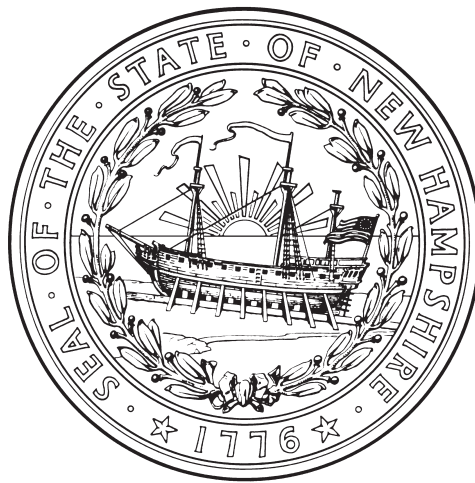


May 15, 2024
Nos. 11-12

STATE OF NEW HAMPSHIRE

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



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

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MAY 2, 2024 SESSION
COMMENCEMENT – MAY 15, 2024 SESSION**

SENATE JOURNAL 11 *(continued)*

May 2, 2024

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 210-FN, relative to the licensing of software applications by state agencies.
SB 303-FN, relative to the use of renewable energy funds by the department of energy.
SB 314-FN, relative to pre-trial competency evaluations.
SB 329-FN, relative to background checks of certain persons associated with solid waste management.
SB 359, raising the age of marriage to 18 years of age.
SB 367, reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.
SB 376, relative to establishing a corrections education and vocational planning group.
SB 377-FN, establishing the achieving a better life experience (ABLE) savings account program administrative fund.
SB 385, relative to the cost of care fund.
SB 420, relative to requiring an additional report from the legislative study committee concerning the long-term impact of the New Hampshire adult parole system.
SB 424, relative to reductions of maximum sentences while on parole.
SB 430, (New Title) relative to establishing a council to study the impacts of electric vehicles, e-mobility devices, and the associated lithium-ion batteries on first responder response, the environment, building and fire codes, life safety, and property protection.
SB 437, relative to local authority to amend the state building code.
SB 443-FN, (New Title) relative to the definition of school transportation vehicle.
SB 468, relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway.
SB 478-FN, relative to child day care, residential care, and child-placing agency licensing.
SB 489-FN, relative to election audits.
SB 498-FN, relative to the department of health and human services, division for children, youth and families.
SB 546, removing the requirement that an executory interest be conveyed to the state of New Hampshire in all easements acquired through the use of LCHIP program funds.
SB 564-FN, relative to crimes involving child sexual abuse images.
SB 573-FN, (New Title) establishing a committee to study consent and confidentiality laws applicable to adolescent and young adult health care in New Hampshire.
SB 587, relative to animals brought into this state.
SB 597, relative to lucky 7 ticket dispenser devices.
SB 599, relative to the state fire code.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 219-FN-LOCAL, (New Title) requiring mandatory reporting by school districts of school expenses.
SB 301, (New Title) relative to establishing a committee to study the possibility of placing a desalination plant in New Hampshire.
SB 316-FN, establishing a penalty for a person who transports fentanyl class drugs into New Hampshire with the intent to distribute.
SB 339, relative to repealing the graduation requirement regarding Free Application for Federal Student Aid (FAFSA) applications.
SB 374-FN, relative to the licensing of part-time teachers.
SB 439-FN, to prohibiting discriminatory boycotts of Israel in state procurement and investments.
SB 442-FN, (New Title) relative to student eligibility for education freedom accounts and the scholarship organization's costs of administering the program, extending phase-out grants for education freedom accounts, and revising the definitions of average daily membership in attendance and average daily membership in residence.
SB 474, relative to prohibiting metal detecting in certain areas.

SB 479, relative to recognizing the second Thursday in October as children's environmental health day.
SB 486-FN, adopting the physician assistant licensure compact.
SB 496-FN, directing the department of health and human services to establish a climate and health protection program.
SB 526, relative to a public school facility condition assessment and school building aid grants for temperature control.
SB 530, relative to reports of receipts and expenditures filed by political committees of candidates and candidates.
SB 538-LOCAL, relative to zoning procedures concerning residential housing.

HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill(s) sent down from the Senate:

SB 63, (New Title) relative to the adoption of public health ordinances by municipalities.
SB 386, relative to establishing a committee to study power generation, transmission, distribution, and storage.
SB 414-FN, relative to establishing a mandatory minimum sentence for the crime of distribution of a controlled drug with death resulting.
SB 454-FN, increasing the annual real estate transfer tax revenue contribution to the affordable housing fund.
SB 471-FN, relative to adding a speed limit of 45 miles per hour on rural highways.
SB 563-FN, relative to federal immigration enforcement.

HOUSE MESSAGE

The House of Representatives has referred for Interim Study the following entitled Bills sent down from the Senate:

SB 248-FN, relative to bail for a defendant.
SB 345-FN, relative to state park fees for state residents.
SB 375, relative to biological sex in student athletics.
SB 415-FN, relative to the penalty for certain fentanyl-related offenses.
SB 495-FN, relative to certification of alcohol and other drug use treatment facilities.
SB 540, requiring the department of energy to investigate behind the meter and utility scale energy storage.
SB 578-FN, relative to criminal pre-trial services and monitoring.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bill sent down from the Senate and has indefinitely postponed the Bill:

SB 341, relative to mandatory disclosure by school district employees to parents.
SB 380, relative to moving the state primary date.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 1003-FN, relative to name changes for inmates, parolees, and convicted violent felons.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 63, (New Title) relative to the adoption of public health ordinances by municipalities.
SB 426-FN, (New Title) relative to the transportation of marijuana in a motor vehicle or OHRV.
SB 462, (New Title) relative to raising the cap on damages for wrongful death loss of consortium claims.
SB 492, relative to wastewater engineering.
SB 507-FN, extending the time to petition for a new trial in certain cases.
SB 531, relative to background checks of municipal health officers.
SB 560, relative to establishing a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs.
SB 576, relative to reporting the death of voters.
SB 589-LOCAL, relative to wastewater surcharges.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 398, (New Title) relative to notice of PFAS contamination prior to the sale of real property.

HB 1060, relative to establishing a geologic resources committee.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 185-FN, (New Title) establishing a committee to study the various barriers to discharge for patients to be safely discharged from acute care facilities.

SB 432-FN, (New Title) relative to advanced deposit account wagering and establishing a charitable third party financial intermediary program.

SB 481, relative to establishing Juneteenth, June 19, as an annual holiday.

SB 491, (New Title) relative to authorizing legislative bodies of municipalities to enter into voluntary agreements with owners of private roads.

HOUSE MESSAGE

The House of Representatives has voted to Lay On The Table the following entitled Bill(s) sent down from the Senate:

SB 387-FN, (New Title) relative to a state parks pass pilot program for recovery centers and community mental health centers.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bill sent down from the Senate and has indefinitely postponed the Bill:

SB 422, changing several references and modifying language in parentage and birth records.

SB 537-FN, allowing the processing of absentee ballots.

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 261, relative to rights of tenants in cases of domestic violence.

HB 558-FN, requiring the department of energy to initiate a microgrid study.

HB 1004, relative to repealing the judicial conduct commission.

HB 1088, enabling schools to maintain a supply of epinephrine auto-injectors.

HB 1154, relative to property tax exemptions for certain disabled veterans.

SB 313, relative to the delivery of the mittimus in a criminal case.

SB 322, relative to licenses to carry and immunity for law enforcement officers issuing certain firearms licenses.

SB 363-FN, relative to wagering on simulcast dog racing.

SB 470-FN, relative to allowing toll-free use for vehicles registered with municipal plates.

SB 514-FN, relative to the timber tax.

SB 566, relative to establishing a committee to study foster care families and the foster care system.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 1052, relative to the format of excavating and dredging permit applications.

HB 1302, relative to elected conservation commissions in towns.

HB 1361, relative to municipal land use regulation for manufactured housing and subdivisions.

HB 1382-FN, granting witness fee reimbursement to unrepresented parents in the armed forces who prevail in special education hearings.

HB 1433-FN, relative to the donation of archival records to the state and relative to classified positions in the secretary of state's office.

HB 1631, establishing the commission to study revenue alternatives to the road toll, road toll registration charges, and revenue alternatives to vehicle registration fees to fund highway and bridge improvements.
SB 482-FN, relative to National Guard and Staff Judge Advocate access to criminal history records.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

HB 1003-FN, relative to name changes for inmates, parolees, and convicted violent felons.
HB 1015-FN, relative to requirements for literacy skill development in elementary grades.
HB 1171, extending the commission to study environmentally-triggered chronic illness.
HB 1233, relative to animal chiropractors.
HB 1296-FN, relative to insurance coverage for diagnostic and supplemental breast examinations.
HB 1627, relative to recodifying certain laws concerning railroads, transportation, and telecommunications.
SB 210-FN, relative to the licensing of software applications by state agencies.
SB 314-FN, relative to pre-trial competency evaluations.
SB 359, raising the age of marriage to 18 years of age.
SB 367, reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.
SB 376, relative to establishing a corrections education and vocational planning group.
SB 385, relative to the cost of care fund.
SB 420, relative to requiring an additional report from the legislative study committee concerning the long-term impact of the New Hampshire adult parole system.
SB 437, relative to local authority to amend the state building code.
SB 468, relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway.
SB 478-FN, relative to child day care, residential care, and child-placing agency licensing.
SB 506-FN, relative to aligning statutes with the age of a delinquent established under the juvenile delinquency statute.
SB 564-FN, relative to crimes involving child sexual abuse images.

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 12

May 15, 2024

The Senate reconvened at 2:00 p.m., a quorum being present.

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

Good afternoon, Mister President, good afternoon, Senators.

Let's pray as your faith allows. Lord, giver of life we gather today in humble gratitude for the opportunity to serve our great state of New Hampshire through public office. Guide our Senators with your wisdom and compassion as they make decisions for the common good. Remind them of your words in Micah 6:8. Has shown you O mortal what is good, what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God. May this scripture inspire our leaders to act with justice, mercy, and humility, bless their efforts to serve faithfully and effectively always seeking to honor you in their work. Amen.

Senator Gray led the Pledge of Allegiance.

CONSENT CALENDAR REPORTS REMOVED

COMMERCE

HB 1599-FN, by Senator Soucy

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 1370-FN, by Senator Gray

ENERGY AND NATURAL RESOURCES

HB 194-FN, by Senator Pearl

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB1292, by Senator Lang

HEALTH AND HUMAN SERVICES

HB 1278, by Senator Bradley

HB 1413, by Senator Birdsell

HB 1581, by Senator Bradley

JUDICIARY

HB 1432-FN, by Senator Bradley

SPECIAL ORDER

Without objection, the following committees are Special Ordered to the beginning of the calendar and the remainder of the calendar will be Special Ordered to Thursday, May 16, 2024, unless otherwise ordered by the Senate. Adopted.

1. Executive Departments and Administration
2. Commerce
3. Energy and Natural Resources
4. Transportation
5. Ways and Means
6. Finance

SPECIAL ORDER

Without objection, the following bill is Special Ordered to the end of the calendar on Thursday, May 16, 2024. Adopted.

HEALTH AND HUMAN SERVICES

HB 1660-FN, relative to coverage of certain procedures for minor children under the state's Medicaid program.

SPECIAL ORDER

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

EDUCATION

HB 1298-FN, relative to the definition of part-time teachers.

ENERGY AND NATURAL RESOURCES

HB 1114, extending the commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals in the air, soil, and groundwater in Merrimack, Bedford, Londonderry, Hudson and Litchfield.

FINANCE

HB 1191-FN, relative to the establishment of an exemption to the meals and rooms tax for participants in the restaurant voucher program.

HEALTH AND HUMAN SERVICES

HB 1278-FN, relative to qualifying medical conditions for purposes of therapeutic cannabis; and relative to the summer EBT program, the SNAP elderly simplified application and the school lunch program and making appropriations therefor.

HB 1349-FN, relative to generalized anxiety disorder as a qualifying condition for the therapeutic cannabis program.

HB 1581, relative to cultivation locations for alternative treatment centers.

JUDICIARY

HB 1432-FN, relative to prohibiting certain uses of deepfakes and creating a private claim of action.

2ND AMENDED FN Report for May 15-16, 2024

W/F	Bill	Title	R/C	Committee	Full Name
Waive	HB 1559	repealing the chapter relative to cash dispensing machines.	Consent	Com	Commerce
Waive	HB 1370	relative to durable and tamper-proof containers for preserving ballots.	Consent	ELMA	Election Law and Municipal Affairs
Waive	HB 1596	requiring a disclosure of deceptive artificial intelligence usage in political advertising.	Consent	ELMA	Election Law and Municipal Affairs
Waive	HB 194	(New Title) requiring the director of the division of historical resources to compile and maintain a list of public monuments.	Consent	ENR	Energy and Natural Resources
Waive	HB 644	relative to regulating barbers, cosmetologists, and estheticians.	Consent	EDA	Executive Departments and Administration
Waive	HB 1188	relative to qualifications for licensed nursing assistants.	Consent	EDA	Executive Departments and Administration
Waive	HB 1274	relative to judicial administration.	Consent	EDA	Executive Departments and Administration
Waive	HB 1292	relative to coverage of children under the state retiree insurance plan.	Consent	EDA	Executive Departments and Administration
Waive	HB 1323	(New Title) relative to the furnishing of copies of the state constitution by the secretary of state to the public.	Consent	EDA	Executive Departments and Administration
Finance	HB 1355	relative to the New Hampshire National Guard recruitment and reenlistment incentive program.	Consent	EDA	Executive Departments and Administration
Waive	HB 1385	(New Title) relative to establishing the veteran licensing acceleration program and making an appropriation therefor.	Consent	EDA	Executive Departments and Administration
Finance	HB 1394	(New Title) relative to licensure and regulation of music therapists.	Consent	EDA	Executive Departments and Administration
Finance	HB 1410	relative to certain professional licenses.	Consent	EDA	Executive Departments and Administration
Finance	HB 1451	relative to mandatory overtime and the calculation of base rate of compensation.	Consent	EDA	Executive Departments and Administration
Waive	HB 1526	relative to a conditional veterinary license for veterinarians educated in other countries.	Consent	EDA	Executive Departments and Administration
Waive	HB 1548	relative to recommendations of the joint committee on employee classification.	Consent	EDA	Executive Departments and Administration
Waive	HB 1622	relative to administrative rulemaking and license renewals by the office of professional licensure and certification.	Consent	EDA	Executive Departments and Administration

Finance	HB 1666	relative to income reporting requirements for lobbyists.	Consent	EDA	Executive Departments and Administration
Waive	HB 1688	relative to the use of artificial intelligence by state agencies.	Consent	EDA	Executive Departments and Administration
Waive	HB 1278	relative to qualifying medical conditions for purposes of therapeutic cannabis.	Consent	HHS	Health and Human Services
Finance	HB 1568	relative to Medicaid reimbursement for non-transport emergency medical services calls.	Consent	HHS	Health and Human Services
Finance	HB 1598	relative to the department of health and human services management of social security payments and veterans benefits for children in foster care.	Consent	HHS	Health and Human Services
Finance	HB 1669	relative to restricting data sharing through the state immunization registry.	Consent	HHS	Health and Human Services
Finance	HB 1282	relative to the duration of child support.	Consent	JUD	Judiciary
Waive	HB 1295	relative to penalties for criminal violations of the therapeutic use of cannabis.	Consent	JUD	Judiciary
Waive	HB 1319	relative to prohibiting the nonconsensual dissemination of synthetic sexual images.	Consent	JUD	Judiciary
Waive	HB 1432	(New Title) relative to prohibiting certain uses of deepfakes and creating a private claim of action.	Consent	JUD	Judiciary
Finance	HB 1564	relative to the child support guidelines.	Consent	JUD	Judiciary
Finance	HB 1573	(New Title) making an appropriation to the department of health and human services to enhance oversight of children in residential placements.	Consent	JUD	Judiciary
Finance	HB 1588	relative to court jurisdiction over persons receiving special education.	Consent	JUD	Judiciary
Finance	HB 1589	establishing a veterans treatment court.	Consent	JUD	Judiciary
Waive	HB 1591	relative to fines for prohibited sales of tobacco.	Consent	JUD	Judiciary
Waive	HB 1032	relative to certificate of title exemptions for vehicles 20 or more years old.	Consent	TRANS	Transportation
Finance	HB 1202	relative to the issuance of permits for the alteration of driveways exiting onto public ways.	Consent	TRANS	Transportation
Waive	HB 1304	relative to vessel registration and boat fee decals.	Consent	TRANS	Transportation
Finance	HB 1329	relative to creating special number plates for fire departments.	Consent	TRANS	Transportation
Waive	HB 1366	relative to penalties for the negligent or reckless operation of boats.	Consent	TRANS	Transportation
Finance	HB 1391	allowing new vehicles purchased in the model year or before to be inspected in the second year after purchase.	Consent	TRANS	Transportation
Waive	HB 1457	establishing penalties for driving over covered wooden bridges in vehicles that exceed posted limits and for vehicular damage to covered wooden bridges.	Consent	TRANS	Transportation
Waive	HB 1468	directing the department of transportation to develop a Conway Branch rail line master plan.	Consent	TRANS	Transportation

