least restrictive environment for the child, the court shall consider any available assessments and plans, giving the greatest weight to the most recent assessment and assessments completed by a licensed psychologist or licensed neuropsychologist with specialized training in the evidence-based treatment of childhood trauma. If the court deviates from such recommendation, the court shall make specific findings of fact regarding the most effective and appropriate level of care, in the least restrictive environment for the child, and that the placement is consistent with child-specific short and long-term goals for the child and the family. When making such findings of fact, the court shall consider all relevant information, including but not limited to:

(a) Whether the protocol for the residential treatment program assessment was followed;

(b) Whether the school district is meeting the child's educational needs, based on their statutory requirements under RSA 169-B:22, RSA 169-D:18, and RSA 169-C:20;

(c) The strengths and specific treatment or service needs of the child and the family;

(d) The expected length of stay; and

(e) The placement preference of the child and the family.

IV. When a child is placed in a residential treatment program or psychiatric residential treatment program:

(a) The department shall notify the court promptly of such placement.

(b)(1) The court shall review the placement of that child within 60 days after placement, and at every subsequent court review hearing; or

(2) Upon a motion by the child, the child's representative, or the child's guardian ad litem establishing reason to believe the ordered residential treatment program is not the most effective and appropriate level of care for the child in the least restrictive environment, the court shall review the placement within 30 days, and at every subsequent court review hearing.

(c) The court may review the placement at any time sua sponte or in response to a motion for review by any party.

V. As long as a child remains in a residential treatment program, the department shall submit evidence to the court and all parties, at least 5 business days prior to every regular review hearing:

(a) Demonstrating that:

(1) Ongoing assessment of the strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement with a parent, legal guardian, legal custodian, kin or fictive kin caregiver, or in a foster family home;

(2) Any recommended psychological or clinical evaluations or assessments have been completed, and if not, the status of those evaluations or assessments;

(3) The department has worked with the school district to assure, consistent with the best interest of the child, the child's educational stability;

(4) The placement in a residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment; and,

(5) The placement is consistent with the short- and long-term goals for the child as specified in the permanency plan for the child, or as outlined in the family services plan.

(b) Documenting that:

(1) The specific treatment or service needs that will be met for the child in the placement;

(2) The length of time the child is expected to need treatment or services, and the treatment basis for the determination of that length of time; and

(3) The specific efforts made by the division to prepare the child and prospective placement for the child's return home or to be placed with a fit and willing kin or fictive kin caregiver, a legal guardian, legal custodian, or an adoptive parent, or in a foster family.

Amend the bill by replacing all after section 6 with the following:

7 Department of Health and Human Services; Classified Positions Established; Appropriation.

I. The following classified positions are established in the department of health and human services to support the placement of youth in residential facilities:

(a) Eight child protective service worker IV positions (labor grade 24, step 5).

(b) Two juvenile probation and parole officer IV positions (labor grade 24, step 5).

II. The sum of $870,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to

the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

8 Department of Health and Human Services; Classified Attorney Positions Established; Appropriation.

I. The following classified positions are established in the department of health and human services to support placement of youth in residential facilities: 2 attorney III positions (labor grade 30, step 5).

II. The sum of $210,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

9 Department of Health and Human Services; Appropriation; Youth Visit Travel Costs. The sum of $154,440 for the fiscal year ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of paying for travel costs for youth visits in order to support implementing the provisions of this act. This appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

10 Judicial Branch; Appropriation. The sum of $376,145 for the fiscal year ending June 30, 2025, is hereby appropriated to the judicial branch for the purpose of funding new positions required to carry out the duties set out in this act. In addition to the appropriation and notwithstanding RSA 14:30-a, the judicial branch may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

11 Reallocation of Monies Saved. Any monies saved by the department of health and human services, including the division for children, youth and families and the bureau of children's behavioral health, in preventing the out-of-home placement of children pursuant to this act shall be used by the department to provide services pursuant to RSA 135-F, the system of care for children's mental health, and any other community-based intervention services.

12 Effective Date.

I. Sections 7-11 of this act shall take effect July 1, 2024.

II. The remainder of this act shall take effect January 1, 2025.

2024-1421s

AMENDED ANALYSIS

This bill revises criteria for out-of-home placement of children under the child protection act and other juvenile statutes and establishes an order of preference based on placement with the child's siblings, when possible, and proximity to the child's community of origin. The bill also makes appropriations to the department of health and human services and the judicial branch to support implementation of the act.

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

INTRODUCTION OF GUESTS

(The Chair recognized Senator Chandley.)

SENATOR CHANDLEY: Thank you, Mister President. Please join me, Mister President and colleagues, in welcoming from the Republic of Korea, General Counsel Kim Jae-hui.

CONSULATE GENERAL KIM JAE-HUI: Oh, thank you very much. I didn't expect this kind of meaning. Thank you very much. So, I have a very wonderful time just behind the wall at the Representative Hall. So, the Korea has a lot of interest on the New Hampshire, so we have very strong Korean community here, small but very strong. So, I come together with a few of the Korean community leaders there, okay? So, they will, they'll work very hard to making contribution to the Korean, not only Korean community, but also their community here too. And also, my office working hard to the Korean business to find out their opportunity here, their partners, and economic business opportunity too. And one last thing is, New Hampshire is a very special state to Korea. Korean War, around 10,000 New Hampshire's sons and daughters came to Korea and

making the Korea transformation in business, in politics, in social, and everything. Even since then, more than your son and daughter come to the Korean Peninsula and for, guaranteeing, for working together with us for our safety and security. Thank you very much. So, we never forget about that. So, from my office, the Korean Consulate, so we will do our part to making the relationship with New Hampshire much stronger and much closer. Thank you very much.

PRESIDENT BRADLEY: And amazingly, he understands what the other side of the wall means.

Senator Lang offered a Floor Amendment.

Sen. Lang, Dist 2
Sen. Avard, Dist 12
April 10, 2024
2024-1481s
05/06

Floor Amendment to SB 417-FN

Amend RSA 169-C:19-e, I-a(g) as inserted by section 3 of the bill by replacing it with the following:

(g) The results of the department's evidence-based safety assessment of that parent, their home, and any other adults in the home.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Murphy, seconded by Senator Abbas.

The following Senators voted Yes: Gendreau, Lang, Gray, Innis, Avard, Murphy, Pearl, Abbas, Gannon.

The following Senators voted No: Watters, Prentiss, Ward, Ricciardi, Fenton, Chandley, Rosenwald, Carson, Whitley, Soucy, Birdsell, Perkins Kwoka, Altschiller, Bradley.

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 9 - Nays: 14. Failed.

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

SB 459-FN, relative to the presumption of harm under the child protection act.
Ought to Pass with Amendment, Vote 7-0. Senator Birdsell for the committee.

Senate Finance
April 9, 2024
2024-1463s
02/05

Amendment to SB 459-FN

Amend the bill by replacing all after section 10 with the following:

11 Department of Health and Human Services; Division for Children, Youth and Families; Classified Positions Established; Appropriation.

I. The following classified positions are established in the department of health and human services to support the department's division for children, youth and families, bureau of field services and legal services in completing new responsibilities as a result of statute changes:

(a) 11 attorney II positions (labor grade 30, step 5); and

(b) 24 child protective service worker (CPSW) IV positions (labor grade 25, step 5).

II. The sum of $1,602,216 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

12 Repeal. 2020, 26:56, relative to the prospective repeal of RSA 169-C:2-f on July 1, 2024, is repealed.

13 Effective Date.

I. Section 12 of this act shall take effect June 30, 2024.

II. Section 11 of this act shall take effect July 1, 2024.

III. The remainder of this act shall take effect January 1, 2025.

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

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14
Sen. Whitley, Dist 15
April 10, 2024
2024-1471s
05/06

Floor Amendment to SB 459-FN

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

AN ACT establishing a committee to study the child protection act.

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

1 Committee Established. There is established a committee to study the child protection act.

2 Membership and Compensation.

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

(a) Two members of the senate, one from the majority and one from the minority, appointed by the president of the senate.

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

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

3 Duties. The committee shall:

I. Study the definitions under the child protection act.

II. Study circumstances creating a rebuttable presumption of harm under RSA 169-C:12-f and prospective repeal of the section on July 1, 2024, pursuant to 2020, 26:56.

III. Study the expansion of the child abuse reporting requirement to include health care providers who treat a child under 13 years of age for a sexually transmitted disease.

IV. Propose any legislation the committee deems appropriate as a result of its study.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named 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.

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

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

2024-1471s

AMENDED ANALYSIS

This bill establishes a committee to study the child protection act.

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 462, relative to raising the cap on damages for wrongful death loss of consortium claims.
Ought to Pass, Vote 7-0. Senator Birdsell for the committee.

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

SB 463-FN, expanding access to court-appointed counsel for children in dependency proceedings.
Ought to Pass with Amendment, Vote 7-0. Senator Rosenwald for the committee.