Waive	HB 82	relative to employment protection for participants in the therapeutic cannabis program.	Regular	COM	Commerce
Finance	HB 645	relative to the establishment of decentralized autonomous organizations as legal entities within the state.	Regular	COM	Commerce
Finance	HB 1076	(New Title) relative to wine manufacturer licenses and relative to on-premises licenses for beverage manufacturers.	Regular	COM	Commerce
Waive	HB 1178	relative to an employee's unused earned time.	Regular	COM	Commerce
Finance	HB 1380	relative to brew pub licenses.	Regular	COM	Commerce
Finance	HB 1540	relative to the definitions of full course meals and full service restaurant for purposes of alcohol licensing.	Regular	COM	Commerce
Finance	HB 1288	relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.	Regular	EDU	Education
Waive	HB 1298	relative to the definition of part-time teachers.	Regular	EDU	Education
Finance	HB 1570	(New Title) requiring the department of education to conduct a facility assessment of public schools and public chartered schools.	Regular	EDU	Education
Finance	HB 1656	(New Title) relative to adequate education grant amounts for pupils receiving special education services.	Regular	EDU	Education
Finance	HB 1665	relative to student eligibility for the education freedom accounts program.	Regular	EDU	Education
Finance	HB 447	relative to the purchase of election equipment.	Regular	ELMA	Election Law and Municipal Affairs
Finance	HB 463	relative to the establishment of an election information portal.	Regular	ELMA	Election Law and Municipal Affairs
Finance	HB 1105	relative to application of a local tax cap.	Regular	ELMA	Election Law and Municipal Affairs
Waive	HB 1264	relative to the definition of accessible voting systems.	Regular	ELMA	Election Law and Municipal Affairs
Waive	HB 1310	relative to meetings of supervisors of the checklist.	Regular	ELMA	Election Law and Municipal Affairs
Waive	HB 1313	relative to access to the voter checklist by candidates.	Regular	ELMA	Election Law and Municipal Affairs
Finance	HB 1567	relative to zoning provisions concerning family and group family child care uses.	Regular	ELMA	Election Law and Municipal Affairs
Finance	HB 1569	relative to eliminating voter identification exceptions.	Regular	ELMA	Election Law and Municipal Affairs
Waive	HB 1626	relative to the repeal of certain designated funds and relative to the apportionment of dog license fees.	Regular	ELMA	Election Law and Municipal Affairs
Finance	HB 602	relative to landfill siting.	Regular	ENR	Energy and Natural Resources
Waive	HB 622	(New Title) relative to the grid modernization advisory group.	Regular	ENR	Energy and Natural Resources
Waive	HB 1103	relative to revising the penalties of the shoreland protection act.	Regular	ENR	Energy and Natural Resources

Finance	HB 1145	prohibiting the private ownership of landfills.	Regular	ENR	Energy and Natural Resources
Finance	HB 1179	relative to state park system fees for retired members of the armed forces.	Regular	ENR	Energy and Natural Resources
Waive	HB 1293	(New Title) relative to the use of certain fertilizers on turf.	Regular	ENR	Energy and Natural Resources
Waive	HB 1294	(New Title) establishing a committee to study ways to facilitate municipal compliance with Clean Water Act requirements.	Regular	ENR	Energy and Natural Resources
Waive	HB 1314	relative to the comprehensive state development plan.	Regular	ENR	Energy and Natural Resources
Waive	HB 1465	(New Title) relative to studies of nuclear energy technologies and renaming the office of offshore wind industry development.	Regular	ENR	Energy and Natural Resources
Finance	HB 1504	relative to architectural paint recycling.	Regular	ENR	Energy and Natural Resources
Waive	HB 1600	relative to participation in net energy metering.	Regular	ENR	Energy and Natural Resources
Waive	HB 1620	relative to suspending the issuance of new landfill permits until 2031.	Regular	ENR	Energy and Natural Resources
Finance	HB 1623	relative to the state energy policy.	Regular	ENR	Energy and Natural Resources
Finance	HB 1632	relative to out-of-state solid waste.	Regular	ENR	Energy and Natural Resources
Finance	HB 1649	relative to prohibiting certain products with intentionally added PFAS.	Regular	ENR	Energy and Natural Resources
Waive	HB 1687	relative to disposal of construction and demolition debris from state construction projects.	Regular	ENR	Energy and Natural Resources
Waive	HB 1283	relative to end of life options.	Regular	HHS	Health and Human Services
Finance	HB 1330	relative to establishing an emergency medical services disciplinary review panel, and relative to procedures for removal of records of discipline.	Regular	HHS	Health and Human Services
Waive	HB 1349	relative to generalized anxiety disorder as a qualifying condition for the therapeutic cannabis program.	Regular	HHS	Health and Human Services
Waive	HB 1660	relative to coverage of certain procedures for minor children under the state's Medicaid program.	Regular	HHS	Health and Human Services
Finance	HB 318	(Second New Title) relative to magistrates, bail commissioners, the standards applicable to and the administration of bail, and making appropriations.	Regular	JUD	Judiciary
Waive	HB 619	(New Title) to require a person to attain the age of majority for genital gender reassignment surgery.	Regular	JUD	Judiciary
Waive	HB 1192	relative to contempt actions in domestic relations matters.	Regular	JUD	Judiciary
Finance	HB 1339	(New Title) relative to background checks during motions to return firearms and ammunition.	Regular	JUD	Judiciary

Waive	HB 1350	relative to therapeutic cannabis possession limits.	Regular	JUD	Judiciary
Finance	HB 1539	relative to annulling, resentencing, or discontinuing prosecution of certain cannabis offenses.	Regular	JUD	Judiciary
Finance	HB 1633	relative to the legalization and regulation of cannabis and making appropriations therefor.	Regular	JUD	Judiciary
Finance	HB 1711	authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.	Regular	JUD	Judiciary
Finance	HB 1713	relative to a defendant's presence during certain criminal proceedings.	Regular	JUD	Judiciary
Waive	HB 1542	relative to possession and presentation of safe boater education certificates.	Regular	TRANS	Transportation
Waive	HB 1223	creating local options for games of chance.	Regular	WM	Ways and Means

Please Note: Senate Rule 4-5 requires every bill and joint resolution appropriating money, and every other bill which is accompanied by a fiscal note pursuant to RSA 14:44, which has been referred to another committee and found Ought to Pass by the Senate, shall be referred to the Senate Finance Committee for review, unless otherwise ordered by the Senate upon recommendation of the Chair of the Senate Finance Committee. Senator Gray has reviewed the bills on the Consent and Regular Calendars to be acted upon by the Senate on May 15-16, 2024, and his recommendations are listed on this FN Report. Bills listed as Waive should be sent to Third Reading and bills listed as Finance should be sent to the Senate Finance Committee. The recommendations are only applicable to bills found Ought to Pass.

Without objection, the FN Report is adopted.

CONSENT CALENDAR

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

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

COMMERCE

HB 1172, relative to meetings of condominium boards and committees.
Ought to Pass, Vote 5-0. Senator Innis for the committee.

This bill would exempt certain condominium board meetings and committees from notice requirements governing meetings of the association. This bill aimed to make the process less onerous, while ensuring the traditional requirements remained intact. Under this bill, a 5-day notice period would be required if 70 percent or more of the residents are full-time. For the other residents, the 10-day notice period would remain. If a condominium committee met with contractors, they would not be subject to noticing requirements as long as they are not executing a contract, expending funds, or making official decisions. This would help to expedite the selection of vendors and contractors at a time when there is limited availability of highly rated vendors.

ELECTION LAW AND MUNICIPAL AFFAIRS

HB 1125, relative to requiring public notice and comment at all county commissioner and delegation meetings.
Ought to Pass, Vote 5-0. Senator Soucy for the committee.

This bill requires public notice for all County Commissioner and County Delegation meetings. Public comment will be required at all county commission and delegation meetings for at least three minutes per person. Commissioners and Delegates are not required to take questions.

HB 1126, relative to candidate requests for absentee ballot information.

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

This bill as amended expands the information reported to candidates requesting absentee ballot information. The current report given to candidates includes the voters name, ID number, the date the ballot was requested and the date the ballot was returned. HB 1126 as amended will add the voters address, party, which election the ballot was requested for and the date the absentee ballot was sent or handed to the voter.

Election Law and Municipal Affairs

April 30, 2024

2024-1694s

12/02

Amendment to HB 1126

Amend the bill by replacing section 1 with the following:

1 Absentee Ballots; Information for Candidates. Amend RSA 657:15, III to read as follows:

III. Candidates whose names appear on the ballot for statewide office and persons bearing a notarized request from candidates whose names appear on the ballot for statewide office may obtain a statewide list of absentee voter applicants, excluding voters who have presented to the supervisors of the checklist valid protective orders pursuant to RSA 173-B from the secretary of state. Information on the statewide absentee voter list shall be limited to voter name *and address where registered*, voter ID number, *voter's party, the type of election the absentee ballot was requested in*, the date the absentee ballot was requested, *the date the absentee ballot was sent or handed to the voter*, and the date that the *absentee* ballot *envelope* was returned.

HB 1596-FN, requiring a disclosure of deceptive artificial intelligence usage in political advertising.

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

This bill as amended requires the disclosure of media that uses artificial intelligence and deepfakes in political advertising. It prohibits the dissemination of misinformation when it is in the form of media manipulated by technology capable of making it appear that something was done or said in real life when it did not actually occur. The committee amendment added election officials with candidates and political party as those protected from deceptive political messages.

Election Law and Municipal Affairs

May 7, 2024

2024-1823s

08/05

Amendment to HB 1596-FN

Amend RSA 664:14-c as inserted by section 1 of the bill by replacing it with the following:

664:14-c Synthetic Media and Deceptive and Fraudulent Deepfakes.

I. In this section:

(a) "Synthetic media" means an image, an audio recording, or a video recording of an individual's appearance, speech, or conduct that has been created or intentionally manipulated with the use of generative adversarial network techniques or other digital technology in a manner to create a realistic but false image, audio, or video.

(b) "Artificial intelligence" or "AI" is the ability of a machine to display human-like capabilities for cognitive tasks such as reasoning, learning, planning, and creativity. AI systems may adapt their behavior to a certain degree by analyzing the effects of previous actions and operating under varying and unpredictable circumstances without significant human oversight.

(c) "Generative AI" is AI that can generate text, images, or other media in response to prompts.

(d) "Deepfake" means a video, audio, or any other media of a person in which his or her face, body, or voice has been digitally altered so that he or she appears to be someone else, he or she appears to be saying something that he or she has never said, or he or she appears to be doing something that he or she has never done.

II. Except as provided in paragraph III, a person, corporation, committee, or other entity shall not, within 90 days of an election at which a candidate for elective office will appear on the ballot, distribute a message created using artificial intelligence or generative AI that the person, corporation, committee or other entity knows or should have known is a deepfake, as defined in paragraph I, of a candidate, election official, or party on the state or local ballot.

III.(a) The prohibition in paragraph II shall not apply if the audio or visual media includes a disclosure stating: "This _____ has been manipulated or generated by artificial intelligence technology and depicts speech or conduct that did not occur."

(b) The blank in the disclosure required by subparagraph (a) shall be filled with whichever of the following terms most accurately describes the media:

- (1) Image.
- (2) Video.
- (3) Audio.

(c) For visual media, the text of the disclosure shall appear in a size that is easily readable by the average viewer and no smaller than the largest font size of other text appearing in the visual media. If the visual media does not include any other text, the disclosure shall appear in a size that is easily readable by the average viewer. For visual media that is video, the disclosure shall appear for the duration of the video.

(d) If the media consists of audio only, the disclosure shall be read in a clearly spoken manner and in a pitch that can be easily heard by the average listener, at the beginning of the audio, at the end of the audio, and, if the audio is greater than two minutes in length, interspersed within the audio at intervals of not greater than 2 minutes each.

IV.(a) A candidate or election official whose appearance, action, or speech is depicted through the use of a deceptive and fraudulent deepfake in violation of paragraph II may seek injunctive or other equitable relief prohibiting the publication of such deceptive and fraudulent deepfake.

(b) A candidate or election official whose appearance, action, or speech is depicted using a deceptive and fraudulent deepfake in violation of paragraph II may also bring an action for general or special damages against the sponsor. The court may award a prevailing party reasonable attorneys' fees and costs. This section shall not limit or preclude a plaintiff from securing or recovering any other available remedy.

V. This section shall not apply to any of the following:

(a) An interactive computer service provider as defined in 47 U.S.C. section 230.

(b) Any radio or television broadcasting station or network, newspaper, magazine, cable or satellite radio or television operator, programmer, or producer, Internet website or online platform, or other periodical that publishes, distributes or broadcasts a deepfake prohibited by paragraph II as part of a bona fide news report, newscast, news story, news documentary or similar undertaking in which the deepfake is a subject of the report and in which publication, distribution, or broadcast there is contained a clear acknowledgment that there are questions about the authenticity of the materials which are the subject of the report.

(c) Any radio or television broadcasting station or network, newspaper, magazine, cable or satellite television operator, Internet website or online platform, or other periodical when such entity is paid to publish, distribute or broadcast an election communication including a deepfake prohibited by paragraph II, provided that the entity does not remove or modify any disclaimer provided by the creator or sponsor of the election communication.

(d) A video, audio or any other media that constitutes satire or parody or the production of which is substantially dependent on the ability of one or more individuals to physically or verbally impersonate another person without reliance on artificial intelligence.

VI. The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 274, relative to the administrative rulemaking process.

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

HB 274 directs agencies to notify legislative policy committees and other stakeholders of proposed rulemaking under RSA 541-A. The bill also directs the agency to pay attorneys fees in cases in which the agency adopted rules over JLCAR objection, if the court finds the rule invalid. The amendment clarifies who is considered a stakeholder and allows for judicial discretion regarding the payment of a plaintiff's legal expenses.

Senate Executive Departments and Administration

May 1, 2024

2024-1729s

05/08

Amendment to HB 274

Amend the bill by replacing section 1 with the following:

1 Administrative Procedure Act; Notice of Rulemaking Proceedings. Amend RSA 541-A:6, III to read as follows:

III. The agency shall send notice to the director of legislative services, to all persons regulated by the proposed rules who hold occupational licenses issued by the agency, ***to past participants in similar rulemaking proceedings***, and to all persons who have made timely request for advance notice of rulemaking proceedings. Upon request, ***or if the rule is required by new legislation***, the agency shall send notice to the president of the senate, to the speaker of the house of representatives, and to the chairpersons of the legislative committees having jurisdiction over the subject matter. Notice shall be made not less than 20 days before the first agency public hearing required by RSA 541-A:11, I. Notice to occupational licensees shall be by U.S. Mail, electronically, agency bulletin or newsletter, public notice advertisement in a publication of daily statewide circulation, or in such other manner that is reasonably calculated to inform such licensees of the proposed rulemaking. The committee may identify additional methods of notifying occupational licensees that are deemed sufficient.

Amend the bill by replacing section 3 with the following:

3 Administrative Procedure Act; Review by the Joint Legislative Committee on Administrative Rules. Amend RSA 541-A:13, VI to read as follows:

VI. After a final objection by the committee to a provision in the rule is filed with the director under subparagraph V(f), the burden of proof shall be on the agency in any action for judicial review or for enforcement of the provision to establish that the part objected to is within the authority delegated to the agency, is consistent with the intent of the legislature, is in the public interest, or does not have a substantial economic impact not recognized in the fiscal impact statement. If the agency fails to meet its burden of proof, the court shall declare the whole or a portion of the rule objected to invalid, ***and may order the agency to pay the plaintiff's legal expenses***. The failure of the committee to object to a rule shall not be an implied legislative authorization of its substantive or procedural lawfulness.

2024-1729s

AMENDED ANALYSIS

This bill directs agencies to notify legislative policy committees and known stakeholders of proposed rulemaking under RSA 541-A. The bill also provides that an agency may be required to pay attorneys fees in cases in which the agency adopted rules after final objection by the joint legislative committee on administrative rules and a finding by the court that the rule is invalid.

HB 644-FN, relative to regulating barbers, cosmetologists, and estheticians.

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

HB 644-FN makes changes to the regulation of barbers, cosmetologists, and estheticians. The committee heard testimony that the bill would expand economic opportunities in niche beauty services. The committee felt that licensing standards for barbering, cosmetology, and esthetics should not be lowered.

HB 1057, relative to provisional licenses for new applicants for state emergency medical services licensure. Ought to Pass with Amendment, Vote 5-0. Senator Perkins Kwoka for the committee.

HB 1057 allows an applicant for initial licensure as an emergency medical care provider to be granted a temporary, provisional license while awaiting results of a criminal records check. That license would be a safety valve to get people in the door working as emergency medical technicians (EMT). The Committee heard testimony that new EMTs are closely monitored and would be closely supervised by veteran EMTs. The Committee Amendment ensures that temporary licensees will always be supervised.

Senate Executive Departments and Administration
 May 8, 2024
 2024-1850s
 06/08

Amendment to HB 1057

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Emergency Medical and Trauma services; Initial Licensure; Provisional License. Amend RSA 153-A:11 by inserting after paragraph VII the following new paragraph:

VIII. Applicants for initial licensure under this chapter shall be issued temporary, provisional licenses if they have passed the required examination and are awaiting the results of the criminal history record check required pursuant to RSA 153-A:10-a for a period that exceeds 3 weeks, which shall require direct supervision by a licensee at all times. The division shall issue the temporary, provisional license for a period and under such limitations as the director adopts in rules under RSA 541-A. A temporary, provisional license shall be revoked upon the receipt of criminal history record check if a license is denied under this section or RSA 153-A:13.

HB 1075, relative to abolishing daylight saving time.

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

HB 1075 provides that New Hampshire shall exempt itself from daylight saving time when authorized to do so by the United States Congress. The Committee heard testimony that this would negatively affect industries which do business in other states. Safety concerns over morning commutes were raised during the hearing. The committee feels time zones must be uniform, so change must come from Congress.

HB 1095, relative to the administration of occupational boards by the office of professional licensure and certification.

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

HB 1095 makes various changes to the procedures and terminology of the Office of Professional Licensure and Certification and the occupational regulatory boards thereunder that are necessary to effectuate or correct regulatory changes made in recent legislative sessions. The committee amendment addresses three substantive concerns raised during the public hearing. This bill furthers the work done last year regarding licensing and certification procedures concerning apprenticeship and scope of duties in the state.

Senate Executive Departments and Administration
 May 2, 2024
 2024-1738s
 11/05

Amendment to HB 1095

Amend the bill by replacing section 8 with the following:

8 Master Licensed Alcohol and Drug Counselor; Initial License. Amend RSA 330-C:16, I(b)-V to read as follows:

(b) Have graduated with a master's degree of less than 60 hours in a discipline described in subparagraph (a) and has completed the necessary additional hours of master's level course work as determined by the board pursuant to RSA 330-C:9, ~~I(d)~~ **I(b)**.

II. Pass testing procedures of a nationally recognized credentialing entity specified by the board. Such procedures shall be based on the core functions and practice dimensions of substance use and co-occurring disorders counseling.

III. Complete 3,000 hours of clinically supervised post-master's degree work experience in the treatment of substance use, **mental health**, and co-occurring disorders. Up to 1,500 hours of clinically supervised work experience accumulated by the applicant during his or her practice as an LADC may be counted toward the required 3,000 hours. A current license issued ~~[by the board of mental health practice under]~~ **pursuant to** RSA 330-A may be substituted for up to 1,500 hours of the required 3,000 hours of clinically supervised work experience. ~~[Where substitution of the full 1,500 hours is denied by the board, the applicant shall be provided the rationale for the board's denial. The board shall not deny the substitution of hours solely based on the applicant's clinical supervisor holding a license issued by the board of mental health practice.]~~

IV. Meet other criteria as established by the board.

V. If the applicant does not meet the requirements of paragraphs I-IV, the board shall not issue a MLADC license but shall, if the individual meets all requirements for licensure as a LADC, issue a LADC license to the individual. ***In such circumstances, the OPLC shall not require the applicant to submit a separate application and fee.***

Amend section 12 of the bill by deleting paragraph IV and renumbering paragraphs V-VII to read as IV-VI, respectively.

Amend RSA 313-A:8 as inserted by section 18 of the bill by inserting after paragraph XIII the following new paragraph:

XIV. Conditions and standards for operation under a shop license, including health and safety standards.

Amend RSA 319-C:7, II as inserted by section 185 of the bill by replacing it with the following:

II. The ~~board~~ **office** shall issue a license as a master or journeyman electrician to any person who files an application and meets the following qualifications:

(a) Completion of 8,000 hours of service as an apprentice electrician. The board may give credit toward such service for the satisfactory completion of a course of instruction in the field at a school recognized by the board or experience in the field received in military service, in accordance with rules adopted by RSA 541-A; ~~and~~

(b) ***Complete not less than 600 hours of education that meet criteria established by the board in rules adopted pursuant to RSA 541-A; and***

(c) Satisfactory passing of an examination approved by said board as provided in RSA 319-C:8 to determine the person's fitness to receive such license.

HB 1188-FN, relative to qualifications for licensed nursing assistants.

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

HB 1188-FN amends the requirement that a licensed nursing assistant must have the ability to read and write in the English language and allows the board of nursing to establish rules on the level of English proficiency required. This bill was designed to help ease the state's nursing shortage by allowing the industry to train applicants in English medical terminology instead of turning them away.

HB 1274-FN, relative to judicial administration.

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

HB 1274-FN makes changes to various statutes as requested by the judicial council. This bill amends the requirements for who can serve on the judicial council. This bill amends the requirements for when a person is arrested with or without a warrant. This bill authorizes the courts to appoint contract or other qualified attorneys in the first instance, provides for the repeal of this provision, and requires a report to be issued on the fiscal impact of this provision. The bill also raises the threshold amount to trigger the requirement of approval of the fiscal committee of the general court for the supreme court to transfer appropriate funds. The committee amendment adds to the exemption from the definition of "part-time" for the New Hampshire retirement system the judicial branch's assistant director of safety and security.

Senate Executive Departments and Administration

May 8, 2024

2024-1851s

09/08

Amendment to HB 1274-FN

Amend the bill by inserting after section 3 the following and renumbering the original section 4 through 7 to read as 5 through 8:

4 New Hampshire Retirement System; Definitions. Amend RSA 100-A:1, XXXIV to read as follows:

XXXIV. "Part-time" for purposes of employment of a retired member of the New Hampshire retirement system, but excepting per diem court security officers, ~~and~~ court bailiffs, ***and the assistant director for safety and security of the judicial branch***, means employment by one or more participating employers of the retired member which shall not exceed 1,352 hours in a calendar year, except as provided in RSA 100-A:7-b. Notwithstanding the foregoing, no retired member shall be employed on a part-time basis by any participating employer for a period of 28 days from the member's effective date of retirement.

Amend the bill by replacing section 8 with the following:

8 Effective Date.

I. Section 7 of this act shall take effect January 1, 2026.

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

2024-1851s

AMENDED ANALYSIS

This bill:

I. Amends the requirements for who can serve on the judicial council.

II. Amends the requirements for when a person is arrested with or without a warrant.

III. Authorizes the courts to appoint contract or other qualified attorneys in the first instance, provides for the repeal of this provision, and requires a report to be issued on the fiscal impact of this provision.

IV. Raises the threshold amount to trigger the requirement of approval of the fiscal committee of the general court for the supreme court to transfer appropriated funds.

V. Adds to the exemption from the definition of “part-time” for the New Hampshire retirement system the judicial branch’s assistant director of safety and security.

HB 1323-FN-A, relative to the furnishing of copies of the state constitution by the secretary of state to the public. Ought to Pass with Amendment, Vote 5-0. Senator Carson for the committee.

HB 1323-FN requires the Secretary of State to furnish copies of the state constitution to the general public. As amended by the House, this bill will also allow for the printing of smaller copies of the constitution similar to pocket copies of the United State Constitution that are already in circulation. Having a hard copy available for distribution and purchase of the state constitution will encourage people to be more involved in their state government.

Senate Executive Departments and Administration

May 1, 2024

2024-1723s

08/10

Amendment to HB 1323-FN-A

Amend the bill by replacing section 1 with the following:

1 New Section; Copies of State Constitution to be Furnished. Amend RSA 5 by inserting after section 5-a the following new section:

5:5-b Copies of State Constitution to be Furnished. The secretary of state is hereby directed to furnish such number of copies of the state constitution to the general public as he or she may deem necessary. The secretary of state may assess a fee to cover costs for bulk orders of copies of the state constitution requested by members of the legislative, judicial, and executive branches as well as members of the public.

HB 1355-FN, relative to the New Hampshire National Guard recruitment and reenlistment incentive program. Ought to Pass, Vote 5-0. Senator Gendreau for the committee.

HB 1355-FN allows the New Hampshire National Guard to offer a reenlistment bonus of up to \$6,000 to members of the New Hampshire National Guard and are not eligible for a federal reenlistment bonus. The committee heard testimony from the Guard that the cost of training a new recruit vastly outweighs the cost of providing these bonuses. This bill will increase the New Hampshire National Guard’s capacity for recruitment and retention.

HB 1385-FN, relative to establishing the veteran licensing acceleration program and making an appropriation therefor.

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

HB 1385-FN establishes the veteran licensing acceleration program for occupational licensure administered by the Office of Professional Licensure and Certification, and makes an appropriation therefor. The Committee heard testimony that this bill would aid veterans and their families to transition to civilian life in the state. This bill further expands on programs to provide an easier pathway to licensure for military families coming to the state.

Senate Executive Departments and Administration
 May 9, 2024
 2024-1876s
 11/08

Amendment to HB 1385-FN

Amend the bill by replacing section 2 with the following:

2 Military Service Members, Spouse and Veterans Temporary Licensure. Amend RSA 310:16 to read as follows:

310:16 Military Service Members, ~~[and Spousal Temporary Licensure]~~ ***Spouse and Veterans.***

I. The office of professional licensure and certification shall issue temporary licenses to a member of the armed forces or their spouse, if the applicant holds a current, valid unencumbered occupational or professional license in good standing issued by a state or territory of the United States, in accordance with rules adopted ***under RSA 541-A*** by ***the*** executive director ~~[of the office of professional licensure and certification under RSA 541-A, provided that the]~~. ***Provided an*** applicant meets the requirements of this section, ***the executive director shall issue the temporary license*** within 30 days of having received an application or, if the applicant is subject to a criminal records check, within 14 days of having received the results of a criminal records check. The rules shall contain the following provisions

~~[I.]~~ ***(a)*** The applicant shall obtain a temporary license for a period of not less than 180 days while completing any requirements for licensure in New Hampshire so long as no cause for denial of a license exists under this title, or under any other law.

~~[II.]~~ ***(b)*** The ~~[license]~~ applicant must submit a notarized affidavit affirming, under penalty of law, that the applicant is the person described and identified in the application, that all statements made on the application are true and correct and complete, that the applicant has read and understands the requirements for licensure, ~~[and]~~ certifies that they meet those requirements, and that the applicant is in good standing in all jurisdictions in which the applicant holds or has held a license ***or was not subject to discipline in a jurisdiction where the applicant previously held a license that resulted in the loss of licensure.***

~~[III.]~~ ***(c)*** The applicant may request a one-time 180-day extension of the temporary license if necessary to complete the New Hampshire licensing requirements. The applicant must make this request within 15 days prior to the ~~[temporary license's]~~ expiration date ***of the temporary license.***

~~[IV.]~~ ***(d)*** All individuals licensed under this section shall be subject to the jurisdiction of the state licensing body for that profession.

II. Notwithstanding any general or special law to the contrary, the executive director shall facilitate the issuance of a license or certification for a person:

- (a) Licensed in a state other than New Hampshire;***
- (b) Whose spouse is a member of the armed forces in the United States;***
- (c) Whose spouse is the subject of a military transfer to New Hampshire; and***
- (d) Who left employment to accompany a spouse to New Hampshire.***

III. The executive director shall, in consultation with the boards, councils, and commissions, adopt rules, under RSA 541-A for what constitutes commensurate military education, training, or service acceptable for the specific regulated occupation or profession, as required pursuant to RSA 332-G:7, I.

HB 1394-FN-A, relative to licensure and regulation of music therapists.

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

HB 1394-FN establishes the licensure and regulation of music therapists under the Office of Professional Licensure and Certification. This bill further directs the Office of Professional Licensure and Certification, for the biennium ending June 30, 2027, to increase their annual budget by \$3,000 for the purpose of hiring temporary or part-time staff, or overtime costs, to help with licensing and administration of the music therapists governing board. The committee heard testimony this would help veterans and first responders afford care for post-traumatic stress disorder.

HB 1410-FN, relative to certain professional licenses.

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

HB 1410-FN would make changes to the Nurse Practice Act. The Committee Amendment moves the responsibilities of the Board of Registration of Medical Technicians to the Office of Professional Licensure and Certification. The Board has been unable to reach a quorum to do rulemaking, which has limited what OPLC can do regarding the profession.

Senate Executive Departments and Administration

May 8, 2024

2024-1849s

09/06

Amendment to HB 1410-FN

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

8 Registration of Medical Technicians. Amend the chapter name of RSA 328-I to read as follows:

~~[BOARD OF]~~ REGISTRATION OF MEDICAL TECHNICIANS

9 Registration of Medical Technicians, Definitions. Amend RSA 328-I:1, I to read as follows:

I. [~~“Board” means the board of registration of medical technicians.~~] ***“Executive Director” means the executive director of the office of professional licensure and certification.***

10 Registration of Medical Technicians; Powers and Duties of the Executive Director. RSA 328-I:3 is repealed and reenacted to read as follows:

328-I:3 Powers and Duties of the Executive Director.

The powers and duties of the executive director under this chapter shall include:

I. Accepting applications for registration pursuant to RSA 310:4.

II. Conducting disciplinary proceedings in accordance with RSA 310:10.

III. Adopting rules pursuant to RSA 328-I:4.

IV. Other duties necessary to carry out the purposes of this chapter in accordance with RSA 310.

11 Registration of Medical Technicians; Rulemaking. RSA 328-I:4 is repealed and reenacted to read as follows:

328-I:4 Rulemaking.

The executive director shall adopt rules, pursuant to RSA 541-A, relative to:

I. Registration eligibility requirements for initial, renewal, and reinstatement of registration.

II. Adopting such rules as are necessary to carry out the purposes of this chapter in accordance with RSA 310:6.

III. Procedures for sharing information with other in-state boards, the office inspector general, department of health and human services, out-of-state boards, and law enforcement entities.

12 Registration of Medical Technicians; Registration of Medical Technicians Required. Amend RSA 328-I:5, III-V to read as follows:

III. The ~~[board]~~ ***executive director***, after hearing and upon making an affirmative finding under paragraph II, that the person is engaged in unlawful practice, may take action in any one or more of the following ways:

(a) A cease and desist order in accordance with paragraph IV.

(b) The imposition of an administrative fine not to exceed \$50,000.

(c) The imposition of an administrative fine for continuation of unlawful practice in the amount of \$1,000 for each day the activity continues after notice from the ~~[board]~~ ***executive director*** that the activity shall cease.

(d) The denial or conditional denial of a license application, application for renewal, or application for reinstatement.

(e) The imposition of other sanctions permitted by RSA 310:12.

IV. The [board] ***executive director*** is authorized to issue a cease and desist order against any person or entity engaged in unlawful practice. The cease and desist order shall be enforceable in superior court.

V. The attorney general, the [board] ***executive director***, or the prosecuting attorney of any county or municipality where the act of unlawful practice takes place may maintain an action to enjoin any person or entity from continuing to do acts of unlawful practice. The action to enjoin shall not replace any other civil, criminal, or regulatory remedy. An injunction without bond is available to the [board] ***executive director***.

13 Registration of Medical Technicians; Initial Registration; Application, Fees. Amend RSA 328-I:6 to read as follows:

328-I:6 Initial Registration; Application, Fees.

I. The [board] ***executive director*** may register any person who submits a completed application and pays the established fee.

II. Completed applications shall include:

(a) Payment of the non-refundable registration fee;

(b) Reports of any pending criminal charges, criminal convictions, plea agreements in lieu of convictions, or complaints made to or dispositions made by licensing, certification, or registration boards, ***or other appropriate licensing authorities***.

(c) A complete set of fingerprints and a criminal history record release form pursuant to RSA 328-I:7.

(d) The applicant's work history over the last 10 years.

III. All applications shall include at a minimum, the applicant's name, social security number, place and date of birth, place of employment in New Hampshire and the home address and shall be duly signed and verified. Applications shall be available for public inspection.

IV. Upon approval of the application ~~[by the board]~~, the applicant shall be registered as a medical technician for 2 years ***in accordance with RSA 310:8***. ~~[Such registration shall take effect within 90 days after the filing of such completed application.]~~

V. Any medical technician who changes his or her name, place or status of employment in New Hampshire, or residence shall notify the [board] ***executive director*** in writing within 30 days. For failure to report such a change within 30 days of such event, the [board] ***executive director*** may suspend the medical technician's registration.

VI. Once an application has been approved ~~[by the board]~~, a temporary registration may be issued, pending receipt of the criminal records check and fingerprint information.

14 Registration of Medical Technicians; Criminal History Record Checks. Amend RSA 328-I:7 to read as follows:

328-I:7 Criminal History Record Checks.

I. Every applicant for initial registration or reinstatement shall submit ~~[to the board]~~ a criminal history record release form, as provided by the New Hampshire division of state police, which authorizes the release of his or her criminal history record, if any, to the [board] ***executive director***.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the department of safety. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the [board] ***executive director*** may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The [board] ***executive director*** shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the [board] ***executive director***.

IV. The [board] **executive director** shall review the criminal record information prior to making a registration decision and shall maintain the confidentiality of all criminal history records received pursuant to this section.

V. The applicant shall bear the cost of a criminal history record check.

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

328-I:8 Renewal of Registration. Certificates of registration issued under this chapter shall be subject to renewal every 2 years *in accordance with RSA 310:8* and shall expire unless renewed in the manner prescribed by the [board] **executive director**. Certificates of registration for medical technician shall be renewed upon the payment of the renewal fee.

16 Registration of Medical Technicians; Refusal to Issue or Renew Certificate. Amend RSA 328-I:9 to read as follows:

328-I:9 Refusal to Issue or Renew Certificate[; ~~Return of Certificate~~].

[~~I.~~] The [board] **executive director** may deny the application for registration or refuse to issue a renewal thereof if it is determined after hearing that such applicant or registrant:

[~~(a)~~] **I.** Has made a material false statement or concealed or omitted a material fact in connection with his or her application for registration;

[~~(b)~~] **II.** Had a registration issued under this chapter suspended previously;

[~~(c)~~] **III.** Has been convicted of a felony under the laws of the United States or any state or any offense involving moral turpitude;

[~~(d)~~] **IV.** Has willfully or repeatedly failed to comply with any other provision of this chapter or any rules adopted by the [board] **executive director**; or

[~~(e)~~] **V.** Is a habitual user of drugs or intoxicants.

[~~II. Upon the suspension or revocation of a certificate of registration by the board and the issuance of a notice thereof, the registrant shall within 5 days, not including Sundays and holidays, deliver to the board the certificate of registration. If surrendered by mail, the certificate of registration shall be sent by registered or certified mail, postmarked no later than 3 days, not including Sundays and holidays, following notice of suspension or revocation. Failure to return a certificate of registration which has been revoked or suspended hereunder within the prescribed time shall constitute a misdemeanor.~~]

17 Registration of Medical Technicians; Disciplinary Action; Remedial Proceedings. RSA 328-I:10 is repealed and reenacted to read as follows:

328-I:10 Disciplinary Action; Remedial Proceedings.

I. The executive director is authorized to undertake investigations and disciplinary proceedings upon:

(a) The executive director's initiative.

(b) A written complaint made by any person complaining that a registrant has committed an act of misconduct and specifying the nature of the misconduct.

(c) A written complaint made by any person that a person is engaged in unauthorized practice.

(d) Notification by a licensing or certifying agency of this state that a registrant has been disciplined by that agency.

(e) Notification by the regulatory authority of another domestic or foreign jurisdiction that a registrant has been disciplined in that jurisdiction.

(f) A report made pursuant to the obligation to report imposed by this chapter.

II. Every facility administrator, or designee, for any licensed hospital, health clinic, ambulatory surgical center, or other health care facility within the state shall report to the executive director any disciplinary or action related to disruptive conduct, professional incompetence, or violation of an organizational rule or procedure involving controlled substances, or any adverse action which results in the termination of an employment relationship, within 30 days after such action is taken, including situations in which allegations

of misconduct are settled by voluntary resignation without adverse action, against a person registered as a medical technician. Disciplinary or adverse action shall include the requirement that a registrant undergo counseling or be subject to any policy with regard to disruptive behavior.