Senate Finance
April 9, 2024
2024-1466s
09/05

Amendment to SB 463-FN

Amend the bill by replacing all after section 3 with the following:

4 Department of Health and Human Services; Division for Children, Youth and Families; Classified Positions Established; Appropriation.

I. The following classified positions are established in the department of health and human services to support the department's division for children, youth and families, bureau of field services and legal services, in completing new responsibilities as a result of statute changes:

(a) Five staff attorney II positions (labor grade 30, step 5); and

(b) Fourteen child protective service worker (CPSW) IV positions (labor grade 25, step 5).

II. The sum of $508,725 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding the positions established in paragraph I. In addition to the appropriation and notwithstanding RSA 14:30-a, the department may accept and expend matching federal funds without prior approval of the fiscal committee of the general court. The governor is authorized to draw a warrant for the general fund portion of said sum out of any money in the treasury not otherwise appropriated.

5 Effective Date.

I. Section 4 of this act shall take effect July 1, 2024.

II. The remainder of this act shall take effect January 1, 2025.

2024-1466s

AMENDED ANALYSIS

This bill makes various changes regarding the appointment of counsel for children, including providing a right to an attorney in certain situations. This bill further establishes new classified positions within the department of health and human services and makes an appropriation to the department.

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

Senator Rosenwald offered a Floor Amendment.

Sen. Bradley, Dist 3
April 9, 2024
2024-1457s
09/08

Floor Amendment to SB 463-FN

Amend the bill by replacing section 4 with the following:

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

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 495-FN, relative to certification of alcohol and other drug use treatment facilities.
Ought to Pass with Amendment, Vote 7-0. Senator Pearl for the committee.

Senate Finance
April 3, 2024
2024-1420s
05/08

Amendment to SB 495-FN

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

1 New Hampshire Substance Use Disorder Services System. Amend RSA 172:1, IX-a to read as follows:

IX-a. "Client" means a person who voluntarily seeks substance abuse treatment [~~as provided by the office of alcohol and drug abuse prevention through its agents or substance abuse treatment contractors~~].

2 New Hampshire Substance Use Disorder Services System. Amend RSA 172:1, XXIV to read as follows:

XXIV. "Certified substance abuse treatment facility" means a facility [~~funded in part or in whole by the office of alcohol and drug abuse prevention, and~~] certified ***or licensed by the department of health and human services*** under rules adopted pursuant to RSA 541-A.

3 New Hampshire Substance Use Disorder Services System. Amend RSA 172:2-a to read as follows:

172:2-a State Substance Use Disorder Services System Established.

I. The commissioner shall provide for the scientific care, treatment, and rehabilitation of individuals with substance use disorders and their families, and work towards the prevention of, and assist in the control of, alcohol and drug misuse within the state through education, treatment, community organization, and research. The department shall establish, maintain, implement, and coordinate a system of substance use disorder treatment services under this chapter. This system shall be supervised by the commissioner. [~~With the exception of a youth drug treatment center required to be operated by a non-governmental entity at the Sununu youth services center, at the discretion of the commissioner,~~] The department may directly operate and administer any program or facility which provides, or which may be established to provide, services to persons with substance use disorders or may enter into a contract with any individual, partnership, association, public or private, for profit or nonprofit, agency or corporation for the operation and administration of any such program or facility.

II. Subject to available funding, the commissioner shall establish, pursuant to rules adopted under RSA 541-A, a certification process for substance use treatment programs and facilities operating in the state of New Hampshire. Programs and facilities required to be certified shall include, but not be limited to those providing early intervention treatment, outpatient treatment, intensive outpatient and partial hospitalization treatment, residential treatment, and medically managed intensive treatment. Independent providers, facilities licensed under RSA 151, the programs and facilities in the system of mental health services established by RSA 135-C:3, and other providers identified by the commissioner shall be exempt from certification.

III. The commissioner shall adopt rules under RSA 541-A, relative to:

(a) Certification procedures, requirements, and exemptions for substance use treatment programs and facilities.

(b) Certification and renewal fees.

(c) The scope and content of training requirements for substance use treatment programs and providers.

(d) The scope and content of education materials for providers and clients to understand complaint procedures.

(e) Public access to findings of investigatory and monitoring reports, and final decisions made relative to certification.

IV. All fees received from certification under this section shall be kept in a nonlapsing fund known as the substance use treatment certification fund, which shall be kept separate and distinct from all other funds. The fund shall be continually appropriated to the department of health and human services to fund to the certification process for substance use treatment programs and facilities operating in the state of New Hampshire. The commissioner may accept gifts, grants, donations, or other funding from any source and shall deposit all such revenue received into the fund. The state treasurer shall invest the moneys deposited in the fund as provided by law. Interest earned on moneys deposited in the fund shall be deposited into the fund.

V. The department shall maintain and regularly update on its website a publicly available listing of all programs and facilities certified under this chapter.

4 New Subparagraph; Dedicated Funds; Substance Use Treatment Certification Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (394) the following new subparagraph:

(395) Moneys deposited in the substance use treatment certification fund under RSA 172:2-a.

5 New Hampshire Substance Use Disorder Services System. Amend RSA 172:2-c to read as follows:

172:2-c Community Substance Use Disorder Treatment Programs.

I. Any city, county, town, or any individual, partnership, association, public or private, for profit or nonprofit, agency or corporation may establish and administer a community substance use disorder treatment program for the purpose of providing substance use disorder treatment services to individuals, families, and organizations in the area. Every program shall, at a minimum, provide substance use disorder screening and evaluation, case management, and outpatient counseling services. The department may contract with a community substance use disorder treatment program, pursuant to RSA 172:2-a, for the operation and administration of any services that are part of the state substance use disorder treatment system. In the event that the commissioner decides to enter into a contract for the operation and administration of any services which are part of the state substance use disorder treatment system, the contract shall contain standards designed to measure the performance of the contractor in achieving positive consumer outcomes, maintaining fiscal integrity, and providing quality services. The commissioner shall adopt rules, pursuant to RSA 172:8-b, to establish criteria for designating substance use disorder treatment programs under this chapter.

II. No person may establish, maintain, operate, or conduct any program or facility for substance use treatment without any certification required by the department under RSA 172:2-a.

III. Every facility or program certified under RSA 172:2-a shall pay a certification fee to the commissioner for deposit in the fund established under RSA 172:2-a.

6 Department of Health and Human Services, Department Established; Office of the Ombudsman. Amend RSA 126-A:4, III to read as follows:

III. The department shall establish an office of the ombudsman to provide assistance to clients of the department by investigating and resolving complaints regarding any matter within the jurisdiction of the department including services or assistance provided by the department or its contractors. The ombudsman's office may provide mediation or other means for informally resolving complaints. The records of the ombudsman's office shall be confidential and shall not be disclosed without the consent of the client on whose behalf the complaint is made, except as may be necessary to assist the service provider to resolve the complaint, or as required by law. ***Subject to available funding, the department shall designate within the office of the ombudsman a person as the behavioral health specialist dedicated solely to investigate and resolve complaints to promote the health, safety, welfare, or civil or human rights of any person receiving the treatment or services of a substance use or mental health treatment facility.***

7 Repeal. The following are repealed:

I. RSA 172:1, XXV, relative to the definition of certified alcohol and drug abuse counselor.

II. RSA 171:2, XXIX, relative to the definition of designated drug counselor.

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

2024-1420s

AMENDED ANALYSIS

This bill provides for certification of substance use treatment programs by the department of health and human services. The bill also directs the department to establish within the office of the ombudsman, a behavioral health specialist dedicated to complaint investigations regarding substance use and mental health treatment programs.

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 539-FN-A-L, establishing a procedure for the department of environmental services to transfer ownership of dams to municipalities or others, including making loans.
Ought to Pass with Amendment, Vote 7-0. Senator Pearl for the committee.

Senate Finance
April 9, 2024
2024-1462s
05/02

Amendment to SB 539-FN-A-LOCAL

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

1 New Section; Department of Environmental Services; Dams; Transfer Procedures. Amend RSA 482 by inserting after section 51 the following new section:

482:51-a Dams; Transfer to Municipality or Association.

I. In this section "state-owned dam" means any dam owned exclusively by the department.

II. At least one year prior to removing any state-owned dam, the department shall offer to transfer ownership of the dam and associated property to the municipality in which the dam and impoundment created by it are located. Upon notice by the department, the governing body shall cause the legislative body to answer the question of whether the legislative body wants to accept the transfer of ownership of the dam. At the same meeting, the legislative body shall consider the issuance of any long term debt necessary to effectuate the transfer and address any deficiencies. If the legislative body votes to accept the transfer, but denies issuance of the debt, the department shall consider that to be a rejection of the offer. Upon rejection of the offer by the municipality, the department shall offer to transfer ownership of the dam and impoundment created by it to any association of landowners or any interested parties, registered as a public entity in good standing and capable of assessing local property taxes or issuing debt which have an interest in perpetuating the dam and its impoundment. Those interested parties shall have 90 days to consider whether to accept the transfer of ownership. After those 90 days have elapsed with no accepted offers for a transfer of ownership, the department may proceed with removal of the dam.