III. The executive director, after hearing, may take disciplinary action against any person registered by the executive director upon finding that the person:

(a) Has knowingly provided false information during any application for registration or employment, whether by making any affirmative statement which was false at the time it was made or by failing to disclose any fact material to the application.

(b) Is a habitual user of drugs or intoxicants.

(c) Has engaged in dishonest or unprofessional conduct, or has negligently or intentionally injured a patient while practicing as a medical technician or performing such ancillary activities.

(d) Has willfully or repeatedly violated any provision of this chapter or any substantive rule of the executive director.

(e) Has been convicted of a felony under the laws of the United States or any state.

IV. The executive director may take non-disciplinary remedial action against any person registered by the executive director upon finding that the person is afflicted with a physical or mental disability, disease, disorder, or condition deemed dangerous to the public health. Upon making an affirmative finding, the executive director, may take non-disciplinary remedial action:

(a) By suspension, limitation, or restriction of a registration for a period of time as determined reasonable by the executive director.

(b) By revocation of registration.

(c) By requiring the person to submit to the care, treatment, or observation of a physician, counseling service, health care facility, professional assistance program, or any combination thereof which is acceptable to the executive director.

(d) By requiring the person to practice under the direction of a physician in a public institution, public or private health care program, or private practice for a period of time specified by the executive director.

(e) By imposition of any sanction permitted pursuant to RSA 310:12.

18 Registration of Medical Technicians; Telemedicine. Amend RSA 328-I:16 to read as follows:

328-I:16 Telemedicine. Medical technicians registered by the ~~[board]~~ **executive director** shall be permitted to provide services through the use of telemedicine. "Telemedicine" means the use of audio, video, or other electronic media for the purpose of diagnosis, consultation, or treatment.

19 Residential Care and Health Facility Licensing; Verification of Medical Technician Registration. Amend RSA 151:3-d to read as follows:

151:3-d Verification of Medical Technician Registration. Every facility administrator, or designee, for any health care facility licensed under this chapter shall verify with the **executive director of the office of professional licensure and certification** ~~[board of registration of medical technicians established under RSA 328-I:2;]~~ prior to employing a medical technician, as defined in RSA 328-I:1, VI, that such medical technician is registered ~~[with the board]~~.

20 Office of Professional Licensure and Certification; Definitions; Establishment. Amend RSA 310:2, II(jj) to read as follows:

(jj) ~~[Board of]~~ Registration of medical technicians under RSA 328-I.

21 Repeal. The following are repealed:

I. RSA 326-B:3, IX-XI, relative to the board of nursing.

II. RSA 326-B:6, relative to collection and expenditure of funds.

III. RSA 326-B:8, relative to fees and charges.

IV. RSA 326-B:21, relative to licensure by endorsement for licensed nursing assistants.

V. RSA 326-B:22, relative to license renewal.

VI. RSA 326-B:23, relative to license reinstatement.

VII. RSA 328-I:2, relative to the board of registration of medical technicians.

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

2024-1849s

AMENDED ANALYSIS

This bill eliminates the board of registration of medical technicians and transfers authority over the registration of medical technicians to the office of professional licensure and certification. This bill further makes changes to the nurse practice act.

HB 1451-FN, relative to mandatory overtime and the calculation of base rate of compensation.
Ought to Pass, Vote 5-0. Senator Carson for the committee.

HB 1451-FN provides that mandatory overtime shall be reported as part of the full base rate of compensation. The bill was a recommendation of the Retirement Benefits Commission. Some employees, most notably those working in the prisons, work vast amounts of mandatory overtime which is not being calculated within base rate of pay when it comes to pensions. The committee heard testimony this would increase recruitment and retention by providing a benefit to reflect mandatory overtime worked.

HB 1526-FN, relative to a conditional veterinary license for veterinarians educated in other countries.
Ought to Pass with Amendment, Vote 5-0. Senator Pearl for the committee.

HB 1526-FN enables the Board of Veterinary Medicine to issue a conditional veterinary license for graduates of non-AVMA-accredited colleges of veterinary medicine who are enrolled in the ECFVG certificate program and have completed all but the clinical practice examination (CPE). The Committee heard testimony that there is a shortage of veterinarians in the state which has led to increased wait times for appointments. This bill would allow graduates of non-AVMA-accredited colleges to perform the duties they are capable of while waiting to pass the CPE.

Senate Executive Departments and Administration
May 8, 2024
2024-1848s
08/02

Amendment to HB 1526-FN

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

AN ACT relative to a conditional veterinary license for graduates of non-AVMA-accredited colleges of veterinary medicine.

Amend the bill by replacing section 1 with the following:

1 Veterinary Practice; Conditional License. RSA 332-B:11 is repealed and reenacted to read as follows:
332-B:11 Conditional License.

I. A graduate of a non-AVMA-accredited college of veterinary medicine who is enrolled in the ECFVG certificate program having completed all but the clinical practice examination (CPE), may be granted a conditional license. The applicant shall have successfully passed the New Hampshire veterinary jurisprudence examination.

II. The holder of a conditional license issued under these provisions shall practice under the direct supervision of a New Hampshire licensed veterinarian. If the applicant is not a United States citizen, the supervising veterinarian shall verify the legal immigration status of the applicant prior to employment and shall not employ the applicant if the applicant lacks legal immigration status.

III. The conditional license shall be valid for 2 years from the date of issuance in accordance with RSA 310:8, or until the ECFVG candidate obtains ECFVG certification and receives a New Hampshire veterinary medical license. An ECFVG candidate that does not pass a CPE examination may apply to renew their conditional license, however, a candidate may not renew or reinstate a conditional license more than one time, nor may they apply for a second conditional license.

2024-1848s

AMENDED ANALYSIS

This bill enables the board of veterinary medicine to issue a conditional veterinary license for graduates of non-AVMA-accredited colleges of veterinary medicine who are enrolled in the ECFVG certificate program and have completed all but the clinical practice examination (CPE).

HB 1548-FN, relative to recommendations of the joint committee on employee classification.
Ought to Pass, Vote 5-0. Senator Perkins Kwoka for the committee.

HB 1548-FN revises salary schedules for certain unclassified state employees after work done by a study committee on the subject. This bill is a request of the Joint Committee on Employee Classification and ratifies the changes they have approved over the past year.

HB 1622-FN, relative to administrative rulemaking and license renewals by the office of professional licensure and certification.

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

HB 1622-FN requires rulemaking relative to the record keeping of the Executive Director of the Office of Professional Licensure and Certification and expands categories included in license renewal time frames. This bill also updates several provisions regarding public comments, reports, and expired rules. This bill will enable greater transparency in the rulemaking process. It will also enable an easier process for the public to weigh in on pending rules.

Senate Executive Departments and Administration
May 1, 2024
2024-1724s
05/02

Amendment to HB 1622-FN

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

1 OPLC; License Renewals; Lapse. RSA 310:8, II is repealed and reenacted to read as follows:

II. Licenses issued by the office shall be valid for 2 years from the date of issuance except for those apprentices licensed for one year in accordance with rules adopted pursuant to RSA 541-A. The validity of issued licenses shall be in accordance with RSA 541-A:30 and subject to restrictions imposed through disciplinary and non-disciplinary remedial proceedings. The licensing terms established in this section shall supersede any conflicting terms established in a statute administered by a board listed in RSA 310:2.

2 Director of Legislative Services; Publishing. Amend RSA 541-A:15, I to read as follows:

I. The director of legislative services shall compile, index, and publish all effective rules adopted by each agency. The text of an adopted rule as filed with the director and which is effective shall then be the official version of the rule ***which the director shall publish online***. ~~[The director shall publish the adopted rule text online in a format as determined by the director.]~~ The agency shall be notified when the text is published. ***The director shall within 180 days send to the agency a draft certified rule in an edited format as determined by the director.*** The agency shall then have ~~[120]~~ 60 days to certify that the ***edited rule is the same in substance as originally filed*** ~~[published rule is accurate]~~. If editorial changes not affecting the substance of the rule are needed, or an error in the publishing ***or editing*** process is identified, then the agency shall notify the director, ***who shall make*** ~~[and]~~ such changes ~~[shall be made by the director]~~ and ***the rule shall be*** certified by the agency that it is the same in substance as originally filed. If the agency does not notify the director within the ~~[120]~~ 60-day deadline, then it will be presumed that the agency has reviewed the ~~[published]~~ ***edited*** language and agreed that it is the certified version ~~[and shall]~~ ***which*** be published online by the director in a format as determined by the director. The certified version shall then be the official version. Both the adopted rule as-filed and as-certified may be an electronic document and still be the official version if in compliance with RSA 541-A:1, V-a and VI and the drafting and procedure manual for administrative rules under RSA 541-A:8. The official version of the rule shall be available to the public by the agency and the director pursuant to RSA 541-A:14, IV as described in the drafting and procedure manual under RSA 541-A:8.

3 Interim Rules. Amend RSA 541-A:19, X to read as follows:

X. No proposed interim rule shall be adopted unless the committee has voted to approve the proposed interim rule or conditionally approve the proposed interim rule, provided that the committee legal counsel has sent written confirmation to the agency pursuant to RSA 541-A:19, VIII(b). An adopted interim rule and any new or amended form, or screenshot, mock-up, or prototype of an electronic-only form, which the rule incorporates by reference or the requirements for which are set forth in the rule pursuant to RSA 541-A:19, shall be filed with the director of legislative services no later than 30 days following committee approval or conditional approval or in the case of a board or commission, 7 days following its next regularly scheduled meeting after committee approval or ~~conditional approval~~ **after receipt of the written confirmation pursuant to RSA 541-A:19, VIII(b) for a committee conditional approval**. An interim rule shall be effective under RSA 541-A:16, III on the day after filing with the director of legislative services, or at a later date, provided the agency so specifies in a letter to the director of legislative services and the effective date is within 30 days following committee approval or conditional approval **or, in the case of a board or commission, within 7 days following its next regularly scheduled meeting after receipt of the written confirmation pursuant to RSA 541-A:19, VIII(b)**. Interim rules shall be effective for a period not to exceed 180 days. During the time an interim rule shall be in effect, the agency may propose a permanent rule to replace the interim rule once it expires, but it shall not adopt another interim rule to replace the expiring interim rule.

4 New Paragraph; Rulemaking; Public Comments; Requirement for Online Availability. Amend RSA 541-A:11 by inserting after paragraph VIII the following new paragraph:

IX.(a) Every public comment on a proposed rule that the agency receives electronically shall be promptly uploaded to a web page maintained by the agency. Each proposed rule shall have a separate location for all public comments received for that rule.

(b) Public comments received via regular mail shall, to the extent agency resources permit, be scanned and added to the web page as electronic documents.

5 Rulemaking; Filing Final Proposal Public Comments; Report. Amend RSA 541-A:12, II(e) to read as follows:

(e) A report of public comments received on the rule **shall be created**. ~~[and an explanation of how they were addressed in the final rule.]~~ **The report shall indicate how the comment influenced the final rule. If the comment did not influence the final rule, a substantive explanation of the adopting authority overruled relevant arguments and considerations made in the comment shall be included.**

6 Final Adoption. Amend RSA 541-A:14, I(a) to read as follows:

(a) The passage of 60 days from filing of a final proposal under RSA 541-A:12, I[, or 60 days from filing under RSA 541-A:12, I-a,] without receiving notice of objection from the committee;

7 Declaratory Judgment on Validity or Applicability of Rules. Amend RSA 541-A:24 to read as follows:

541-A:24 Declaratory Judgment on Validity or Applicability of Rules. The validity or applicability of a rule, **including the enforcement of an expired rule by an agency**, may be determined in an action for declaratory judgment in the Merrimack county superior court if it is alleged that the rule, or its threatened application, interferes with or impairs, or threatens to interfere with or impair, the legal rights or privileges of the plaintiff, **or if the agency is enforcing an expired rule contrary to RSA 541-A:22, I and II, including the levying of fines or assessment of fees**. The agency shall be made a party to the action. The plaintiff shall give notice of the action to the office of legislative services, division of administrative rules, at the time of filing. A declaratory judgment may be rendered whether or not the plaintiff has requested the agency to pass upon the validity or applicability of the rule in question. **The court shall have the authority to levy a financial penalty upon the agency, including the payment of plaintiff's attorney's fees and, if the agency enforced an expired rule, the reimbursement of fines or fees collected by the agency from the plaintiff under that expired rule**. Upon receiving a declaratory judgment, the respondent agency or department shall also file a copy of that judgment with the office of legislative services, division of administrative rules.

8 Validity of Rules. Amend RSA 541-A:22, I to read as follows:

I. No agency rule, including a form, is valid or effective against any person or party, nor may it be enforced by the state for any purpose, until it has been filed as required in this chapter and has not expired. **If an agency levied fines due to violation of an expired rule or assessed fees only established in an expired rule, then the agency shall refund all fines and fees it collected during the rule's expiration since the effective date of this paragraph.**

9 New Subparagraph; Filing Final Proposal. Amend RSA 541-A:12, II by inserting after subparagraph (e) the following new subparagraph:

(f) If the proposed rule is expired, a report that outlines any agency action or implementation of the statute without any necessary administrative rules, including whether any fines or fees were levied or assessed by the agency and whether the fines or fees have been refunded.

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

2024-1724s

AMENDED ANALYSIS

This bill expands categories included in license renewal time frames and updates several provisions regarding public comments, reports, and expired rules.

HB 1666-FN, relative to income reporting requirements for lobbyists.
Ought to Pass, Vote 5-0. Senator Carson for the committee.

HB 1666-FN requires lobbyists to identify clients and income received from lobbying activity. The bill also authorizes the Secretary of State to enforce lobbyist statement requirements. The Secretary of State's Office will develop and implement an online system that will allow the Office to link all information regarding income and expenses, political contributions, and honorariums or expense reimbursements submitted by an individual lobbyist. This will increase transparency regarding lobbyists.

HB 1688-FN, relative to the use of artificial intelligence by state agencies.
Ought to Pass, Vote 5-0. Senator Altschiller for the committee.

HB 1688-FN prohibits state agencies from using artificial intelligence to manipulate, discriminate, or surveil members of the public. The bill prohibits the use of deepfakes and biometric monitoring by state agencies in public spaces. The bill provides definitions of AI, generative AI, and deepfakes. The committee heard testimony that this bill will protect the rights of Granite Staters from AI systems used by state agencies.

HEALTH AND HUMAN SERVICES

HB 1131, relative to mental health practice.
Ought to Pass, Vote 5-0. Senator Avarad for the committee.

HB 1131 expands the persons exempted list to include any organization which provides clinical mental health services, employs licensed mental health practitioners, provides clinical supervision of its staff, and which assumes professional, ethical, and legal responsibility for such mental health services. This is a simple bill that will ensure that students who work at a for-profit, private practice mental health center will not have to separate from the center while waiting for their licensure to go through. This could cause significant disruptions to the mental health care for up to 100 Granite Staters per student, who must either find a new provider or put their treatment on pause while waiting for licensure. The Committee heard testimony that this was the intent of the original law but it has not been interpreted in this way.

HB 1194, relative to the definition of noncommunicable disease.
Interim Study, Vote 5-0. Senator Whitley for the committee.

HB 1194 would remove the word "infectious" from the definition of "noncommunicable disease". The Committee heard testimony that this bill would create potential confusion and conflict with other areas of RSA 141-C, and specifically the definition of what a communicable disease is in RSA 141-C:2. The current statute is more clear, more consistent, and maintains a level of public health safety that Granite Staters have come to expect.

HB 1300, relative to terminal patients' right to try act.
Ought to Pass, Vote 5-0. Senator Whitley for the committee.

HB 1300 renames RSA 126-Z as the Right to Try Act; revises eligibility criteria and definitions, and replaces the term "biological products" with "biologics". This bill is in the spirit of bodily autonomy, allowing terminally ill Granite Staters to take a chance and try off-label and expanded access drugs. Currently, citizens have to travel out of state to receive these treatments. We should give them the opportunity to try, with the collaboration of their care team, in the comfort of their familiar surroundings. HB 1300 also irons out a few differences between New Hampshire's Right to Try law and the federal guidelines.

HB 1318, relative to the duties of the opioid abatement advisory commission.
Ought to Pass, Vote 5-0. Senator Birdsell for the committee.

HB 1318 defines “integrated pain management” and adds duties to the New Hampshire Opioid Abatement Advisory Commission involving support for pain management services. There were people who were adversely affected by the move away from pain management practices during the response to the opioid epidemic. People in need and in pain were left to suffer. This bill seeks to rebalance the system and provide support for those who were abandoned by the system, using opioid settlement funds to do so.

HB 1568-FN, relative to Medicaid reimbursement for non-transport emergency medical services calls.
Ought to Pass with Amendment, Vote 5-0. Senator Prentiss for the committee.

HB 1568-FN, as introduced, requires Medicaid reimbursement for non-transport emergency medical services calls. The Committee Amendment replaces the bill with the text of SB 409-FN, As Amended by the Senate. SB 409-FN is a more thorough option to accomplish the same goal – stopping our municipalities from being left on the hook for non-transport calls. SB 409-FN also contains provisions that align better with federal CMS requirements to ensure we maintain compliance.

Health and Human Services

May 1, 2024

2024-1727s

05/02

Amendment to HB 1568-FN

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

AN ACT relative to reimbursement for ambulance services under the state Medicaid plan.

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

1 New Paragraph; Commissioner of the Department of Health and Human Services; State Medicaid Plan Amendment Regarding Ambulance Services. Amend RSA 126-A:5 by inserting after paragraph XXXIV the following new paragraph:

XXXV. The commissioner shall submit to the Centers for Medicare and Medicaid Services (CMS) an amendment to the state Medicaid plan to provide reimbursement for ambulance services when care is provided in response to an emergency call to a member’s home or on a scene, when an ambulance is dispatched, and treatment is provided to the patient without the patient being transported to another site. Providers shall be eligible for Medicaid reimbursement under this paragraph only when all the following requirements are met:

- (a) The response originated through a 9-1-1 call.
- (b) The patient consents to evaluation and treatment.
- (c) After the evaluation, and when indicated, treatment, the licensed paramedic or emergency medical technician (EMT) and the patient agree there is not a need for transportation by ambulance; this shall include when resuscitation efforts are terminated.
- (d) The patient does not request and actively refuses transport to an emergency department for evaluation.
- (e) The patient is stable for referral to the patient’s physician, other community resource or is deceased.
- (f) The patient has the ability, including mental capacity and transportation resources, to obtain assistance and medically indicated follow-up.

2 Contingency. Section 1 of this act shall take effect on the date the Centers for Medicare and Medicaid Services certifies the approval of the amendment to the state Medicaid plan to the director of legislative services and the secretary of state.

3 Effective Date.

- I. Section 1 of this act shall take effect as provided in section 2 of this act.
- II. The remainder of this act shall take effect upon its passage.

2024-1727s

AMENDED ANALYSIS

This bill directs the department of health and human services to submit an amendment to the state Medicaid plan regarding reimbursement for ambulance services.

HB 1598-FN-A, relative to the department of health and human services management of social security payments and veterans benefits for children in foster care.

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

HB 1598-FN-A, as amended by the House, requires the Department of Health and Human Services to prepare a report for the legislature and Governor regarding budget requirements associated with management of Social Security and veterans benefits for children in placement through the Department. The bill also makes an appropriation to the Department to hire a consultant to assist with the report and its implementation. The Committee heard very compelling testimony about the children who are having their Social Security benefits taken from them by the Department, allegedly to fund their care – despite not receiving any additional care compared to that which a child who is ineligible for Social Security benefits would receive. Federal law allows for a person other than the Department to be the responsible payee for their benefits and, in fact, ranks a state agency fairly low on the order of preference.

HB 1669-FN, relative to restricting data sharing through the state immunization registry.

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

HB 1669-FN, as amended by the House, prohibits the Department of Health and Human Services from sharing data from the State Immunization Registry with other organizations unless the Department can assure withdrawals from the Registry will be honored by the organization. The bill also establishes a position in the Department to assist in implementation and makes appropriations therefor. The Committee heard testimony that the Department does not currently have the ability to share data from the Registry with other states. With the Registry already operating with an ability to opt-out, the Committee did not feel it was appropriate to expend General Fund dollars for this theoretical purpose.

HB 1712, renewing the committee to study non-pharmacological treatment options for patients with chronic pain.

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

HB 1712 renews the committee to study non-pharmacological treatment options for patients with chronic pain. The Committee heard about the important work the committee has done and their plans for the future. The Committee Amendment will give the committee an additional year to do its work, and requires an interim report.

Health and Human Services

May 1, 2024

2024-1732s

08/06

Amendment to HB 1712

Amend paragraph VI as inserted by section 2 of the bill by replacing it with the following:

VI. Notwithstanding RSA 14:49, on or before November 1, 2024, the committee shall submit an interim report including its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, and the governor. The committee shall submit a final report of its findings and any recommendations for proposed legislation to the same on or before November 1, 2025.

JUDICIARY

HB 1282-FN, relative to the duration of child support.

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

House Bill 1282-FN alters the time at which a child support obligation terminates. Current law has a loophole in it where child support will end when a child turns 18 or they have graduated high school. This bill is a housekeeping measure that will ensure that child support is provided as long as a child is a full-time student in high school or elementary school. If a child does not graduate high school, there is an end date of 19 years and 2 months.

HB 1295-FN, relative to penalties for criminal violations of the therapeutic use of cannabis.
Interim Study, Vote 5-0. Senator Gannon for the committee.

House Bill 1295-FN would have amended the penalty for the unauthorized sale of cannabis by a qualifying patient or designated caregiver. As a result of the Federal Government looking to declassify medicinal marijuana from a Schedule I drug to a Schedule III drug, the Committee felt it was best to wait before any more changes are made regarding medicinal marijuana.

HB 1319-FN, relative to prohibiting the nonconsensual dissemination of synthetic sexual images.
Ought to Pass, Vote 5-0. Senator Carson for the committee.

House Bill 1319-FN amends the crime of nonconsensual dissemination of private sexual images to include certain synthetic sexual images. This bill expands the criminalization of image based sexual abuse in a very narrow way to cover synthetic images, which can be images generated with artificial intelligence that are merged with real images to create an illusion of someone performing an act they never performed. The bill will also expand the definition of dissemination from printing, publishing, and manufacturing to bring it into the virtual world to include words such as posting or sharing images electronically.

HB 1511, relative to liability for children with disabilities in certain court ordered placements or episodes of treatment.
Ought to Pass, Vote 5-0. Senator Chandley for the committee.

This bill, requested by the Department of Education, corrects an inaccuracy in the law about how DoE is notified of episodes of treatment. Currently, the law states the courts would notify the DoE about an episode of treatment. Since the courts are not involved in the episode of treatment placement, this language clarifies that notification will come from either DHHS or the local school district.

HB 1564-FN, relative to the child support guidelines.
Ought to Pass, Vote 5-0. Senator Carson for the committee.

House Bill 1564-FN revises criteria for adjustments of the child support guidelines based on the parenting schedule. This bill will increase the self-support reserve from 115% to 130%; allow for deviations in child support cases with shared parenting time with rebuttable presumptions, and shares health care and childcare expenses between both parties. The Committee heard testimony about individuals who have 50/50 parenting time and nearly equal income, but where the expense profile of one side is vastly different due to mortgages, loans, and other financial factors. This bill will address circumstances where individuals believe a deviation in their child support payment is warranted.

HB 1573-FN, making an appropriation to the department of health and human services to enhance oversight of children in residential placements.
Ought to Pass with Amendment, Vote 5-0. Senator Chandley for the committee.

House Bill 1573-FN makes an appropriation to the Department of Health and Human Services to enhance oversight of children in court-ordered, residential placements. The Committee Amendment would reinstate much of the original language of the bill as it was drafted in response to the Bledsoe Youth Academy scandal to help protect children placed out-of-state. This legislation, similar to legislation passed previously by the Senate, is crucially important to ensure that out-of-state facilities to which children are sent to are correctly certified, safe and accountable.

Senate Judiciary
May 9, 2024
2024-1877s
05/06

Amendment to HB 1573-FN

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

AN ACT relative to state oversight of residential treatment programs for children and making an appropriation therefor.

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

1 Statement of Purpose and Findings. The general court makes the following findings regarding children in state care:

I. Children in the care of the state have fundamental rights, as recognized by RSA 170-G:21.

II. When a child is placed under the care and custody of the state pursuant to RSA 169-B, RSA 169-C, or RSA 169-D, it is the responsibility of the state to ensure that a child receives appropriate housing, nutrition, medical and mental health care, education, and basic standards of care.

III. Children who are removed from their homes must be placed in the least restrictive alternate setting. When removal and placement cannot be avoided, the disruption that the child may experience is minimized, and emotional trauma may be reduced, by placing the child in the most familiar, least restrictive setting. The first alternative considered is placement with a relative or a close friend, “kin” or “fictive kin”, to offer the child some degree of familiarity and continuity. When placement with kin or fictive kin is not possible, the least restrictive placement of choice is placement in a licensed foster home.

IV. Residential facilities are appropriate only for children who cannot be safely maintained in their own home or a community-based alternative; a shortage or lack of foster family homes or community-based resources shall not be an acceptable reason for placement in a residential facility. Residential facilities are congregate care placements, are considered the most restrictive settings for receiving treatment, and are generally not appropriate for children under 12 years of age. Therefore, placement in a residential setting is used only as a last alternative for children age 12 and older. Special consideration will be given to children under age 12, if deemed clinically appropriate due to a therapeutic or medical necessity.

V. Placing children in facilities must be viewed as a time-limited and only for the purpose of treatment and services. The purpose is to stabilize the child, provide treatment, and to prepare him or her for a less restrictive setting. The goal is to facilitate family/caregiver integration or another plan consistent with the agency’s policy of permanency planning.

VI. To best meet the needs of the children placed in a residential setting, the department of health and human services (DHHS), in coordination with the office of child advocate (OCA), will expand and enhance certification requirements, visits and enforcement. DHHS and OCA will continue this coordination through regular meetings and coordinated visits.

2 Residential Care and Child-Placing Agency Licensing; Deemed Licensed. Amend RSA 170-E:31-a to read as follows:

170-E:31-a Deemed Licensed. Any [qualified] residential treatment program accredited by organizations as specified in Title 42 of the Social Security Act, 42 U.S.C. section 672(k)(4)(G), as amended, shall submit a completed license application or renewal application. Such child care institutions and child care agencies defined as group homes, specialized care, or homeless youth programs, shall be deemed licensed under this subdivision and shall be exempt from inspections carried out under RSA 170-E:31, IV. This section shall only apply to the activities or portions of the facility or agency accredited under Title 42 of the Social Security Act, 42 U.S.C. section 672(k)(4)(G), as amended. ***Any childcare institution or childcare agency deemed licensed under this section shall be subject to the requirements of this chapter, RSA 169-F, and RSA 170-G:4, XVIII.***

3 New Section; Court Ordered Placements; Residential Treatment Programs; Certification Required. Amend RSA 169-F by inserting after section 4 the following new section:

169-F:5 Residential Treatment Programs; Certification Required.

I. No child shall be placed by the department in a residential treatment program, including a psychiatric residential treatment program, unless the program has been licensed in accordance with RSA 170-E or the laws of the state in which they operate, and certified by the department under this chapter. Any program not certified by the department shall not be eligible to receive state funds or federal funds disbursed by the state of New Hampshire.

II. On or before January 2, 2025, the department shall establish a certification team, responsible for the certification, recertification, and oversight of all residential treatment programs utilized by the department, and certified for placements and payment by the department. Such assessments shall include an in-person visit of the facility and review of all appropriate records and certification criteria. The team shall give priority to all residential treatment programs where children are currently placed on the effective date of this section.

III. The team shall develop a standard operating procedure and form for assessment of the programs to be completed during each in-person visit, in consultation with the office of the child advocate.

IV. The department shall assess and certify every in-state and out-of-state program including residential treatment programs and psychiatric residential treatment programs prior to entering into an agreement for payment, and prior to the placement of any child in that facility. To be certified by the department, the program shall demonstrate compliance with staff training and program requirements and offer an appropriate therapeutic milieu and culture centered in trauma-informed care, in accordance with standards adopted by the department, in consultation of the office of the child advocate.

V. The department shall make monitoring visits at least twice per year, including at least one unannounced visit, to all facilities where New Hampshire children are currently placed by the state in residential treatment. The department shall continue to make annual certification or technical assistance visits to all certified residential placement facilities; if a child is being placed at a residential facility that did not currently have a New Hampshire child placed, the department shall make a visit prior to the placement of that child unless a department visit has occurred within the past 120 days. Clear and comprehensive records shall be maintained by the department on each facility showing the dates and findings of each such visit. Such records shall be available to the facility and provided to the office of the child advocate, as well as included in the paperwork for the certification and/or re-certification process. If the facility is found not to be in compliance with the statute, the rules adopted by the commissioner, or the contract, if applicable, a corrective action plan shall be submitted to the department, and the department shall notify the licensing agency of that facility and the office of the child advocate. Failure to submit an acceptable plan or a failure to take the necessary corrective actions shall result in the immediate removal of all New Hampshire children from that facility, and/or revocation of the certification.

VI. Any placement of a child outside of New England shall require the approval of the division for children youth and families' director prior to placement, with specific findings regarding the need for such placement.

4 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.

5 Appropriation; Department of Health and Human Services; Staffing and Travel Costs Associated with Certification Team. The department of health and human services is authorized to establish and fill the positions necessary to implement the provisions of this act. The sum of \$1,000,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of implementing the provisions of this act, including staffing and travel expenses. The governor is authorized to draw a warrant for said sum from any money in the treasury not otherwise appropriated.

6 Report. The department of health and human services shall provide an interim report on or before November 1, 2024, with an annual report thereafter, on the implementation of this act including, but not limited to, progress on the implementation of this act, reports from certified out-of-state residential facilities, and the progress on the reduction of placement of New Hampshire youth in out-of-state residential facilities, to the chairs of the house children and family law committee and the senate judiciary committee, the oversight commission on children's services, established by RSA 21-V:10, the health and human services oversight committee established by RSA 126-A:13, and the office of the child advocate.

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

2024-1877s

AMENDED ANALYSIS

This bill requires court-ordered residential treatment programs for children to be licensed and certified by the department of health and human services. The bill directs the department to establish certification teams to make monitoring visits and ensure compliance with certification criteria. The bill makes an appropriation to the department of health and human services for this purpose and requires the department to submit a report regarding implementation.

HB 1588-FN, relative to court jurisdiction over persons receiving special education.
Ought to Pass, Vote 5-0. Senator Rosenwald for the committee.

House Bill 1588-FN updates statutes relating to court jurisdiction of children in need of services to reflect that special education is offered to students up to the age of 22 years if the student has not yet exited special education based on receipt of a high school diploma. Juvenile justice laws allow the juvenile court

to retain jurisdiction over a child beyond their 18th birthday. The Legislature inadvertently overlooked RSA 169-B through D when they amended the special education statute from 21 years of age to 22 years of age. This bill will simply allow the courts to retain jurisdiction until a child has aged out of special education at 22 years old.

HB 1589-FN, establishing a veterans treatment court

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

House Bill 1589-FN establishes a veterans treatment court. The Committee Amendment changes the responsibility of the administrative duties from the Chief Justice to the statewide treatment coordinator. The veteran's treatment court will provide a safety net for veterans who have experienced service-related psychological injuries. Currently, the state falls short in providing these veterans' treatment programs as there is no referral process for them to be screened.

Senate Judiciary

May 9, 2024

2024-1870s

11/11

Amendment to HB 1589-FN

Amend RSA 490-I:5, II as inserted by section 1 of the bill by replacing it with the following:

II. To be eligible for reimbursement, a county operating a veterans court shall receive a recommendation for approval from the coordinator's office. Reimbursement for all cases shall be paid annually at the end of each fiscal year by the administrative office of the courts following receipt of recommendations by the coordinator and final approval of the chief justice of the supreme court or designee.

Amend RSA 490-I:5, VI as inserted by section 1 of the bill by replacing it with the following:

VI. The judicial branch administrative office of the courts is authorized to expend from appropriated sums the amounts necessary to fund reimbursements approved by the chief justice of the supreme court or designee.

Amend RSA 490-I:7 as inserted by section 1 of the bill by replacing it with the following:

490-I:7 Veterans Court Special Account. There is hereby established in the state treasury the veterans court special account. The funds may be comprised of public funds, gifts, grants, donations, or any other source of funds, and shall be used for any relevant veterans court administrative purpose deemed appropriate by the chief justice of the supreme court or designee. The account shall be nonlapsing and shall be continually appropriated to the administrative office of the courts.

HB 1591-FN, relative to fines for prohibited sales of tobacco.

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

This bill adds the "alternative nicotine product" definition to RSA 126-K:1 and makes clear that a license is required to sell these products. House Bill 1591-FN moves penalties for tobacco-related violations by retail licensees from statute to administrative rules as adopted by the Liquor Commission.

TRANSPORTATION

HB 1032-FN, relative to certificate of title exemptions for vehicles 20 or more years old.

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

This bill exempts vehicles twenty or more years old from having a certificate of title. The committee heard testimony from the Division of Motor Vehicles clarifying that current processes make duplicate titles easily accessible for vehicle owners to obtain. Concerns about potential fraud were expressed as well. Therefore, we find this bill to be inexpedient to legislate.

HB 1083, relative to vehicles held in joint tenancy with rights of survivorship.

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

This bill allows a surviving owner of a vehicle held in joint tenancy with rights of survivorship to continue registering the vehicle without obtaining a new title. Current statute only allows for a title of a jointly held vehicle to be transferred to a new owner with the signature of the surviving owner and a copy of the deceased owner's death certificate within a two-year time frame. There was no opposition to this bill. Therefore, we recommend this bill ought to pass.

HB 1202-FN, relative to the issuance of permits for the alteration of driveways exiting onto public ways. Ought to Pass with Amendment, Vote 5-0. Senator Ricciardi for the committee.

This bill establishes certain deadlines for issuance of permits for the alteration of driveways exiting onto public ways. This bill will address bottlenecks in the permit application process, while addressing the needs of state agencies and allowing for local control. It originally proposed that the Department of Transportation shall issue a permit within thirty days of receiving an application, but an amendment has been adopted to give the Department of Transportation sixty days to issue a permit after receiving a completed application. Therefore, we recommend this bill ought to pass with amendment.

Senate Transportation
May 8, 2024
2024-1845s
11/05

Amendment to HB 1202-FN

Amend RSA 236:13, IV-a-V as inserted by section 1 of the bill by replacing it with the following:

IV-a. For any existing or proposed residential use of land, including multifamily development that is not classified as a major driveway under the department's policy relating to driveways and access to the state highway system, the department shall issue the permit described in paragraph II within 60 days of receiving a completed application.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III, and IV shall be conferred upon the planning board or governing body in cities and towns in which the planning board or governing body has been granted the power to regulate the grading and improvement of streets within a subdivision as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II(a). ***The planning board or its delegate shall act on permits under this section within 65 days after notification of issuance.***

HB 1304-FN-L, relative to vessel registration and boat fee decals. Ought to Pass, Vote 5-0. Senator Ward for the committee.

This bill modifies the procedure for registration of vessels by requiring the issuance and display of a boat fee decal for the payment of boat fees. It was recently discovered that Marine Patrol has been collecting fees for in-state partners as part of the overall boat registration fee in violation of federal law. This puts federal grants received by Marine Patrol in jeopardy, so this bill will solve that problem by separating the fees and creating a second sticker. Therefore, we recommend this bill ought to pass.

HB 1329-FN, relative to creating special number plates for fire departments. Ought to Pass, Vote 5-0. Senator Watters for the committee.

This bill creates special license plates for fire departments. Police departments currently have special number plates for their vehicles, and this bill will give the same to fire departments. Certain fire department vehicles do not have obvious identifying symbols or lights, so special number plates will make it clear that these vehicles are owned by fire departments. Therefore, we recommend this bill ought to pass.

HB 1354, relative to special number plates for surviving spouses of veterans. Ought to Pass, Vote 5-0. Senator Ricciardi for the committee.