III. The procedure in paragraph II shall not apply if, upon receipt of information reasonably believed to be valid, the commissioner of environmental services believes the dam to be in imminent danger of failure and a threat to the lives and property downstream, or unless there is a compelling environmental interest in removal.

IV. When offering a transfer of a dam under paragraph II, the department shall provide to the offerees any existing documentation regarding the dams condition, a good faith estimate of costs of necessary repairs, a list of ongoing maintenance, inspection, or licensing needed, and all other relevant information regarding the costs of taking ownership of the dam with associated property.

V. The department shall develop by administrative rules under RSA 541-A a process by which municipalities, or other interested parties who are capable of assessing local property taxes or issuing debt, may apply for a loan necessary for the maintenance, repair, removal, or improvement of their non-state-owned dams. Loans shall be funded by moneys in the dam maintenance revolving loan fund established in RSA 482:55-b.

2 New Section; Dam Maintenance Revolving Loan Fund Established. Amend RSA 482 by inserting after section 55-a the following new section:

482:55-b Dam Maintenance Revolving Loan Fund Established.

I. There is established a dam maintenance revolving loan fund to provide loans to fund the maintenance, repair, removal, or improvement of any municipally owned dam or dam owned by other interested parties who are capable of assessing local property taxes or issuing debt, when such maintenance, repair, removal, or improvement is required under this chapter. This fund shall be nonlapsing and shall be continually appropriated to the department for the purposes of RSA 482:51-a. No loans shall be made from this fund until the fund has accrued a balance of at least $2,500,000

II. Loans made from the fund shall be issued at the discretion of the department of environmental services.

III. A sum equal to up to 5 percent or not more than $200,000 of the balance of the fund each year shall be set aside to pay the department costs of administering the fund. The funds set aside shall be deposited into the dam maintenance fund and shall be continually appropriated to the department exclusively for the purposes of this section and RSA 482:51-a.

IV. The department shall adopt rules for the revolving loan fund including the interest rate charged on loans and oversight of the administration of the fund. In providing loans, the department shall evaluate the risk posed by the dam, the public benefit of the dam, the private benefit of the dam to lakefront owners, the ecological impacts of the dam, the potential for contributions to needed maintenance, repair, or reconstruction, the financial resources of the applicant, and the relative cost of maintaining, repairing, or improving the dam as compared to removing or breaching the dam.

V. Sources of revenue that may be accepted and deposited into the dam maintenance revolving loan fund include:

(a) Any funds that may be appropriated from the general fund;

(b) Principal and interest received from the repayment of loans made from the fund;

(c) Grants and awards made to the state by the federal government for the purpose for which the fund was established;

(d) Interest earned from the investment of fund balances;

(e) Private gifts, bequests, and donations made to the state for the purpose for which the fund was established; and

(f) Any other funds from any public or private source intended to be used for the purpose for which the fund was established.

3 New Subparagraph; Dam Maintenance Revolving Loan Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (394) the following new subparagraph:

(395) Moneys deposited in the dam maintenance revolving loan fund established in RSA 482:55-b.

4 Appropriation; Department of Environmental Services; Dam Maintenance Revolving Loan Fund. The sum of $1 is appropriated to the department of environmental services for deposit in the dam maintenance revolving loan fund established in RSA 482:55-b, for the purpose of providing loans under RSA 482:51-a. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

2024-1462s

AMENDED ANALYSIS

This bill establishes a procedure for the department of environmental services to transfer ownership of a dam and associated property to the municipality in which the dam is located, or to other associations or parties, and includes the authority of the department to make loans from a dam maintenance revolving loan fund.

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 551-FN-A, relative to making an appropriation for rail trail project matching funds.
Ought to Pass, Vote 7-0. Senator Innis for the committee.

Senator Innis moved to Lay on the Table. Adopted.

SB 556-FN, relative to coverage of services provided by advanced practice registered nurses.
Ought to Pass, Vote 7-0. Senator Pearl for the committee.

Senator Prentiss offered a Floor Amendment.

Sen. Prentiss, Dist 5
Sen. Bradley, Dist 3
April 10, 2024
2024-1475s
09/05

Floor Amendment to SB 556-FN

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

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

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

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

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

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

2024-1475s

AMENDED ANALYSIS

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

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 590-FN-A, making an appropriation to address damage done to the seacoast during January storms. Interim Study, Vote 6-1. Senator Gray for the committee.

Senator Carson moved to Lay on the Table. Adopted.

SB 596-FN, relative to the definition of disability or special needs under the child care scholarship program. Ought to Pass with Amendment, Vote 7-0. Senator Rosenwald for the committee.

Senate Finance
April 9, 2024
2024-1468s
05/06

Amendment to SB 596-FN

Amend the introductory paragraph of RSA 167:83, II(r) as inserted by section 1 of the bill by replacing it with the following:

(r) The development and administration of the child care scholarship program as a component of the Child Care Development Block Grant. The department may suspend implementation of this subparagraph if the department lacks sufficient appropriation for implementation. Such rules shall:

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of $375,000 for the biennium ending June 30, 2025 is appropriated to the department of health and human services for the purpose of adopting rules and administering the child care scholarship program in accordance with the criteria specified in section 1 of this act. Of this amount, the governor shall determine if any remaining discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds can be used for this purpose and any remainder, not to exceed $1, shall be general funds. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

2024-1468s

AMENDED ANALYSIS

This bill directs the department of health and human services to adopt rules relative to the definition of disability or special needs for purposes of the child care scholarship program and authorizes the department to suspend implementation for insufficient funding. The bill also makes an appropriation of available federal funds to the child care scholarship program.

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.

TECHNICAL AND ADMINISTRATIVE CORRECTIONS

Without objection the Clerk is authorized to make technical and administrative corrections which are necessary to reflect the intent of the Senate on SB 463-FN. Adopted.

HEALTH AND HUMAN SERVICES

SB 558-FN, relative to insurance coverage for infertility treatments, protection from discrimination during IVF treatments, parental leave, and adoption.
Ought to Pass with Amendment, Vote 5-0. Senator Whitley for the committee.

Health and Human Services
March 27, 2024
2024-1359s
12/02

Amendment to SB 558-FN

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

AN ACT establishing a committee to study commercial insurance coverage of fertility treatments and employee protections while receiving fertility treatments.

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

1 Committee Established. There is established a committee to study commercial insurance coverage of fertility treatments and employee protections while receiving fertility treatments.

2 Membership and Compensation.

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

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

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall serve on the health, human services, and elderly affairs committee and one of whom shall serve on the labor, industrial, and rehabilitative services committee.

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

3 Duties. The committee shall study commercial insurance coverage of fertility treatments, including for same-sex couples, and employee protections while receiving fertility treatments.

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 senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Two members of the committee shall constitute a quorum.

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

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

2024-1359s

AMENDED ANALYSIS

This bill establishes a committee to study commercial insurance coverage of fertility treatments and employee protections while receiving fertility treatments.

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

Senator Perkins Kwoka offered a Floor Amendment.

Sen. Bradley, Dist 3
Sen. Perkins Kwoka, Dist 21
April 9, 2024
2024-1451s
12/05

Floor Amendment to SB 558-FN

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

1 Short Title. This act shall be known as "The Modern Economy Act."

2 Access to Fertility Treatment. Amend RSA 417-G:2, IV to read as follows:

IV. ***Each health carrier that issues or renews any group policy, plan, or contract of health insurance providing benefits for medical or hospital expenses, shall provide certificate holders of such insurance coverage for up to 6 rounds of intrauterine insemination per plan year regardless of whether the individual has a diagnosis of infertility.***

V. Coverage under paragraphs [~~I-III~~] ***I-IV*** shall not apply to plans available through the Small Business Health Options Program (SHOP) or to Extended Transition to Affordable Care Act-Compliant Policies.

3 Unlawful Discrimination; Fertility Treatment. Amend RSA 354-A:7, VI to read as follows:

VI.(a) For the purposes of this chapter, the word "sex" includes pregnancy and medical conditions which ***cause or*** result from pregnancy ***or are otherwise related to pregnancy, including but not limited to fertility treatment as defined in RSA 417-G:1 or pregnancy loss or related bereavement time.***

(b) An employer shall permit a female employee to take leave of absence ***and attend appointments*** for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions***, including but limited to well-being checkups, in-vitro fertilization follow up, and postpartum care***. When the employee is physically able to return to work, [~~her~~] ***that employee's*** original job or a comparable position shall be made available to [~~her~~] ***them*** by the employer unless business necessity makes this impossible or unreasonable.

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

2024-1451s

AMENDED ANALYSIS

This bill requires insurance companies to certify coverage for fertility treatment and prohibits employer discrimination based upon that treatment.

SPECIAL ORDER

Without objection, SB 558-FN is Special Ordered to the end of the day. Adopted.