This bill allows unmarried surviving spouses of veterans to use special number plates for veterans indefinitely. The testimony provided to the committee on this bill was quite positive, and this bill will address the difficult situation that spouses of deceased veterans currently find themselves in. Therefore, we recommend this bill ought to pass.

HB 1366-FN, relative to penalties for the negligent or reckless operation of boats.
Ought to Pass, Vote 5-0. Senator Ward for the committee.

This bill adds a penalty for the reckless operation of a boat and adds additional fines and loss of driving and boating privileges. This bill specifies existing statute by clearly defining what actions may result in violations or misdemeanors, and sets penalties for those charges. Therefore, we recommend this bill ought to pass.

HB 1391-FN, allowing new vehicles purchased in the model year or before to be inspected in the second year after purchase.

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

This bill allows new vehicles purchased in the model year or before to be inspected in the second year after purchase. While there is value in addressing the potential situation of having to pay for two inspections within one year after purchasing a new vehicle, there was ample concern raised about the solution offered in this bill harming the state inspection program and the safety of drivers and consumers. No agreement has yet been reached between stakeholders, so we recommend this bill be referred to interim study.

HB 1403, relative to temporary waivers for vehicle emission control equipment.

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

This bill extends the repair period for vehicles that fail the OBD II test to 120 days. The New Hampshire Automobile Dealers Association is opposed to this bill and the Department of Environmental Services expressed concern about this bill negatively impacting the state implementation plan under the Clean Air Act. Therefore, we recommend this bill be referred to interim study.

HB 1457-FN, establishing penalties for driving over covered wooden bridges in vehicles that exceed posted limits and for vehicular damage to covered wooden bridges.

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

This bill establishes penalties for vehicular damage to covered wooden bridges and driving over covered bridges in vehicles that exceed posted limits. Covered wooden bridges in several municipalities are damaged on a regular basis by vehicles that exceed dimension limits. Establishing penalties for damaging such bridges is important because they often require expensive repairs, and current fines do not serve as an effective deterrent to those damaging these bridges. Therefore, we recommend this bill ought to pass.

HB 1468-FN-A, directing the department of transportation to develop a Conway Branch rail line master plan.

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

This bill directs the Department of Transportation to meet with other state and local entities to form a plan for the best use of the Conway Branch rail corridor. Local groups and officials have been working to utilize the Conway Branch rail corridor for recreational use, as it is no longer an active rail corridor. This bill will allow for meaningful progress to be made by directing stakeholders to explore available options. This project has strong support from the local community and can provide benefits such as revitalization to the area and economic development. Therefore, we recommend this bill ought to pass.

HB 1637, relative to reducing requirements for vehicle inspections.

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

This bill proposes several changes to the state inspection program and its enforcement. There were concerns raised about the impacts of these changes on inspection stations and the safety of those using roadways. Furthermore, concerns were raised by the Division of Motor Vehicles and State Police about the impacts this bill could have on enforcement and investigating suspected malfeasance. Therefore, we recommend this bill be referred to interim study.

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

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

CACR 13, relating to slavery and involuntary servitude. Providing that slavery and involuntary servitude shall be prohibited in the state of New Hampshire.

Ought to Pass with Amendment, Vote 3-2. Senator Pearl for the committee.

Senate Executive Departments and Administration
May 1, 2024
2024-1721s
02/06

Amendment to CACR 13

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

I. That the first part of the constitution be amended by inserting after article 2-b the following new article:

[Art.] 2-c [Slavery and Involuntary Servitude Prohibited.] Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within New Hampshire, or any place subject to its jurisdiction.

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2024.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2024 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2024 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending the second part of the constitution by inserting after article 2-b a new article to read as follows:

[Art.] 2-c [Slavery and Involuntary Servitude Prohibited.] Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within New Hampshire, or any place subject to its jurisdiction.”

V. That the secretary of state shall print the question to be submitted on a separate ballot with other constitutional questions or on the official ballot. The ballot containing the question shall include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words “Questions Relating to Constitutional Amendments proposed by the 2024 General Court” shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

VII. Voters’ Guide.

AT THE PRESENT TIME, the New Hampshire constitution does not explicitly prohibit slavery or involuntary servitude.

IF THE AMENDMENT IS ADOPTED, the New Hampshire constitution will prohibit slavery and involuntary servitude, except as punishment for a crime.

2024-1721s

AMENDED ANALYSIS

This constitutional amendment concurrent resolution adds an article that prohibits slavery and involuntary servitude, except as punishment for a crime.

The question is on the adoption of the Committee Amendment.

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

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

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

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

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

A roll call is required.

The following Senators voted Yes: Gendreau, Lang, Watters, Prentiss, Gray, Innis, Ward, Ricciardi, Fenton, Chandley, Avar, Rosenwald, Carson, Whitley, Murphy, Pearl, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Abbas, Gannon, Altschiller, Bradley.

The following Senators voted No: (None)

Roll Call, Yeas: 24 - Nays: 0. Adopted, bill ordered to Third Reading.

HB 1309, relative to the secretary of state's procedures for enrolled bills.

Inexpedient to Legislate, Vote 4-1. Senator Carson for the committee.

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

COMMERCE

HB 82-FN, relative to employment protection for participants in the therapeutic cannabis program.

No Recommendation, Vote 2-2. Senator Gannon for the committee.

Senator Gannon moved to Refer to Interim Study.

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

HB 645-FN, relative to the establishment of decentralized autonomous organizations as legal entities within the state.

Ought to Pass with Amendment, Vote 3-1. Senator Gannon for the committee.

Commerce

May 7, 2024

2024-1817s

06/08

Amendment to HB 645-FN

Amend RSA 301-B:2 as inserted by section 1 of the bill by replacing it with the following:

301-B:2 Purpose of this Act. The general court finds that the state's economy and its citizens will benefit from, and the development of business and investment in New Hampshire will be facilitated by, making available a unique legal entity form that can provide a framework that enhances the capacity of decentralized autonomous organizations to conduct commercial, social, educational, mutualistic, or social activities within both the digital and physical spheres. The general court finds that the statutory recognition of decentralized autonomous organizations in accordance with this act will introduce greater certainty for treatment of decentralized autonomous organizations under state law, particularly with respect to the rights and duties of their developers, participants, and administrators. It is the intent of the general court to give the constituent developers, participants, and administrators of decentralized autonomous organizations the widest discretion to establish mechanisms and structures that will support sound development and innovation for such entities consistent with the provisions of this chapter.

Amend RSA 301-B:5, XI as inserted by section 1 of the bill by replacing it with the following:

XI. "Developer" means a person involved in the development or maintenance of the DAO or the blockchain protocol, whether through the contribution of software code, design, business, legal, or ancillary support.

Amend RSA 301-B:5, XII as inserted by section 1 of the bill by replacing it with the following:

XII. "Digital asset" means any fungible or non-fungible digital representation of value, unit of value, voting, or usage right that can be exclusively possessed and transferred, person to person, without necessary reliance on an intermediary, and is recorded on a blockchain system.

Amend RSA 301-B:5, XVI as inserted by section 1 of the bill by replacing it with the following:

XVI. "GUI" means a graphical user interface, publicly accessible by all DAO participants, whether hosted centrally via location-based storage or via decentralized or distributed storage, through which users interact with computer software via visual indicator representations. This can include, but is not limited to, a web interface or standalone application.

Amend RSA 301-B:5, XXVII as inserted by section 1 of the bill by replacing it with the following:

XXVII. "On-chain contribution" refers to any token segregated and locked in one of the DAO's smart contracts for the purpose of participant buy-in to the DAO and the provision of withdrawable capital.

Amend RSA 301-B:5, XXXVI - XLII as inserted by section 1 of the bill by replacing them with the following:

XXXVI. "Quality assurance testing" means that the software code of the DAO has undergone security review according to industry standards including standards that may be designed, developed, and tested by the registry administrator.

XXXVII. "Registry administrator" means the person, including the university of New Hampshire Interoperability Laboratory, or any other entity authorized by the secretary of state in accordance with this act to administer the New Hampshire DAO registry.

XXXVIII. "Registered Agent" means the person appointed by a New Hampshire DAO in accordance with RSA 301-B:9.

XXXIX. "Registered e-mail address" means with respect to any person a unique designation for an electronic mailbox that sends and receives electronic messages or e-mails.

XL. "Related digital asset" means a digital asset that is intrinsically linked to a blockchain system, including: (a) where the digital asset's value is reasonably expected to be generated by the programmatic functioning of the blockchain system; (b) where the digital asset represents voting rights with respect to the blockchain system; or (c) where the digital asset is issued through the programmatic functioning of the blockchain system.

XLI. "Smart contract" is software code deployed in a blockchain system that consists of a set of pre-defined and deterministic instructions and conditions that may be executed in a decentralized manner by the participants in the underlying blockchain network. Execution of a smart contract shall produce a change in the blockchain state.

XLII. "Token" means a record on a permissionless blockchain, typically representing an asset, participation right, or other entitlement.

XLIII. "Transaction" means a new entry in a permissionless blockchain, often but not exclusively, recording a change in ownership of an asset or participation in a DAO.

Amend RSA 301-B:6, II as inserted by section 1 of the bill by replacing it with the following:

II. The liability of a participant as a participant and of an administrator as administrator for the debts, obligations, or other liabilities of a New Hampshire DAO.

Amend RSA 301-B:7, I as inserted by section 1 of the bill by replacing it with the following:

I. A New Hampshire DAO shall exist as a separate legal entity distinct from its developers, participants, administrators, and legal representatives and shall at no time be deemed a partnership under RSA 304-A:6.

Amend RSA 301-B:9, I(b)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) A limited liability company formed or authorized under RSA 304-C, or a professional limited liability company formed or authorized under RSA 304-D whose business office is identical with the registered office; or

Amend RSA 301-B:9, V as inserted by section 1 of the bill by replacing it with the following:

V. If a registered agent changes its address to another place in this state, it may change the address of the registered office of any New Hampshire DAO for which it is a registered agent by filing a statement with the secretary of state as required by paragraph II, except that the statement need be signed only by the registered agent. The statement shall recite that a copy of it has been mailed to a New Hampshire DAO.

Amend RSA 301-B:10, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) In a proceeding by the attorney general under RSA 301-B:24 to deregister the New Hampshire DAO.

Amend RSA 301-B:11, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Paragraph I shall not affect the personal liability of a participant, administrator, or legal representative in tort for their own wrongful act or omission, but such a person shall not be personally liable for the wrongful act or omission of any other participant, administrator, or legal representative of the New Hampshire DAO.

Amend RSA 301-B:24 as inserted by section 1 of the bill by replacing it with the following:

301-B:24 Judicial Deregistration Upon Application by Attorney General. The attorney general may apply to the superior court for a decree of deregistration of a New Hampshire DAO, and the superior court may issue such a decree, in any of the following circumstances:

I. The New Hampshire DAO has procured or maintained its registration through fraud.

II. The New Hampshire DAO has exceeded or abused its lawful authority under this act.

III. The New Hampshire DAO has carried on, conducted, or transacted its business in a persistently fraudulent manner or in a manner that violates clearly established laws.

IV. The New Hampshire DAO has abused its power contrary to the public policy of the state.

Amend RSA 301-B:27, I as inserted by section 1 of the bill by replacing it with the following:

I. Legal personality and limited liability shall be maintained to the extent necessary to protect New Hampshire DAO participants, administrators, and legal representatives from personal liability.

Amend RSA 301-B:31 as inserted by section 1 of the bill by replacing it with the following:

301-B:31 Secretary of State; Duties. The secretary of state shall issue a request for proposals for the development and administration of the New Hampshire DAO registry as described in RSA 301-B:14. The request for proposals shall have such terms as the secretary of state shall deem necessary and appropriate to carry out the provisions of RSA 301-B. The request for proposals should include a requirement that responses to the request should identify an appropriate registration and annual fee for registrants that would be sufficient over time to defray the costs of establishing and administering the registry. The secretary of state shall select one or more of the respondents to the proposal and shall negotiate a contract with such respondent or respondents that provides for establishment and administration of the registry; provisions for administering any deregistration processes including providing technical assistance to the attorney general in connection with a judicial deregistration under RSA 301-B:24; and such other items as the secretary of state shall deem necessary and appropriate. In accordance with the contracts entered into, the secretary of state is authorized to set registration and annual fees and pay registry establishment, maintenance, and administration costs. The secretary of state shall prepare reports of the progress under the process described in this section every 6 months following the effective date of this section, and submit the reports to the governor, the senate president, and the speaker of the house of representatives.

Amend the bill by replacing section 2 with the following:

2 Effective Date.

I. RSA 301-B:31 as inserted by section 1 of this act of this act shall take effect upon its passage.

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

2024-1817s

AMENDED ANALYSIS

The bill:

I. Establishes regulations and the legal framework and operational guidelines for decentralized autonomous organizations (DAOs) in the state.

II. Covers provisions on judicial deregistration, forks in blockchains, restructuring, failure events, and the application of general business organization law and other relevant laws.

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 the Committee on Finance (Rule 4-5).

HB 1076-FN, relative to wine manufacturer licenses and relative to on-premises licenses for beverage manufacturers.

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

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

HB 1178-FN, relative to an employee's unused earned time.
Interim Study, Vote 3-1. Senator Gannon for the committee.

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

HB 1380-FN, relative to brew pub licenses.
Ought to Pass with Amendment, Vote 4-0. Senator Ricciardi for the committee.

Commerce
May 7, 2024
2024-1826s
08/02

Amendment to HB 1380-FN

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

1 New Paragraph; Brew Pub; On-Premise and Off-Premise Licenses. Amend RSA 178:13 by inserting after paragraph XIV the following new paragraph:

XV. Notwithstanding the provisions of RSA 179:11 Holders of Beverage Manufacturer, Wholesale Distributor, Beverage Vendor, and Other Licenses; Prohibited Interests, nothing in that section shall prevent a holder of a brew pub license from holding an on-premises or off-premises license under this chapter, provided that:

(a) The brew pub licensee does not hold any other type of manufacturing license under this title; and

(b) Brew pub licensees holding one or more on-premises or off-premises licenses shall be limited to self- distributing to not more than one on-premises license owned by the brew pub licensee and shall not exceed 2,500 barrels of beer and/or cider during their licensing period. Nothing in this section shall authorize the holder of multiple brewpub licenses to self- distribute to more than one commonly owned on- premises or off- premises license.

2 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 the Committee on Finance (Rule 4-5).

HB 1540-FN, relative to the definitions of full course meals and full service restaurant for purposes of alcohol licensing.
Ought to Pass, Vote 4-0. Senator Soucy for the committee.

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

ENERGY AND NATURAL RESOURCES

HB 602-FN, relative to landfill siting.
Interim Study, Vote 3-1. Senator Pearl for the committee.

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

HB 622-FN, relative to the grid modernization advisory group.
Interim Study, Vote 3-1. Senator Avarad for the committee.

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

HB 1036, relative to assessment of cost effectiveness of the systems benefit charge.
Inexpedient to Legislate, Vote 4-0. Senator Avarad for the committee.

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

HB 1103-FN, relative to revising the penalties of the shoreland protection act.
Ought to Pass with Amendment, Vote 4-0. Senator Birdsell for the committee.

Energy and Natural Resources
May 1, 2024
2024-1726s
02/05

Amendment to HB 1103-FN

Amend the bill by replacing section 1 with the following:

1 Penalties; Shoreland Protection Act. Amend the introductory paragraph of RSA 483-B:18, III to read as follows:

III. Persons violating the provisions of this chapter, ~~[and damaging the public waterway who, after notification by the department, fail to make a good faith effort at remediation and restoration]~~ ***who fail to restore the site to meet the applicable standards of this chapter within one year of receiving notification of a violation by the department,*** shall be subject to the following:

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

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

HB 1113, relative to shoreland septic systems.
Ought to Pass, Vote 4-0. Senator Watters for the committee.

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

HB 1116, relative to certain firearms to be used for taking of game.
Ought to Pass, Vote 4-0. Senator Pearl for the committee.

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

HB 1139, relative to location of conventional septic systems relative to the seasonal high water table.
Ought to Pass, Vote 4-0. Senator Pearl for the committee.

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

HB 1141, relative to requirements for approval to increase load on a sewage disposal system.
Ought to Pass, Vote 4-0. Senator Watters for the committee.

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

HB 1142, relative to eligibility for permits for the septic system designer program.
Interim Study, Vote 4-0. Senator Pearl for the committee.

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

HB 1143, including control of cyanobacteria blooms under the New Hampshire clean lakes program.
Ought to Pass, Vote 4-0. Senator Altschiller for the committee.

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

HB 1145-FN, prohibiting the private ownership of landfills.
Interim Study, Vote 4-0. Senator Avarad for the committee.

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

HB 1179-FN, relative to state park system fees for retired members of the armed forces.
Ought to Pass, Vote 4-0. Senator Birdsell for the committee.

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

HB 1293-FN, relative to the use of certain fertilizers on turf.
Ought to Pass, Vote 4-0. Senator Pearl for the committee.

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

HB 1294-FN, establishing a committee to study ways to facilitate municipal compliance with Clean Water Act requirements.
Inexpedient to Legislate, Vote 4-0. Senator Avarad for the committee.

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

HB 1314-FN, relative to the comprehensive state development plan.

Interim Study, Vote 4-0. Senator Avarð for the committee.

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

HB 1360, relative to emergency authority on the public or coastal waters of the state.

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

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

HB 1371, relative to allowing the land use master plan to include a section on waste reduction.

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

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

HB 1424, relative to pistols permitted for taking game.

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

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

HB 1463, establishing a committee to study the effects of laws relative to the production of beef, pork, and poultry.

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

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

HB 1465-FN, relative to studies of nuclear energy technologies and renaming the office of offshore wind industry development.

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

Energy and Natural Resources

April 30, 2024

2024-1691s

05/02

Amendment to HB 1465-FN

Amend RSA 162-B:4, II as inserted by section 4 of the bill by replacing it with the following:

II. To assist the commissioner of the department of energy in his or her role as senior adviser to the governor with respect to the development and regulatory activities of the state government relating to the industrial and commercial uses of nuclear energy, the position of coordinator of nuclear development and regulatory activities is established in the department of energy, office of offshore wind industry development and energy innovation.