JUDICIARY

SB 422, changing several references and modifying language in parentage and birth records.
Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

Senate Judiciary
April 9, 2024
2024-1458s
11/08

Amendment to SB 422

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

1 Definitions; Changed Reference. Amend RSA 5-C:1, XVIII to read as follows:

XVIII. "Legitimation" means the legal process of establishing the [~~paternity~~] ***parentage*** of a child born out of wedlock or whose [~~paternity~~] ***parentage*** is being disputed pursuant to RSA 5-C:24 and RSA 460:29.

2 New Paragraph; Definitions. Amend RSA 5-C:1 by inserting after paragraph XXVI the following new paragraph:

XXVI-a. "Non-birth parent" means the genetic parent of a child or the intended parent of a child born through assisted reproduction regardless of genetic connection. A non-birth parent shall not mean a gamete donor.

3 Definitions; Changed Reference. Amend RSA 5-C:1, XXXV to read as follows:

XXXV. "3-party affidavit of [~~paternity~~] ***parentage***" means the voluntary acknowledgment of [~~fatherhood~~] ***parentage*** signed by***: (1)*** the [~~natural father~~] ***non-birth paren***t, ***(2)*** the ***birth*** mother and ***(3)*** the ***birth*** mother's [~~husband~~] ***spouse*** who is not the [~~father~~] ***genetic or intended parent***, but was the ***birth*** mother's [~~husband~~] ***spouse*** at the time of conception, during the pregnancy, or at the time of the child's birth.

4 Disclosure of Information From Vital Records; Changed Reference. Amend RSA 5-C:9, VII to read as follows:

VII. Disclosure of voluntary acknowledgments and adjudication of [~~paternity~~] ***parentage*** by judicial or administrative processes shall be released for the purposes of the state case registry pursuant to RSA 161-B:7.

5 Completion of Birth Worksheet for Hospital or Institutional Births; Changed Reference. Amend RSA 5-C:19 to read as follows:

5-C:19 Completion of Birth Worksheet for Hospital or Institutional Births.

I. A hospital, institution, birthing center, attendant, or parent shall file with the division a birth record for each live birth which occurs in the state of New Hampshire.

II. In the case of a hospital or institution live birth, a completed birth worksheet shall include the following, provided by personnel as indicated:

(a) The hospital or institution birth registrar or designee shall provide:

(1) Information regarding the child, including name, date and time of birth, and sex.

(2) Information regarding the facility, including name, street address, city or town, and county.

(3) Information regarding the ***birth*** mother including:

(A) Current name and maiden name.

(B) Date of birth and birthplace.

(C) City or town, county, and state of residence.

(D) Residential address and complete mailing address if different from the residential address, or, if the same as the residential address, her zip code only.

(E) Social security number.

(F) Usual occupation and the business or industry in which employed.

(G) Race.

(H) Level of education.

(I) Whether she was married at the time of the birth of child, or conception of child, or any time between.

(4) Information regarding the father ***or other non-birth parent*** including:

(A) Name.

(B) Date of birth and birthplace.

(C) City or town, county, and state of residence.

(D) Residential address and complete mailing address if different from the residential address, or, if the same as the residential address, [~~his~~] zip code only.

(E) Social security number.

(F) Usual occupation and the business or industry in which employed.

(G) Race.

(H) Level of education.

(5) The method of payment for prenatal care and for delivery.

(6) Statistical information from the ***birth*** mother, medical reports, and her physician regarding the ***birth*** mother and child including:

(A) Number of live births, not including this child, now living and now dead.

(B) Date of the last live birth.

(C) Other terminations of pregnancy, any time after conception.

(D) Date of the last other termination of pregnancy.

(E) Date last normal menses began.

(F) Month that prenatal care began.

(G) Total number of prenatal visits.

(H) Birth weight of the child.

(I) Clinical estimation of gestation in weeks.

(J) Plurality of the child, including but not limited to single, twin, or triplet.

(K) Birth order of the child.

(L) The Apgar score, which is an evaluation of a newborn infant's physical status, at one minute and at 5 minutes.

(7) If the ***birth*** mother is transferred to another facility before or after giving birth, transfer information for the ***birth*** mother and child including:

(A) Whether the ***birth*** mother was transferred prior to delivery or after delivery.

(B) Whether the infant was transferred after delivery.

(C) Whether the child was living or dead at the time of the report.

(8) Information regarding the medical aspects of the pregnancy including:

(A) Any medical risk factors for the pregnancy.

(B) Any other risk factors for the pregnancy.

(C) Any obstetric procedures performed during the course of the pregnancy.

(D) Any complications of labor and delivery.

(E) The method of delivery.

(F) Any abnormal conditions of the newborn.

(G) Any congenital anomalies of the child.

(9) Indication from one parent whether the division shall be authorized to provide the Social Security Administration with data from the birth record in order for the Social Security Administration to issue a social security number.

(10) Indication from one parent whether the division shall be authorized to release birth record information to the New Hampshire immunization registry.

(11) Signature of the individual who interviewed the parent or other informant certifying that the information has been recorded exactly as given by the parent or other informant or has been taken from medical records.

(b) A parent or other informant shall provide his or her signature certifying that the information supplied is a true and correct representation of the facts to the best of his or her knowledge; the date signed; and the informant's relationship to the child.

III. A physician member of the institution's obstetrics team or service, the chief of obstetrics, the chief of the medical staff or the hospital administrator shall, within 72 hours of the birth, certify that the child was born alive at the place and time and the date stated by providing:

(a) His or her signature as certifier.

(b) The date signed.

(c) His or her name and title.

(d) The name and title of the attendant if other than the certifier.

(e) The attendant's mailing address.

IV. The birth worksheet shall not be signed by a parent or informant until the child has been given a name or the ***birth*** mother is being discharged from the hospital, whichever is sooner.

V. When both a physician and a nurse midwife are present at a hospital birth, the physician shall sign the birth worksheet and be named as the certifier, and the name of the nurse midwife shall be entered as the attendant at birth.

VI. When a physician is not present and a nurse midwife is present at a hospital birth, the nurse midwife shall sign the birth worksheet and be named as the certifier.

VII. Any item of information not obtainable shall be indicated as: "not known" when the information is not known; "not available" when the information is known, but not immediately available; or "refused to provide" when the parent or informant refuses to provide the information.

VIII. In the case of an [~~unwed~~] ***unmarried birth*** mother, unless an affidavit of [~~paternity~~] ***parentage*** has been executed, the notation "not stated" shall be entered in the spaces provided for information concerning the father ***or other non-birth parent***.

IX. When a child is born in a moving conveyance, the city or town of birth shall be that city or town where the child was first removed from said conveyance.

X. When a married ***birth*** mother refuses to give information concerning her husband ***as*** father ***or other spouse as non-birth parent*** of the child, the hospital shall enter "not stated" on the birth record for all information pertaining to the father ***or other non-birth parent*** of the child.

XI. For a birth which occurred in a hospital or institution, the hospital or institution birth registrar or designee shall initially record information for the birth record on the birth worksheet and permanently retain the birth worksheet in the ***birth*** mother's medical record files at the hospital.

6 Completion of the Birth Worksheet for Non-Hospital Births; Changed Reference. Amend RSA 5-C:20 to read as follows:

5-C:20 Completion of the Birth Worksheet for Non-Hospital Births.

I. If a child is born in New Hampshire at home or some place other than a facility that regularly prepares birth records and is brought to a New Hampshire hospital or birthing center with the ***birth*** mother within 24 hours of birth, the hospital or birthing center shall complete the birth record in accordance with RSA 5-C:19 except that the place of birth shall be entered as the city or town of the actual birth; the physician who attends the ***birth*** mother in the hospital shall be entered as the physician who attended the ***birth*** mother in the hospital or birthing center; and the certifying physician signature section shall be signed by the physician who attended the ***birth*** mother in the facility.

II. Birthing centers shall complete birth records for children born in their facilities in accordance with the reporting requirements for hospital and institution live births as provided in RSA 5-C:19.

III. In the case of a home birth, the record shall be completed as follows:

(a) If attended by a physician, midwife, or nurse midwife, then the physician, midwife or nurse midwife shall report the birth of the child to the division or to the registrar in the town where the birth occurred

within one week of the birth. The physician, midwife or nurse midwife shall, within 2 weeks of the birth, complete the birth worksheet by completing the medical and statistical sections in accordance with RSA 5-C:19 by entering his or her name and title as the attendant; by signing the worksheet as the attendant; by providing his or her mailing address; and, by giving the signed worksheet to the parent to bring to the clerk of the town or city where the birth occurred. The clerk of the town or city shall report to the division by the next working day any home birth that takes place within his or her jurisdiction if such an occurrence is brought to his or her attention and, the division shall notify the appropriate clerk of the town or city of any home birth reported directly to the division.

(b) If a home birth is not attended by a physician or midwife, then the parent shall report the birth of the child to the division or to the registrar in the town where the birth occurred within one week of the birth. The clerk of the town or city shall report to the division by the next working day any home birth that takes place within his or her jurisdiction if such an occurrence is brought to his or her attention. The division shall notify the appropriate clerk of the town or city of any home birth reported directly to the division. Upon notice of a home birth, the clerk of the town or city shall prepare the birth worksheet completing as many items as possible, including the name and address of a birth attendant if a parent, friend, ambulance attendant, or other person attended the birth; sign the birth worksheet as certifier; and, if any of the original information on the worksheet was changed by a parent before presentation to the clerk of the town or city, the parent shall initial such changes and note the reason for the change in the margin of the birth worksheet. When a home birth occurs in the state of New Hampshire and the ***birth*** mother is taken with her child to a hospital outside the state, such a birth shall be registered by the division notifying the appropriate clerk of the town or city of any home birth reported directly to the division.

IV. If a birth occurs in an unincorporated town or a geographical area where there is no clerk of the town, the birth record shall be filed with the nearest clerk of a town or city or the state registrar. The actual place of birth shall be shown on the birth record along with a notation stating why the birth record was filed in a city or town other than that of the birth occurrence.

V. In the case where the ***birth*** mother has refused to provide the name of her [~~husband~~] ***spouse***, and at a later date she provides the name of her [~~husband~~] ***spouse*** to the clerk of the town or city or the division, the ***birth*** mother shall also provide to the clerk of the town or city the documentation necessary to process a correction to the birth record pursuant to RSA 5-C:85. When reviewed pursuant to RSA 5-C:85, the clerk of the town or city shall add the name of the [~~husband~~] ***spouse*** to the birth record.

VI. Whenever the marital status on the birth record is disputed by the ***birth*** mother, she shall provide to the division a medical opinion in writing concerning the estimated date of conception in relation to the date of the divorce and a certified copy of the divorce decree to establish the exact date of divorce. The state registrar shall review the information provided and make the determination of marital status for the birth record. If the ***birth*** mother disputes the determination of the state registrar, the ***birth*** mother may request an administrative hearing within 30 days of the registrar's decision.

7 Distribution of the Birth Record; Changed Reference. Amend RSA 5-C:21 to read as follows:

5-C:21 Distribution of the Birth Record.

I. The hospital or institution birth registrar shall forward a completed birth record to the division and clerk of the town or city no later than 6 days from the date of birth and provide to the parents upon discharge from the hospital or institution an exact copy of the information that will appear on the official birth record of the newborn child. If the ***birth*** mother has signed release papers for adoption, the hospital or institution birth registrar shall make the notation "Adoption Pending" on the face of the parent's notice and forward the parent notice to the division instead of giving it to the ***birth*** mother.

II. Hospital and institution birth registrars shall not issue any document resembling a birth certificate or which appears to be an official birth record.

III. The clerk of the town or city where the birth occurred shall review the information on the parent notice presented by the parent, and, if the information is confirmed by the parent, the clerk shall issue a certified copy of the birth certificate to the parent after receipt of payment pursuant to RSA 5-C:10. If the parent states that the information is incorrect, the clerk shall follow the correction procedures in RSA 5-C:85. In the case of a home birth, the clerk shall forward a copy of the completed birth record with the birth worksheet to the division within 2 business days of its completion; mail the parent notice to the parent or personally present it to the parent; and exchange the parent notice for a certified copy after payment of the fee required by RSA 5-C:10.

IV. The division shall provide the following to the city or town of residence of the ***birth*** mother:

(a) The child's name.

(b) The child's date of birth.

(c) The child's place of birth.

(d) The father ***or other non-birth*** parent's name.

(e) The ***birth*** mother's name.

(f) The state file number, which is a unique, sequential identifying number assigned by the division.

V. If corrections of misspellings or typographical errors are required, the clerk of the city or town where the birth occurred shall forward a notice of changes to the division and issue a certified copy of the birth record, as amended, to the parents.

8 Legitimation of Child Form; Changed Reference. Amend RSA 5-C:22 as follows:

5-C:22 Legitimation of Child Form.

I. Unless the legitimation is by court order, each parent shall complete a legitimation of child form with the following:

(a) Information regarding the child, the ***birth*** mother, and the natural father ***or other non-birth parent***, including: the name of the child as originally recorded; date and place of birth; maiden name of the ***birth*** mother; the ***birth*** mother's social security number; the ***birth*** mother's city or town of residence; full name of the child, full name of the natural father ***or other non-birth parent***; date of birth of the natural father ***or other non-birth parent***; state or foreign country of birth of the natural father ***or other non-birth parent***; the natural father's ***or other non-birth parent's*** social security number; and current mailing address of the parents.

(b) The signature of the natural father ***or other non-birth parent*** and the ***birth*** mother.

(c) The city or town and county where the affidavit was signed.

(d) The signature of the notary public or justice of the peace with the expiration date of commission, the date signed, and sealed if applicable.

(e) Indication as to whether the certificate of marriage was presented to the clerk of the town or city.

(f) The date received by the clerk of the town or city.

(g) The date the new record was made.

(h) The signature and city or town of the clerk.

II. When the ***birth*** mother or natural father ***or other non-birth parent*** or both are under the age of 18, each signature shall be accompanied by the notarized signature of a parent or guardian unless the legitimation is by court order.

9 Birth Record Following Legitimation; Changed Reference. Amend RSA 5-C:23 as follows:

5-C:23 Birth Record Following Legitimation.

I. An application for filing an amended birth record in the case of a legitimation shall be made by a parent on a legitimation of child form pursuant to RSA 5-C:22 and submitted to the clerk of the city or town where the birth occurred.

II. Upon receipt of a legitimation of child form and a certified copy of the parent's marriage record, or in accordance with procedures outlined in RSA 457:42 and RSA 460:29, the clerk of the city or town where the birth occurred shall prepare an amended birth record.

III. The following procedures shall be followed if a legitimation case is settled by the court pursuant to RSA 460:29:

(a) A certified copy of the court order shall be presented by the parents to the clerk of the city or town where the birth occurred.

(b) The legitimation form shall be prepared pursuant to RSA 5-C:22 and filed by the clerk of the city or town with a notation on the form indicating that the court order has been the basis of the action under RSA 460:29.

(c) The birth record shall then be processed as specified in RSA 5-C:87, and amended by adding information to the record concerning the father ***or other non-birth parent***.

IV. The clerk of the city or town shall prepare the amended birth record in accordance with RSA 5-C:89, adding the information concerning the father ***or other non-birth parent.***

V. The court order and the legitimation of child form shall be retained permanently by the clerk of the city or town on the form appropriate for the year of birth pursuant to RSA 5-C:86.

10 Affidavit of Paternity; Changed Reference. Amend RSA 5-C:24 to read as follows:

5-C:24 Affidavit of [~~Paternity~~] ***Parentage***.

I. In the case of a child born in the state of New Hampshire whose [~~paternity~~] ***parentage*** has not been established by means of an affidavit of [~~paternity~~] ***parentage***, the ***birth*** mother***,*** [~~or the~~] natural father, ***or other non-birth parent*** may initiate a request for an acknowledgment of [~~paternity~~] ***parentage***.

II. The affidavit of [~~paternity~~] ***parentage*** shall be completed and filed in accordance with RSA 5-C:25. ***A genetic parent or a person who is a parent pursuant to RSA 168-B:2, II, without the assistance of a gestational carrier (as gestational carrier arrangements are governed by RSA 168-B:12), married or unmarried, may establish parentage by signing an affidavit of parentage.***

III. A hospital shall attempt to have the affidavit of [~~paternity~~] ***parentage*** completed in the hospital, but if an affidavit is not completed before the birth record is sent to the division and the [~~paternity~~] ***parentage*** is not yet established, then the phrase "not stated" shall be inserted for the father's ***or other non-birth parent's*** name.

IV. If the affidavit of [~~paternity~~] ***parentage*** is not completed in the hospital, the ***birth*** mother and natural father ***or non-birth parent*** shall contact the clerk of the town or city to execute the affidavit of [~~paternity~~] ***parentage***.

V. The natural father's ***or other non-birth parent's*** name, date of birth, and state of birth shall be added to the birth record by the clerk of the town or city upon the registrar's receipt of a sworn, notarized affidavit of [~~paternity~~] ***parentage***.

VI. A copy of the completed affidavit of [~~paternity~~] ***parentage*** shall be forwarded by the hospital to the department of health and human services, division of child support services and the original to the division.

VII. If the ***birth*** mother or natural father ***or other non-birth parent*** is not of legal age, then each signature on the affidavit of [~~paternity~~] ***parentage*** form of a person under the age of 18 shall be accompanied by the signature of his or her parent or legal guardian.

VIII. When an affidavit of [~~paternity~~] ***parentage*** is executed after the death of a child, a notation shall be made on the affidavit indicating that the child is deceased and that the changes authorized on the birth record are also applicable to the death record.