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

6 Office of Offshore Wind Industry Development. Amend the subdivision heading preceding RSA 12-O:51 to read as follows:

Office of Offshore Wind Industry Development *and Energy Innovation*

7 Offshore Wind Industry Workforce Training Center Committee. Amend RSA 12-O:51-a, I(k) to read as follows:

(k) The director of the office of offshore wind industry development *and energy innovation* under RSA 12-P:7-b.

8 Office of Offshore Wind Industry Development. Amend the section heading of RSA 12-P:7-b to read as follows:

12-P:7-b Office of Offshore Wind Industry Development *and Energy Innovation* Established.

9 Office of Offshore Wind Industry Development and Energy Innovation Established. Amend RSA 12-P:7-b, I to read as follows:

I. There is established in the department of energy the office of offshore wind industry development *and energy innovation*. The office shall be under the supervision of a classified director of the office of offshore wind industry development *and energy innovation*, who shall serve under the supervision of the commissioner. The director shall provide administrative oversight and ensure that the responsibilities of the office described in this section are fulfilled.

10 Office of Offshore Wind Industry Development and Energy Innovation Established. Amend RSA 12-P:7-b, II to read as follows:

II. The office of offshore wind industry development *and energy innovation* shall:

(a) Support the work of the New Hampshire members of the Intergovernmental Renewable Energy Task Force administered by the federal Bureau of Ocean Energy Management (BOEM).

(b) Support the work of the offshore wind commission established in RSA 374-F:10.

(c) Assist the offshore wind commission to develop and implement offshore wind development strategies including:

(1) Assessment of port facilities.

(2) Economic impact analyses.

(3) Supply chain analyses.

(4) Outcome and performance measurements.

(d) Collaborate with key state agencies and partners on offshore wind industry development initiatives.

(e) Coordinate offshore wind industry economic development policy, including:

(1) Development of workforce.

(2) Identification of and recruitment of offshore wind development employers.

(3) Identification and recruitment of offshore wind supply chain employers.

(4) Promotion of New Hampshire's benefits to the various components of the offshore wind industry.

(5) Provide updates and guidance to the general court with regard to policy and funding.

(f) Advise the governor, state agencies, the public utilities commission, and the legislature on the development of clean energy resources in the Gulf of Maine and the purchase of power by New Hampshire public utilities from these resources.

(g) Fulfill the duties outlined in RSA 162-B:4.

11 Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall be continually appropriated to the department of energy to be expended in accordance with this section; provided that at the start of the period in which there is no adopted state operating budget, the department of energy shall in a timely manner seek the approval of the fiscal committee of the general court to continue using moneys from the renewable energy fund to support renewable energy rebate and grant programs in order to ensure there are no interruptions to the programs. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the department of energy to support thermal and electrical renewable energy initiatives and offshore wind initiatives, including the office of offshore wind industry development *and energy innovation*. Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the department of energy due to the inclusion of useful thermal energy in class I production.

12 Offshore Wind and Port Development; Commission Established. Amend RSA 374-F:10, VI to read as follows:

VI. The commission shall receive staff support and other services, including research and facilities assessments, from the department of energy, office of offshore wind industry development *and energy innovation* established in RSA 12-P:7-b.

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

2024-1691s

AMENDED ANALYSIS

This bill requires the department of energy to coordinate the continuing studies by various state agencies on the uses and development of nuclear energy, including advanced nuclear reactors, and wind energy. This bill renames the office of offshore wind industry development to the office of offshore wind industry development and energy innovation.

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

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

HB 1504-FN, relative to architectural paint recycling.
Interim Study, Vote 3-1. Senator Pearl for the committee.

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

HB 1554, relative to certified culvert maintainer program reporting and requiring the commissioner of the department of environmental services to regulate the cutting of native aquatic vegetation on submerged lands in lakes and establishing rulemaking authority for such regulation.
Ought to Pass with Amendment, Vote 4-0. Senator Watters for the committee.

Energy and Natural Resources
May 8, 2024
2024-1829s
08/05

Amendment to HB 1554

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

AN ACT relative to certified culvert maintainer program reporting and requiring the commissioner of the department of environmental services to regulate the cutting of native aquatic vegetation on submerged lands in public waters or certain public-owned water bodies and establishing rulemaking authority for such regulation.

Amend RSA 482-A:36 as inserted by section 2 of the bill by replacing it with the following:

482-A:36 Rulemaking. The commissioner shall regulate the cutting of native aquatic vegetation on submerged lands in public waters or public-owned water bodies regulated under RSA 482-A:16. The commissioner shall adopt rules to effect the requirements of this section in furtherance of the purpose enumerated in RSA 482-A:1.

2024-1829s

AMENDED ANALYSIS

This bill:

I. Specifies who in a municipality shall submit a quarterly report on culvert maintainers.

II. Requires the commissioner of the department of environmental services to regulate the cutting of native aquatic vegetation on submerged lands in public waters and certain publicly owned water bodies and establishes rulemaking authority to accomplish that.

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

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

HB 1600-FN, relative to participation in net energy metering.
Ought to Pass with Amendment, Vote 4-0. Senator Avard for the committee.

Energy and Natural Resources
May 7, 2024
2024-1816s
06/08

Amendment to HB 1600-FN

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

AN ACT establishing a committee to study the aggregation of electric customers by municipalities and counties.

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

1 Committee Established. There is established a committee to study the aggregation of electric customers by municipalities and counties.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall examine legislative options regarding regulation of aggregation of electric customers by municipalities and counties, including treatment of municipal hosts pursuant to RSA 362-A:9, II.

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

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

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

2024-1816s

AMENDED ANALYSIS

This bill establishes a committee to study the aggregation of electric customers by municipalities and counties.

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

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

HB 1620-FN, relative to suspending the issuance of new landfill permits until 2031.
Inexpedient to Legislate, Vote 3-1. Senator Pearl for the committee.

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

Recess. Out of recess.

TRANSPORTATION

HB 1623-FN, relative to the state energy policy.
Ought to Pass with Amendment, Vote 4-0. Senator Avard for the committee.

Energy and Natural Resources
May 7, 2024
2024-1828s
12/02

Amendment to HB 1623-FN

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

1 Findings. The general court finds that the state has a duty to defend the production and supply of affordable, reliable, and secure energy from external regulatory interference. The state's sovereign authority with respect to the involuntary retirement of an in-state electric generation facility for the protection of the health, safety, and welfare of the state's citizens is primary and takes precedence over any attempt from an external regulatory body to mandate, restrict, or influence the early involuntary retirement of an electric generation facility in the state.

2 New Hampshire Energy Policy. RSA 378:37 is repealed and reenacted to read as follows:

378:37 New Hampshire Energy Policy; Loss of In-State Electrical Generation Capacity.

I.(a) An in-state electricity generator that receives notice of any external regulatory action that makes continued operation economically infeasible or may result in the involuntary retirement or decommissioning of the generator's facility shall inform the commissioner of the department of energy of the notice and regulation within 30 days after the receipt of said notice.

(b) The department of energy shall open an investigatory docket to determine how such an involuntary retirement or decommissioning would affect the reliability and affordability of the state's energy resources and to recommend any action necessary to defend the generator, including appealing to the attorney general to file an action in court or to participate in administrative proceedings.

(c) The department of energy and the department of justice may seek funding from the legislative fiscal committee to conduct any actions.

II. Any act or omission by a state agency inconsistent with this section shall not form the basis of any civil suit including, but not limited to, those seeking equitable relief or claiming damages.

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

2024-1828s

AMENDED ANALYSIS

This bill revises the state energy policy to require in-state electricity generators that receive notice of any external regulatory action that makes continued operation economically infeasible or may result in the involuntary retirement or decommissioning of the generator's facility to inform the commissioner of the department of energy of the notice and regulation, and requires the department to investigate the impact of such retirement or decommissioning.

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

Senator Avarð offered a Floor Amendment.

Sen. Avarð, Dist 12

May 13, 2024

2024-1897s

12/02

Floor Amendment to HB 1623-FN

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

AN ACT relative to involuntary retirement or decommissioning of electricity generators.

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

1 Findings. The general court finds that the state has a duty to defend the production and supply of affordable, reliable, and secure energy from external regulatory interference. The state's sovereign authority with respect to the involuntary retirement of an in-state electric generation facility for the protection of the health, safety, and welfare of the state's citizens is primary and takes precedence over any attempt from an external regulatory body to mandate, restrict, or influence the early involuntary retirement of an electric generation facility in the state.

2 New Section; Utilities; Rates and Charges; Loss of In-State Electrical Generation. Amend RSA 378 by inserting after section 378:42 the following new section:

378:42-a Loss of In-State Electrical Generation Capacity.

I. An in-state electricity generator that receives notice of any external regulatory action that makes continued operation economically infeasible or may result in the involuntary retirement or decommissioning of the generator's facility shall inform the commissioner of the department of energy of the notice and regulation within 30 days after the receipt of said notice.

(a) The department of energy shall open an investigatory docket to determine how such an involuntary retirement or decommissioning would affect the reliability and affordability of the state's energy resources and to recommend any action necessary to defend the generator, including appealing to the attorney general to file an action in court or to participate in administrative proceedings.

(b) The department of energy and the department of justice may seek funding from the legislative fiscal committee to conduct any actions under this section.

II. Any act or omission by a state agency inconsistent with this section shall not form the basis of any civil suit including, but not limited to, those seeking equitable relief or claiming damages.

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

2024-1897s

AMENDED ANALYSIS

This bill requires in-state electricity generators that receive certain notices of regulatory action to notify the attorney general, and requires the department of energy to investigate the need to defend the generator.

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 the Committee on Finance (Rule 4-5).

HB 1628, relative to regulatory authority for apples, coal grading, potatoes, cider, milk, and lumber. Ought to Pass, Vote 4-0. Senator Pearl for the committee.

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

HB 1632-FN, relative to out-of-state solid waste. Inexpedient to Legislate, Vote 3-1. Senator Avard for the committee.

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

HB 1649-FN, relative to prohibiting certain products with intentionally added PFAS. Ought to Pass with Amendment, Vote 5-0. Senator Avard for the committee.

Energy and Natural Resources

May 8, 2024

2024-1834s

08/02

Amendment to HB 1649-FN

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

1 New Section; Consumer Protection; Per and Polyfluoroalkyl Substance Use Restricted. Amend RSA 149-M by inserting after section 63 the following new section:

149-M:64 Consumer Products; Per and Polyfluoroalkyl Substance Use Restricted.

I. In this section:

(a) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.

(b) "Carpet or rug" means a fabric product marketed or intended for use as a floor covering in households or businesses.

(c) "Chemical" means a substance with a distinct molecular composition or a group of structurally related substances and includes the breakdown products of the substance or substances that form through decomposition, degradation, or metabolism.

(d) “Consumer product” means any tangible personal property which is distributed in commerce and which is normally used for personal, family, or household purposes. “Consumer products” includes product categories that are normally used by households, but designed for or sold to businesses, such as commercial carpets or commercial floor waxes.

(e) “Cosmetic” means an article for retail sale or professional use intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance.

(f) “Department” means the department of environmental services.

(g) “Distributor” has the same meaning as RSA 149-M:33, II.

(h) “Feminine hygiene product” means a product used to collect menstruation and vaginal discharge, including tampons, pads, sponges, menstruation underwear, disks, applicators, and menstrual cups, whether disposable or reusable.

(i) “Food packaging and containers” means a container applied to or providing a means to market, protect, handle, deliver, serve, contain, or store a food or beverage. Food packaging includes: (1) a unit package, an intermediate package, and a shipping container; (2) unsealed receptacles, such as carrying cases, crates, cups, plates, bowls, pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs; and (3) an individual assembled part of a food package, such as any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks, and labels.

(j) “Intentionally added PFAS” means PFAS that a manufacturer has intentionally added to a product or product component and that have a functional or technical effect in the product or product component, including PFAS components of intentionally added chemicals and PFAS that are intentional breakdown products of an added chemical that also have a functional or technical effect in the product.

(k) “Juvenile product” means any product designed or marketed for use by infants and children under 12 years of age:

(1) Including, but not limited to a baby or toddler foam pillow, bassinet, bedside sleeper, booster seat, changing pad, child restraint system for use in motor vehicles and aircraft, co-sleeper, crib mattress, highchair, highchair pad, infant bouncer, infant carrier, infant seat, infant sleep positioner, infant swing, infant travel bed, infant walker, nap cot, nursing pad, nursing pillow, playmat, playpen, play-yard, polyurethane foam mat, pad or pillow, portable form nap mat, portable infant sleeper, portable hook-on chair, soft-sided portable crib, stroller, and toddler mattress, and

(2) Not including children’s electronic products, such as a personal computer, audio and video equipment, calculator, wireless phone, game console, hand held device incorporating a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit or power cord, a medical device, or an adult mattress.

(l) “Manufacturer” means any person, firm, association, partnership, corporation, organization, combination, or joint venture, which produces a PFAS-added product, or an importer or domestic distributor of a PFAS-added product, which is produced in a foreign country. In the case of a multi-component PFAS-added product, the manufacturer is the last manufacturer to produce or assemble the product. If the multi-component product is produced in a foreign country, the manufacturer is the importer or domestic distributor.

(m) “Medical device” has the meaning given “device” under 21 U.S.C. section 321(h).

(n) “PFAS” means a group of synthetic perfluoroalkyl and polyfluoroalkyl substances, and their known degradation products, that contain 2 sequential fully fluorinated carbon atoms, excluding polymers, gases, and volatile liquids, but including side chain fluorinated polymers.

(o) “PFAS-added consumer product” means:

(1) A product, commodity, chemical, or product component that was manufactured after the effective date of this section;

(2) That contains PFAS intentionally added to the product, commodity, chemical, or product component; and

(3) Is a consumer product. These products include formulated PFAS-added products, and fabricated PFAS-added products.

(p) “PFAS-added product” means:

(1) A product, including a PFAS-added consumer product, commodity, chemical, or product component that was manufactured after the effective date of this section; and

(2) That contains PFAS intentionally added to the product, commodity, chemical, or product component.

(q) “Product” means an item manufactured, assembled, packaged, or otherwise prepared for sale to consumers, including its product components, sold, or distributed for personal, residential, commercial, or industrial use, including for use in making other products.

(r) “Product component” means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.

(s) “Supplier” has the same meaning as in RSA 149-M:33, X.

(t) “Upholstered furniture” means an article of furniture that is designed for sitting, resting, or reclining and is wholly or partly stuffed or filled with filling material.

(u) “Textile” means an item made in whole or part from a natural or synthetic fiber, yarn, or fabric. Textile includes, but is not limited to leather, cotton, silk, jute, hemp, wool, viscose, nylon, and polyester.

(v) “Textile furnishings” means textile goods of a type customarily used in households and businesses, including but not limited to, draperies, floor coverings, furnishings, bedding, towels, and tablecloths. “Textile furnishings” does not include textiles used in medical or industrial settings.

(w) “Textile treatment” means a product intended to be applied to a textile to give or enhance one or more characteristics, including, but not limited to, stain resistance or water resistance. “Textile treatment” does not include textile dye.

II.(a) The following are exempt from the requirements of this section:

(1) The resale of products manufactured prior to the ban imposed by this section.

(2) A product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority.

(3) Products regulated as drugs or medical devices by the United States Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 321 et seq.

(4) Public water systems as defined by RSA 485:1-a, XV, wastewater treatment plants as defined by RSA 485-A:2, XVI-a, or a government-owned facility as the term facility is defined in RSA 149-M:4, IX.

(5) Products or substances approved as substitutes under the Significant New Alternatives Policy program of the United States Environmental Protection Agency, pursuant to section 612 of the amended Clean Air Act of 1990, 42 U.S.C. section 7671k, or substitutes needed to execute the American Innovation and Manufacturing Act, 42 U.S.C. section 7675 et seq. This exemption does not apply to PFAS-added products banned by this section.

(b) The following are exempt from the PFAS ban imposed by this section:

(1) Products made with at least 85 percent recycled content.

(2) Products manufactured prior to the ban imposed by this section.

(3) Replacement parts for products manufactured prior to the ban imposed by this section.

III.(a) The department is authorized to participate in the establishment and implementation of a multi-jurisdictional clearinghouse to assist in carrying out the requirements of this section and to help coordinate applications and reviews of the manufacturer obligations under the section. The clearinghouse may also maintain a database of all products containing PFAS, including PFAS-added products; a file on all exemptions granted by the participating jurisdictions; a file on alternative labeling plans; and a file of all the manufacturers’ reports on the effectiveness of any PFAS-added product collection systems they may institute.

(b) Public disclosure of confidential business information submitted to the department pursuant to this section shall be governed by the requirements of the state’s freedom of information act. Notwithstanding the requirements of the state’s freedom of information act, the department may provide the interjurisdictional clearinghouse with copies of such information and the interjurisdictional clearinghouse may compile or publish analyses or summaries of such information provided that the analyses or summaries do not identify any

manufacturer or reveal any confidential information. Clearinghouse members and employees shall be viewed as operating under a common interest and conversations among and between members or employees shall not violate any exception to any member jurisdiction's freedom of information act.

IV. Prohibitions.

(a) Product Ban. On January 1, 2027, the following PFAS-added consumer products shall be prohibited from being sold, offered for sale, or distributed for sale or for promotional purposes in the state:

- (1) Carpets or rugs.
- (2) Cosmetics.
- (3) Textile treatments.
- (4) Feminine hygiene products.
- (5) Food packaging and containers.
- (6) Juvenile products.
- (7) Upholstered furniture.
- (8) Textile furnishings.

V.(a) Upon request by the department, a certificate of compliance, or copies thereof, stating that a product is in compliance with the requirements of this section shall be furnished by its manufacturer or supplier to the department.

(b) Where compliance is achieved under any jurisdiction exemptions provided in paragraph II, the certificate of compliance shall state the specific basis upon which the exemption is claimed.