IX. When the married ***birth*** mother of a child born in a hospital indicates that her [~~husband~~] ***spouse*** is not the natural father ***or other non-birth parent*** of the child, but because of time constraints a 3-party affidavit of [~~paternity~~] ***parentage*** cannot be executed before she leaves the hospital, the surname of the child shall be any name chosen by the ***birth*** mother and the hospital shall enter "not stated" on the birth record for all information pertaining to the father ***or other non-birth parent*** of the child. The ***birth*** mother, natural father ***or other non-birth parent***, and [~~husband~~] ***spouse*** shall subsequently sign a 3-party affidavit of [~~paternity~~] ***parentage*** form, with each signature notarized, and submit it to the clerk of the city or town where the birth occurred. Upon receipt of the signed and notarized 3-party affidavit of [~~paternity~~] ***parentage***, the clerk shall create a new birth record for the child, reflecting the new name of the child as well as the natural father's ***or other non-birth parent's*** information. The natural father ***or other non-birth parent*** may sign the affidavit before the birth of the child has occurred, but the ***birth*** mother's signature shall not be affixed to the affidavit form until after the birth of the child.

X. When an [~~unwed~~] ***unmarried birth*** mother applies to the clerk of a town or city wishing to add the name of a father ***or other non-birth parent*** to [~~her~~] ***the*** child's birth record the following shall apply: the affidavit of [~~paternity~~] ***parentage*** shall be executed prior to the child's 18th birthday; the natural father ***or other***

non-birth parent to be named shall personally sign the affidavit; if signed separately, each signature shall be separately notarized; in those cases where the alleged natural father ***or other non-birth parent*** is deceased, the ***birth*** mother shall present [~~her~~] ***the*** request in the form of petition to a court of competent jurisdiction; and, if the court approves the request, the resulting court order shall be processed by the clerk of the town or city in the same manner as a court determination of [~~paternity~~] ***parentage*** and in accordance with RSA 5-C:26.

XI. Once the surname of the child has been established through an executed affidavit of [~~paternity~~] ***parentage***, any subsequent change shall be made upon receipt of a certified copy of a legal change of name issued by a court of competent jurisdiction.

11 Informational Requirements for an Affidavit of Paternity; Changed Reference. Amend RSA 5-C:25 as follows:

5-C:25 Informational Requirements for an Affidavit of [~~Paternity~~] ***Parentage***.

I. Parents shall include the following information when completing an affidavit of [~~paternity~~] ***parentage***:

(a) Information about the child including: the child's first, middle, and last names; the child's city or town and state of birth; the child's date of birth; the child's name as it appears on the birth record; the child's social security number, if known; whether the child is living; and, the child's date and place of death, if applicable.

(b) Information about, and signature of, the child's natural father ***or other non-birth parent***, including: the natural father's ***or other non-birth parent's*** full name and date of birth; the natural father's ***or other non-birth parent's*** state of birth; the natural father's ***or other non-birth parent's*** social security number; the natural father's ***or other non-birth parent's*** address; and, the natural father's ***or other non-birth parent's*** signature and date signed, unless the natural father's ***or other non-birth parent*** is a minor in which case [~~his~~] ***that person's*** parent or guardian's signature shall be obtained and the date signed.

(c) Information about, and signature of, the child's ***birth*** mother, including: the ***birth*** mother's maiden name; the ***birth*** mother's social security number; ***birth*** mother's address; if the ***birth*** mother is a minor, her parent or guardian's signature; and, the ***birth*** mother's signature and date signed, unless the ***birth*** mother is a minor, in which case her parent or guardian's signature shall be obtained and the date signed.

(d) When the ***birth*** mother's husband ***or other non-birth parent*** agrees that he ***or she*** is not the child's natural father ***or other non-birth parent***, the following information, and signature of, the ***birth*** mother's [~~husband~~] ***spouse***, including: the [~~husband's~~] ***spouse's*** name; the [~~husband's~~] ***spouse's*** social security number; the [~~husband's~~] ***spouse's*** address; and the [~~husband's~~] ***spouse's*** signature and date signed, unless the [~~husband~~] ***spouse*** is a minor in which case his parent or guardian's signature shall be obtained and the date signed.

(e) The signatures of the child's natural father ***or other non-birth parent***, ***birth*** mother, and, if he ***or she is*** not the child's natural father ***or other non-birth parent, the spouse***, shall be notarized and shall include the date signed and the date the notary's commission expires.

(f) Certification of hospital or birthing center, including the name and signature of the preparer and date signed, and the name and the address of the hospital or birthing facility.

II. In the case of a home birth, the midwife or attendant shall refer the ***birth*** mother to the clerk of the town or city to complete the affidavit of [~~paternity~~] ***parentage***.

12 Birth Record Following Paternity Determination; Changed Reference. Amend RSA 5-C:26 to read as follows:

5-C:26 Preparation of New Birth Record Following [~~Paternity~~] ***Parentage*** Determination.

I. Upon receipt of a certified copy of a court order regarding the [~~paternity~~] ***parentage*** of a child born in New Hampshire, the clerk of the city or town where the birth occurred shall prepare a new birth record.

II. Acceptable documentation for preparing a new birth record shall include a certified court order that clearly states that the birth record shall be changed to reflect [~~paternity~~] ***parentage*** or a photocopy of that court order and a letter from the division of child support services indicating that a [~~paternity~~] ***parentage*** hearing has been initiated by that division.

III. The clerk of the town or city shall prepare the new birth record, retain its originally assigned file number, send the copy marked "state" to the division; and retain the copy marked "clerk."

IV. Upon receipt of the completed affidavit of [~~paternity~~] ***parentage*** by the clerk of the city or town, the information concerning the father ***or other non-birth parent*** shall be added to the birth record, or in the case of an affidavit of [~~paternity~~] ***parentage*** submitted after the filing of the birth record, a new record shall be completed by the clerk of the town or city and forwarded to the division in accordance with this section and RSA 5-C:21.

V. The surname of the child shall be recorded as shown on the affidavit of [~~paternity~~] ***parentage*** and in accordance with RSA 5-C:24. If the ***birth*** mother is [~~unwed~~] ***unmarried***, the surname given to the child shall be any name chosen by the [~~mother and father~~] ***birth mother and natural father or other non-birth parent***. If the ***birth*** mother is married and a 3-party affidavit of [~~paternity~~] ***parentage*** is being utilized, the surname of the child shall be any name chosen by the ***birth*** mother.

13 Rescission of Paternity Form; Changed Reference. Amend RSA 5-C:27 to read as follows:

RSA 5-C:27 Rescission of [~~Paternity~~] ***Parentage*** Form.

I. A parent or legal guardian who is a signatory to the affidavit of [~~paternity~~] ***parentage*** shall provide information to complete a rescission of [~~paternity~~] ***parentage*** form as follows:

(a) Information about the child, including the child's first, middle, and last names as they appear on the birth record, the child's date of birth, the city or town of birth, the child's social security number, if known, and the child's sex.

(b) Information about the child's [~~father and mother~~] ***parents***, and the ***birth*** mother's husband ***or other spouse*** if a 3-party affidavit of [~~paternity~~] ***parentage*** was completed, including the father's ***or other non-birth parent's*** full name, the father's ***or other non-birth parent's*** date of birth, the father's ***or other non-birth parent's*** mailing address, the ***birth*** mother's full name, the ***birth*** mother's mailing address, whether a completed 3-party affidavit of [~~paternity~~] ***parentage*** was submitted and, if a 3-party affidavit was filed, the [~~husband's~~] ***spouse's*** full name and mailing address.

(c) The rescinder's signature and date.

II. The form shall be attested to by a notary public or justice of the peace. The city or town clerk shall sign and date the form.

14 Rescission of Paternity Procedures; Changed Reference. Amend RSA 5-C:28 to read as follows:

5-C:28 Rescission of [~~Paternity~~] ***Parentage*** Procedures.

I. A parent or legal guardian may request to rescind an affidavit of [~~paternity~~] ***parentage*** from the clerk of the city or town where the birth occurred within 60 days of the filing of an affidavit of [~~paternity~~] ***parentage*** unless an administrative or judicial proceeding related to the child results in an earlier date.

II. Once the completed rescission of [~~paternity~~] ***parentage*** form is filed, the clerk of the town or city shall remove the name of the father ***or other non-birth parent*** from the birth record and insert "not stated" in the space provided for the father's ***or other non-birth parent's*** name or, if the original birth record was filed prior to the completion of an affidavit of [~~paternity~~] ***parentage***, change the child's name on the birth record back to the name stated on the original record before the affidavit of [~~paternity~~] ***parentage*** was filed.

III. After the 60-day rescission period has passed, any challenge to the affidavit shall be decided only by a court of competent jurisdiction.

IV. The fee for changing the birth record due to a rescission of [~~paternity~~] ***parentage*** shall be in accordance with RSA 5-C:10.

V. The clerk of the city or town where the birth occurred shall distribute the rescission of [~~paternity~~] ***parentage*** to the ***birth*** mother; the father ***or other non-birth parent*** named on the affidavit of [~~paternity~~] ***parentage***; the parent or legal guardian of minor signatory as stated on the affidavit of [~~paternity~~] ***parentage***; the division; the department of health and human services; the [~~husband~~] ***spouse***, if a 3-party affidavit of [~~paternity~~] ***parentage*** was completed; and, the hospital that was the originator of the affidavit of [~~paternity~~] ***parentage***, if applicable.

15 Surrogate Mother; Changed Reference. RSA 5-C:29 is repealed and reenacted to read as follows:

5-C:29 Gestational Carrier.

When a child is born to a gestational carrier as defined in RSA 168-B:1, IX, if there is a parentage order issued prior to birth, the birth record shall list parentage as reflected in the order. If a parentage order is issued post birth, the birth record shall list parentage consistent with the order as either an original birth record or as an amended birth record as requested by the party or parties.

16 Birth Resulting from Artificial Insemination; Changed Reference. Amend RSA 5-C:30 to read as follows:

5-C:30 Birth Resulting from Artificial Insemination.

I. When it is known that the birth of a child is the result of artificial insemination ***as defined in RSA 168-B:1*** of sperm from a person who is not the ***birth*** mother's [~~husband~~] ***spouse***, [~~the male~~] ***parentage*** shall be indicated on the birth record as follows:

(a) If the ***birth*** mother is married, the [~~husband's~~] ***spouse's*** name shall be listed as the [~~father~~] ***parent*** of the child.

(b) If the ***birth*** mother is [~~unwed~~] ***unmarried***, an affidavit of [~~paternity~~] ***parentage*** [~~shall~~] ***may*** be executed [~~when the donor of the sperm can be identified and is willing to be identified on the birth record or, otherwise, the phrase "not stated" shall be entered for the father's name~~] ***by the intended parents as defined in RSA 168-B***.

II. In the case where the birth of a child is the result of artificial insemination of a [~~surrogate mother~~] ***person acting as a gestational carrier***, the preparation of the birth record shall be governed by the procedures in RSA 5-C:29.

17 Initiation of the Death Record; Changed Reference. Amend RSA 5-C:63, XI to read as follows:

XI. In the case of an infant death when the child is less than one year of age and the ***birth*** mother is not married, the name of the father ***or other non-birth parent*** shall not be provided unless the father's ***or other non-birth parent's*** name appears on the birth record or an affidavit of [~~paternity~~] ***parentage*** has been executed relating to both the birth and death certificate of the child. The name of the child on the death record shall be the same as the name of the child as shown on the child's birth record.

18 Fetal Death Paternity Affidavit; Changed Reference. Amend RSA 5-C:76 to read as follows:

5-C:76 Fetal Death [~~Paternity~~] ***Parentage*** Affidavit.

The information and signature requirements for a fetal death [~~paternity~~] ***parentage*** affidavit shall be as follows: the father's ***or other non-birth parent's*** full name; the father's ***or other non-birth parent's*** city or town, county, and state of residence; the father's ***or other non-birth parent's*** date of birth; the father's ***or other non-birth parent's*** social security number; the date and place of delivery of the fetus; the ***birth*** mother's full maiden name; ***birth*** mother's social security number; the ***birth*** mother's resident address; the name of the fetus if it appears on the report of fetal death; [~~the father's~~] ***both parents'*** signature and the date signed; [~~the mother's signature and the date signed;~~] the ***birth*** mother's [~~husband's~~] ***spouse's*** signature in the case where the child's father ***or other non-birth parent*** is not the ***birth*** mother's [~~husband~~] ***spouse***; the signature of a parent or guardian if the natural father ***or other non-birth parent***, the ***birth*** mother, or the ***birth*** mother's [~~husband~~] ***spouse*** is not of legal age, and the date signed; and the signature and seal of a notary public or justice of the peace and the date signed.

19 Procedures for Completion of the Fetal Death Paternity Affidavit; Changed Reference. Amend RSA 5-C:77 to read as follows:

5-C:77 Procedures for Completion of the Fetal Death [~~Paternity~~] ***Parentage*** Affidavit.

The name and information concerning the father ***or other non-birth parent*** shall be included in the report of fetal death for a child delivered out of wedlock in the state of New Hampshire upon receipt of a sworn affidavit of [~~paternity~~] ***parentage*** signed by both parents as described in RSA 5-C:76. The hospital or institution's designated staff shall prepare the fetal death [~~paternity~~] ***parentage*** affidavit and attach it to the report of fetal death that is forwarded to the division. Upon receipt of the fetal death [~~paternity~~] ***parentage*** affidavit, the information concerning the father ***or other non-birth parent*** shall be added by the division to the report of fetal death. The fetal death [~~paternity~~] ***parentage*** affidavit form shall be retained by the division with the report of fetal death in accordance with the record retention schedule listed in RSA 5-C:96.

20 Retention Schedule for Forms and Other Documents; Changed Reference. Amend RSA 5-C:96 to read as follows:

5-C:96 Retention Schedule for Forms and Other Documents.

I. "Vital event record," for the purpose of the retention schedule established in this section, means all of the following records:

(a) All birth records and any related documents used in the preparation of new records, including completed affidavits of [~~paternity~~] ***parentage*** legitimation forms, court-ordered [~~paternity~~] ***parentage*** decisions, court-authorized decisions related to change of gender, and all records relating to adoptions.

(b) All death records, including changes affecting medical certification, submitted by the physician, APRN, or physician assistant to either the clerk of the town or city or the division.

(c) All marriage records, including any documents and related material used in the process of voiding any marriage certificate.

(d) Divorce, civil annulment, and legal separation records that are on file at the division.

II. For the purpose of preservation of facts in relation to births, marriages, deaths, and divorces, vital event records shall be retained by the city or town clerks and hospitals as follows:

(a) Application forms used to apply for certified copies: retained for one year.

(b) Marriage application worksheet when the clerk of the town or city has received the license from the officiant: retained for one year.

(c) Marriage application worksheet when the marriage license has not been returned by the officiant or it has been determined that the marriage had never taken place: retained for 50 years.

(d) Birth worksheet, hospital birth: retained permanently.

(e) Birth worksheet, home birth: retained permanently.

(f) In-state burial permit: retained for 6 years.

(g) Out-of-state burial permit: retained for 10 years.

(h) Disinterment and reinterment permit; in-state disposition: retained for 6 years.

(i) Disinterment and reinterment permit; out-of-state disposition: retained for 10 years.

(j) Medical examiner's cremation certificate: retained for 6 years.

(k) Amendment or correction form: retained permanently.

(l) Clerk of the town or city's copy of marriage certificate: retained permanently.

(m) Fetal death report: retained permanently.

(n) Funeral director receipt: retained for one year.

(o) Vital event records, including birth, marriages, and deaths, not specifically listed in this paragraph: retained permanently.

21 Handling of Special Records; Changed Reference. Amend RSA 5-C:107, II to read as follows:

II. Access to non-certified copies of records involving [~~paternity~~] ***parentage*** judgments, affidavits of [~~paternity~~] ***parentage***, legitimation, and change of sex which require the preparation of a new birth certificate shall be handled as provided by this paragraph. Any New Hampshire state agency shall be granted access when a specific legal authority is presented. The registrant and parents, legal guardians, or legal representatives of the registrant shall have access to the record, and any order from a court of competent jurisdiction requesting access shall be honored. To indicate that the document is a non-certified copy, a copy of the document shall be marked "informational copy only."

22 New Paragraph; Parent-Child Relationship. Amend RSA 168-B:2 by inserting after paragraph VII the following new paragraph:

VIII. Any person who is a parent pursuant to RSA 168-B:2, II, without the assistance of a gestational carrier (gestational carrier arrangements are governed by RSA 168-B:12), married or unmarried, may establish parentage by signing an affidavit of parentage pursuant to RSA 5-C:24.

23 Special Rules of Evidence and Procedure; Changed Reference. Amend RSA 546-B:27, X to read as follows:

X. A voluntary acknowledgment of [~~paternity~~] ***parentage***, certified as a true copy, is admissible to establish parentage of the child.

24 Inheritance of Children Born of Unwed Parents; Changed Reference. Amend RSA 561:4 to read as follows:

561:4 Inheritance of Children Born of Unwed Parents.

I. A child born of unwed parents shall inherit from or through his ***birth*** mother as if born in lawful wedlock. The estate of a person born of unwed parents dying intestate and leaving no issue, nor [~~husband, nor wife~~] ***spouse*** shall descend to the ***birth*** mother, and, if the ***birth*** mother is dead, through the line of the ***birth*** mother as if the person so dying were born in lawful wedlock.

II. A child born of unwed parents shall inherit from or through his ***or her*** father ***or other non-birth parent*** as if born in lawful wedlock, under any of the following conditions:

(a) Intermarriage of the parents after the birth of the child.

(b) Acknowledgment of [~~paternity~~] ***parentage*** or legitimation [~~by the father~~].

(c) A court decree adjudges the decedent to be the [~~father~~] ***parent*** before his ***or her*** death.

(d) [~~Paternity~~] ***Parentage*** is established after the death of the [~~father~~] ***parent*** by clear and convincing evidence.

(e) The decedent had adopted the child.

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

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 423, relative to mandatory disclosure of insurance policy limits.
Ought to Pass with Amendment, Vote 3-2. Senator Abbas for the committee.

Senate Judiciary
March 13, 2024
2024-1119s
02/06

Amendment to SB 423

Amend RSA 402:85, I as inserted by section 1 of the bill by replacing it with the following:

I. Upon written request by a claimant or the claimant's attorney, an insurer doing business in this state shall provide the claimant or the claimant's attorney with the liability coverage limits of that insurer's insured. The insurer shall provide the liability coverage limits within 60 days of receipt of the written request. The claimant or claimant's attorney receiving the liability coverage limits shall utilize the liability coverage limits only in connection with the claim or lawsuit which pertains to the insured.

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

Senator Carson offered a Floor Amendment.

Sen. Carson, Dist 14
April 1, 2024
2024-1390s
12/05

Floor Amendment to SB 423

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

1 New Section. Amend RSA 264 by inserting after section 29 the following new section:

264:29-a Mandatory Disclosure.

I. Not later than 60 days after an insurer doing business in this state receives a written request by or on behalf of claimant or the claimant's attorney, because of personal injury, bodily injury, or death caused by a motor vehicle collision, the insurer shall disclose, in writing, all liability coverage limits applicable to the claim. The claimant or claimant's attorney shall utilize the disclosure only in connection with the claim or lawsuit.

II. An insurer who fails to comply with this section is subject to a penalty of $500, plus reasonable attorney's fees and expenses incurred in obtaining the coverage limits.

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

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 461, relative to repealing a construction provision of the fetal life protection act.
Ought to Pass with Amendment, Vote 3-2. Senator Carson for the committee.

Senate Judiciary
April 2, 2024
2024-1419s
05/11

Amendment to SB 461

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

AN ACT requiring health care providers to report certain information about abortions performed to their medical facility, and requiring those medical facilities to report the information to the department of health and human services.

Amend the bill by replacing section 1 with the following:

1 Health Care Provider Reporting of Abortion Performed. RSA 329:49 is repealed and reenacted to read as follows:

329:49 Reporting.

I. Nothing in paragraph II of this section shall be construed as requiring the communication or disclosure of personally identifiable health care information to the department.

II. Any health care provider who performs an abortion as defined in RSA 329:43, I, shall report the following information in writing to the medical facility in which the abortion is performed:

(a) Date and place of the abortion performed;

(b) Age of the pregnant patient;

(c) State of residence of pregnant patient;

(d) Method used to perform the abortion;

(e) Gestational age when the abortion was performed; and

(f) Any prescriptions written for the purpose of inducing abortion.

III. The medical facility shall report the information disclosed pursuant to paragraph II at least annually, or as required by the commissioner, to the department of health and human services. The commissioner shall prepare from these data such statistical tables with respect to maternal health, abortion procedures, and gestational age, as the commissioner deems useful and shall make an annual report thereof to the general court.

2024-1419s

AMENDED ANALYSIS

This bill requires health care providers to report certain information about abortions performed to their medical facility, and requiring those medical facilities to report the information to the department of health and human services for statistical purposes.

Recess. Out of recess.

Without objection, Senator Avard moved the question. Adopted.

The question is on the adoption of the Committee Amendment.

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

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, Perkins Kwoka, Altschiller.

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 14 - Nays: 9. Adopted.

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

A roll call was requested by Senator Avard, 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, Perkins Kwoka, Altschiller.

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 14 - Nays: 9. Adopted, bill ordered to Third Reading.

SB 562-FN, relative to state recognition of biological sex.
Ought to Pass, Vote 3-2. Senator Abbas for the committee.

Senator Ricciardi moved to Lay on the Table. Adopted.

SB 593, relative to possession of firearms in safe school zones.
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 Altschiller, seconded by Senator Rosenwald.

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, Perkins Kwoka, Altschiller.

The following Senators were excused: D'Allesandro.

Roll Call, Yeas: 14 - Nays: 9. Adopted.

WAYS AND MEANS
SB 586, relative to tax exempt status for the International Order of Odd Fellows.
Interim Study, Vote 4-0. Senator Rosenwald for the committee.

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

HEALTH AND HUMAN SERVICES
SB 558-FN, relative to insurance coverage for infertility treatments, protection from discrimination during IVF treatments, parental leave, and adoption.
Ought to Pass with Amendment, Vote 5-0. Senator Whitley for the committee.

Senator Perkins Kwoka withdrew Floor Amendment 2024-1451s.

Senator Perkins Kwoka offered a Floor Amendment.

Sen. Perkins Kwoka, Dist 21
April 11, 2024
2024-1488s
05/08

Floor Amendment to SB 558-FN

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

1 Short Title. This act shall be known as "The Modern Economy Act."

2 Access to Fertility Treatment. Amend RSA 417-G:2, IV to read as follows:

IV. ***Each health carrier that issues or renews any group policy, plan, or contract of health insurance providing benefits for medical or hospital expenses, shall provide certificate holders of such insurance coverage for up to 6 rounds of intrauterine insemination per plan year regardless of whether or not the individual has a diagnosis of infertility.***

V. Coverage under paragraphs [~~I-III~~] ***I-IV*** shall not apply to plans available through the Small Business Health Options Program (SHOP) or to Extended Transition to Affordable Care Act-Compliant Policies.

3 Unlawful Discrimination; Fertility Treatment. Amend RSA 354-A:7, VI to read as follows:

VI.(a) For the purposes of this chapter, the word "sex" includes pregnancy and medical conditions which ***cause or*** result from pregnancy ***or are otherwise related to pregnancy, including but not limited to fertility treatment as defined in RSA 417-G:1 or pregnancy loss or related bereavement time.***

(b) An employer shall permit a female employee to take leave of absence ***and attend appointments*** for the period of temporary physical disability resulting from pregnancy, childbirth or related medical conditions***, including but not limited to well-being checkups, in-vitro fertilization follow up, and postpartum care***. When the employee is physically able to return to work, [~~her~~] ***that employee's*** original job or a comparable position shall be made available to [~~her~~] ***them*** by the employer unless business necessity makes this impossible or unreasonable.

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

2024-1488s

AMENDED ANALYSIS

This bill requires insurance companies to certify coverage for fertility treatment and prohibits employer discrimination based upon that treatment.

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 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.

LATE SESSION

ANNOUNCEMENTS

(The Chair recognized Senator Prentiss.)

SENATOR PRENTISS: Thank you, Mister President. Unanimous Consent. The tradition continues. Last year, Senator Innis' daughter and son ran for Tedy's team, Tedy Bruschi's team, to raise stroke awareness in the Boston Marathon. This year, my daughter Phoebe will be running the Boston Marathon on Tedy's team, to raise stroke awareness as well. So I think we have this proud tradition we're growing in the Senate and I, you know, and our family members. And I want to just take the opportunity to remind everybody of what the signs are of a stroke, that if you identify early, you can save somebody's life. So it's fast. Face. Is there a change in their face, like a droop on one side? Arm. Have them hold their arms up in front of you? Does one of them drift in a way that they can't control? Speech. A change in the speech pattern that's abnormal. And last is the time that this happened. Just one these being recognized by one of you here, hopefully never here. Family, public, we can save a life. So let's keep that in mind. We'll be carrying on the tradition for the Innis family this Monday and please join me in sharing on Tedy's team, my daughter Phoebe, and stroke awareness. Thank you.

(The Chair recognized Senator Avard.)

SENATOR AVARD: The number eight has a special meaning to me. I want to congratulate my son Michael and his beloved Amra for having a little baby girl. Ajla Seida Avard. So I'm a grandpa again.

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

SB 134-FN, relative to disability pensions for public safety employees who are victims of violence.
SB 354-FN, relative to insurance cost-sharing calculations.
SB 373, relative to the state building code.

SB 406-FN-A, making an appropriation to the department of health and human services to increase rates for shelter programs.
SB 407-FN, relative to direct pay for ambulance services.
SB 417-FN, relative to out-of-home placements for children.
SB 422, changing several references and modifying language in parentage and birth records.
SB 423, relative to mandatory disclosure of insurance policy limits.
SB 448-FN, relative to the Woodsville fire district.
SB 459-FN, establishing a committee to study the child protection act.
SB 461, requiring health care providers to report certain information about abortions performed to their medical facility, and requiring those medical facilities to report the information to the department of health and human services.
SB 462, relative to raising the cap on damages for wrongful death loss of consortium claims.
SB 463-FN, expanding access to court-appointed counsel for children in dependency proceedings.
SB 481, relative to establishing Juneteenth, June 19, as an annual holiday.
SB 495-FN, relative to certification of alcohol and other drug use treatment facilities.
SB 539-FN-A-LOCAL, establishing a procedure for the department of environmental services to transfer ownership of dams to municipalities or others, including making loans.
SB 556-FN, prohibiting health carriers from establishing payment or reimbursement provisions based solely on a participating provider's licensure.
SB 558-FN, relative to insurance coverage for infertility treatments, protection from discrimination during IVF treatments, parental leave, and adoption.
SB 596-FN, relative to the definition of disability or special needs under the child care scholarship program.

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.