(c) The certificate of compliance shall be signed by an authorized official of the manufacturer or supplier. The purchaser shall retain the certificate of compliance for as long as the product is in use. A certificate of compliance shall be kept on file by the manufacturer or supplier. A manufacturer or supplier may make the certificate of compliance available on their company website or through an authorized representative of the company such as an interjurisdictional clearinghouse.

(d) If the manufacturer or supplier of a product reformulates or creates a new product, the manufacturer or supplier shall provide an amended or new certificate of compliance for such reformulated or new product to the department.

(e) Within 30 days of receipt of a request by the department under this section, the manufacturer or supplier shall:

(1) Provide the department with the certificate of compliance attesting that the product does not contain a chemical regulated under this act; or

(2) Notify persons who sell the product containing chemicals regulated under this section that the sale of the product is prohibited, and provide the department with a copy of the notice and a list of the names and addresses of those notified.

VI. The department may adopt, under RSA 541-A, any rules necessary for the implementation, administration, and enforcement of this section.

VII.(a) The department may enforce this section pursuant to its authority under RSA 149-M:38. The commissioner may coordinate with the commissioner of the department of health and human services in enforcing this section, if necessary.

(b) When requested by the department, a person shall furnish to the department any information that the person may have or may reasonably obtain that is relevant to show compliance with this section.

VIII. On or before September 1, 2025, and biennially thereafter, the department shall submit to the general court and the governor a report regarding the implementation of this section, including the status of development, establishment, and participation in a multi-jurisdictional clearinghouse, a summary of relevant information from data available through the United States Environmental Protection Agency's reporting requirements on PFAS uses, production volumes, disposal, exposures, and hazards, other federal and state developments, the actual and estimated future costs of administration, compliance, and enforcement, and any recommendations for necessary legislative changes.

2 Department of Environmental Services; Position Established; Appropriation. There is hereby established in the department of environmental services, one full-time classified environmentalist IV position for the purposes of establishing rules, coordinating with the clearinghouse and manufacturers on technical implementation details, recommendations as to any related manufacturer fees and performing ongoing duties such as compliance assurance and enforcement as outlined in this act. The sum necessary to pay the salary, benefits, and other costs related to the position established in this section is hereby appropriated to the department of environmental services for the biennium ending June 30, 2025. This appropriation shall be in addition to any other appropriations made to the department in the biennium. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated. The funds appropriated for this position shall lapse on June 30, 2033.

3 Appropriation; Department of Environmental Services. The sum of \$250,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of environmental services to be deposited into the PFAS remediation fund established in RSA 485-H:10. Such funds shall be used exclusively for the use of the department to address expenses associated with the PFAS restrictions on consumer products under RSA 149-M:64. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

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

Senator Avard offered a Floor Amendment.

Sen. Avard, Dist 12

Sen. Watters, Dist 4

May 13, 2024

2024-1899s

08/06

Floor Amendment to HB 1649-FN

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

1 New Section; Consumer Protection; Per and Polyfluoroalkyl Substance Use Restricted. Amend RSA 149-M by inserting after section 63 the following new section:

149-M:64 Consumer Products; Per and Polyfluoroalkyl Substance Use Restricted.

I. In this section:

(a) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.

(b) "Carpet or rug" means a fabric product marketed or intended for use as a floor covering in households or businesses.

(c) "Chemical" means a substance with a distinct molecular composition or a group of structurally related substances and includes the breakdown products of the substance or substances that form through decomposition, degradation, or metabolism.

(d) "Consumer product" means any tangible personal property which is distributed in commerce and which is normally used for personal, family, or household purposes. "Consumer products" includes product categories that are normally used by households, but designed for or sold to businesses, such as commercial carpets or commercial floor waxes.

(e) "Cosmetic" means an article for retail sale or professional use intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance.

(f) "Department" means the department of environmental services.

(g) "Distributor" has the same meaning as RSA 149-M:33, II.

(h) "Feminine hygiene product" means a product used to collect menstruation and vaginal discharge, including tampons, pads, sponges, menstruation underwear, disks, applicators, and menstrual cups, whether disposable or reusable.

(i) “Food packaging and containers” means a container applied to or providing a means to market, protect, handle, deliver, serve, contain, or store a food or beverage. Food packaging includes: (1) a unit package, an intermediate package, and a shipping container; (2) unsealed receptacles, such as carrying cases, crates, cups, plates, bowls, pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs; and (3) an individual assembled part of a food package, such as any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks, and labels.

(j) “Intentionally added PFAS” means PFAS that a manufacturer has intentionally added to a product or product component and that have a functional or technical effect in the product or product component, including PFAS components of intentionally added chemicals and PFAS that are intentional breakdown products of an added chemical that also have a functional or technical effect in the product.

(k) “Juvenile product” means any product designed or marketed for use by infants and children under 12 years of age:

(1) Including, but not limited to a baby or toddler foam pillow, bassinet, bedside sleeper, booster seat, changing pad, child restraint system for use in motor vehicles and aircraft, co-sleeper, crib mattress, highchair, highchair pad, infant bouncer, infant carrier, infant seat, infant sleep positioner, infant swing, infant travel bed, infant walker, nap cot, nursing pad, nursing pillow, playmat, playpen, play-yard, polyurethane foam mat, pad or pillow, portable form nap mat, portable infant sleeper, portable hook-on chair, soft-sided portable crib, stroller, and toddler mattress, and

(2) Not including children’s electronic products, such as a personal computer, audio and video equipment, calculator, wireless phone, game console, hand held device incorporating a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit or power cord, a medical device, or an adult mattress.

(l) “Manufacturer” means any person, firm, association, partnership, corporation, organization, combination, or joint venture, which produces a PFAS-added product, or an importer or domestic distributor of a PFAS-added product, which is produced in a foreign country. In the case of a multi-component PFAS-added product, the manufacturer is the last manufacturer to produce or assemble the product. If the multi-component product is produced in a foreign country, the manufacturer is the importer or domestic distributor.

(m) “Medical device” has the meaning given “device” under 21 U.S.C. section 321(h).

(n) Perfluoroalkyl and polyfluoroalkyl substances or “PFAS” means “PFAS” as defined in 40 C.F.R. 705.3.

(o) “PFAS-added consumer product” means:

(1) A product, commodity, chemical, or product component that was manufactured after the effective date of this section;

(2) That contains PFAS intentionally added to the product, commodity, chemical, or product component; and

(3) Is a consumer product. These products include formulated PFAS-added products, and fabricated PFAS-added products.

(p) “PFAS-added product” means:

(1) A product, including a PFAS-added consumer product, commodity, chemical, or product component that was manufactured after the effective date of this section; and

(2) That contains PFAS intentionally added to the product, commodity, chemical, or product component.

(q) “Product” means an item manufactured, assembled, packaged, or otherwise prepared for sale to consumers, including its product components, sold, or distributed for personal, residential, commercial, or industrial use, including for use in making other products.

(r) “Product component” means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.

(s) “Supplier” has the same meaning as in RSA 149-M:33, X.

(t) “Upholstered furniture” means an article of furniture that is designed for sitting, resting, or reclining and is wholly or partly stuffed or filled with filling material.

(u) “Textile” means an item made in whole or part from a natural or synthetic fiber, yarn, or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, viscose, nylon, and polyester.

(v) “Textile furnishings” means textile goods of a type customarily used in households and businesses, including but not limited to, draperies, floor coverings, furnishings, bedding, towels, and tablecloths. “Textile furnishings” does not include textiles used in medical or industrial settings.

(w) “Textile treatment” means a product intended to be applied to a textile to give or enhance one or more characteristics, including, but not limited to, stain resistance or water resistance. “Textile treatment” does not include textile dye.

II.(a) The following are exempt from the requirements of this section:

(1) The resale of products manufactured prior to the ban imposed by this section.

(2) A product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority.

(3) Products regulated as drugs or medical devices by the United States Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 321 et seq.

(4) Public water systems as defined by RSA 485:1-a, XV, wastewater treatment plants as defined by RSA 485-A:2, XVI-a, or a government-owned facility as the term facility is defined in RSA 149-M:4, IX.

(5) Products or substances approved as substitutes under the Significant New Alternatives Policy program of the United States Environmental Protection Agency, pursuant to section 612 of the amended Clean Air Act of 1990, 42 U.S.C. section 7671k, or substitutes needed to execute the American Innovation and Manufacturing Act, 42 U.S.C. section 7675 et seq. This exemption does not apply to PFAS-added products banned by this section.

(b) The following are exempt from the PFAS ban imposed by this section:

(1) Products made with at least 85 percent recycled content.

(2) Products manufactured prior to the ban imposed by this section.

(3) Replacement parts for products manufactured prior to the ban imposed by this section.

III.(a) The department is authorized to participate in the establishment and implementation of a multi-jurisdictional clearinghouse to assist in carrying out the requirements of this section and to help coordinate applications and reviews of the manufacturer obligations under the section. The clearinghouse may also maintain a database of all products containing PFAS, including PFAS-added products; a file on all exemptions granted by the participating jurisdictions; a file on alternative labeling plans; and a file of all the manufacturers’ reports on the effectiveness of any PFAS-added product collection systems they may institute.

(b) Public disclosure of confidential business information submitted to the department pursuant to this section shall be governed by the requirements of the state’s freedom of information act. Notwithstanding the requirements of the state’s freedom of information act, the department may provide the interjurisdictional clearinghouse with copies of such information and the interjurisdictional clearinghouse may compile or publish analyses or summaries of such information provided that the analyses or summaries do not identify any manufacturer or reveal any confidential information. Clearinghouse members and employees shall be viewed as operating under a common interest and conversations among and between members or employees shall not violate any exception to any member jurisdiction’s freedom of information act.

IV. Product Ban. On January 1, 2027, the following PFAS-added consumer products shall be prohibited from being sold, offered for sale, or distributed for sale or for promotional purposes in the state:

(a) Carpets or rugs.

(b) Cosmetics.

(c) Textile treatments.

(d) Feminine hygiene products.

(e) Food packaging and containers.

(f) Juvenile products.

(g) Upholstered furniture.

(h) Textile furnishings.

V.(a) Upon request by the department, a certificate of compliance, or copies thereof, stating that a product is in compliance with the requirements of this section shall be furnished by its manufacturer or supplier to the department.

(b) Where compliance is achieved under any jurisdiction exemptions provided in paragraph II, the certificate of compliance shall state the specific basis upon which the exemption is claimed.

(c) The certificate of compliance shall be signed by an authorized official of the manufacturer or supplier. The purchaser shall retain the certificate of compliance for as long as the produce is in use. A certificate of compliance shall be kept on file by the manufacturer or supplier. A manufacturer or supplier may make the certificate of compliance available on their company website or through an authorized representative of the company such as an interjurisdictional clearinghouse.

(d) If the manufacturer or supplier of a product reformulates or creates a new product, the manufacturer or supplier shall provide an amended or new certificate of compliance for such reformulated or new product to the department.

(e) Within 30 days of receipt of a request by the department under this section, the manufacturer or supplier shall:

(1) Provide the department with the certificate of compliance attesting that the product does not contain a chemical regulated under this act; or

(2) Notify persons who sell the product containing chemicals regulated under this section that the sale of the product is prohibited, and provide the department with a copy of the notice and a list of the names and addresses of those notified.

VI. The department may adopt, under RSA 541-A, any rules necessary for the implementation, administration, and enforcement of this section.

VII.(a) The department may enforce this section pursuant to its authority under RSA 149-M:38. The commissioner may coordinate with the commissioner of the department of health and human services in enforcing this section, if necessary.

(b) When requested by the department, a person shall furnish to the department any information that the person may have or may reasonably obtain that is relevant to show compliance with this section.

VIII. On or before January 1, 2026, and every 3 years thereafter, the department shall submit a report to the governor and the general court regarding implementation of this section, and other state and federal laws governing PFAS-added products. In preparation of the report, the department shall review the status of development of and state participation in a multi-jurisdictional clearinghouse pursuant to paragraph III of this section, as well as relevant data available thru the Environmental Protection Agency reporting requirements for PFAS use pursuant to the Toxic Substances Control Act Section 8(a)(7). The report shall include a review of implementation costs for this section and any recommendations for legislative changes.

2 Department of Environmental Services; Position Established; Appropriation. There is hereby established in the department of environmental services, one full-time classified environmentalist IV position for the purposes of establishing rules, coordinating with the clearinghouse and manufacturers on technical implementation details, recommendations as to any related manufacturer fees and performing ongoing duties such as compliance assurance and enforcement as outlined in this act. The sum necessary to pay the salary, benefits, and other costs related to the position established in this section is hereby appropriated to the department of environmental services for the biennium ending June 30, 2025. This appropriation shall be in addition to any other appropriations made to the department in the biennium. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated. The funds appropriated for this position shall lapse on June 30, 2033.

3 Appropriation; Department of Environmental Services. The sum of \$250,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of environmental services to be deposited into the PFAS remediation fund established in RSA 485-H:10. Such funds shall be used exclusively for the use of the department to address expenses associated with the PFAS restrictions on consumer products under RSA 149-M:64. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

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

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

HB 1687-FN, relative to disposal of construction and demolition debris from state construction projects. Inexpedient to Legislate, Vote 4-0. Senator Watters for the committee.

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

TRANSPORTATION

HB 1158, relative to establishing an exception to vessel registration. Ought to Pass, Vote 5-0. Senator Gendreau for the committee.

Senator Ricciardi offered a Floor Amendment.

Sen. Ricciardi, Dist 9

May 6, 2024

2024-1769s

06/02

Floor Amendment to HB 1158

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

AN ACT relative to establishing an exception to vessel registration, defining commercial passenger vessel, and regulating written examinations and certifications for operating commercial vessels.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Definitions. Amend RSA 270-E:2 by inserting after paragraph I the following new paragraph:

I-a. "Commercial Passenger Vessel" means any commercial vessel used as a common carrier of passengers; which carries passengers for hire; used by the proprietor or by any officer, agent, or employee of such proprietor, of any school or camp, for the transportation of persons; or used as a restaurant or similar enterprise that takes members of the public aboard.

3 New Paragraph; Definitions. Amend RSA 270-E:2 by inserting after paragraph XI-a the following new paragraph:

XI-b. "Tidal Waters" means those waters that rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun.

4 Commercial Vessels; Penalty. Amend RSA 270-E:22 to read as follows:

270-E:22 Commercial Vessels; Penalty; ***Examination Requirements.***

I. Any person who shall use any commercial vessel or commercial outboard motor on any public waters in this state without a certificate of inspection, or shall act as captain, master, pilot, engineer or operator on any such boat or launch without having passed ~~[an]~~ ***a written*** examination administered by the department ***and, if operating a commercial passenger vessel 34 feet or greater in length, a practical exam administered by the department demonstrating proficiency in the operation of such vessel,*** and having been certified by the department in that capacity, or shall so act when his or her certificate has been revoked or suspended, or who shall violate any rule adopted by the department with reference to the inspection, equipment, or operation of such vessels or launches, shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

II. The commissioner, after hearing, may revoke or suspend the certificate of any captain, master, pilot, or engineer of any commercial vessel for violation of RSA 270 or the rules and regulations prescribed thereunder.

III. All licenses to operate a commercial vessel shall expire 5 years from the date of issuance.

IV. A person who possesses a valid license issued by the federal government shall be ~~[deemed to comply with this section]~~ ***exempt from the written examination requirements of this section.***

V. The commercial vessel written examination shall be based upon the minimum knowledge requirements of the New Hampshire boating safety certificate required by RSA 270-D:10, as well as

the state's commercial vessel laws and rules found in Saf-C 400. In order to receive a commercial boat operator certification as described in this section a person shall achieve a minimum score of 80 percent on the written examination.

VI. The provisions of this section shall not apply to vessels on tidal waters that fall under the commercial vessel jurisdiction of the United States Coast Guard.

5 Effective Date.

I. Section 4 of this act shall take effect January 1, 2025.

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

2024-1769s

AMENDED ANALYSIS

This bill permits individuals aged 14 to 18 to operate small commercial vessels for selling packaged food and non-alcoholic beverages on public waters. This bill also defines commercial passenger vessels, sets penalties for operating commercial vessels without certification, and outlines examination requirements for commercial vessel operators.

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.

HB 1542-FN, relative to possession and presentation of safe boater education certificates.
Ought to Pass, Vote 5-0. Senator Ricciardi for the committee.

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

WAYS AND MEANS

HB 1223, creating local options for games of chance.
Ought to Pass, Vote 4-1. Senator Lang for the committee.

Senator Lang offered a Floor Amendment.

Sen. Murphy, Dist 16

May 15, 2024

2024-2007s

11/06

Floor Amendment to HB 1223

Amend the bill by replacing section 1 with the following:

1 New Section; Local Option; Games of Chance. Amend RSA 287-D by inserting after section 287-D:31 the following new section:

287-D:32 Local Option; Games of Chance.

I. The lottery commission shall not grant a game operator employer license to operate games of chance in a municipality if that municipality has voted to prohibit games of chance to be held within its boundaries, such vote to be held in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting upon receipt of a petition signed by at least 25 registered voters. If a city, the question shall be placed on the official ballot for the next regular municipal election upon submission to the city clerk of a petition signed by at least 5 percent of registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days, but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality, on the website of the municipality, and by publication in a newspaper of general circulation at least 14 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we prohibit the operation of games of chance within the town or city?"

II. If a majority of those voting on the question vote “Yes,” games of chance may not be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I as early as the next annual town meeting or regular municipal election. Notwithstanding any other provision of law, including RSA 287-D:32, I, and II, any vote by a municipality to prohibit games of chance within its boundaries shall not apply to any operator licensed by the lottery or any applicant who has applied for a license as of the effective date of this act, except that any operator who ceases operation for a period exceeding two years, or an applicant who fails to commence operation within four years of application approval, shall be subject to any intervening vote by the municipality.

IV. A city or town may rescind its disapproval for operation of games of chance under RSA 287-D by following procedures in paragraph I in this section.

V. An unincorporated place may disallow the operation of games of chance by majority vote of the county delegation, after a public hearing is held, and may be rescinded in a similar fashion.

VI. The lottery commission shall maintain a list of municipalities where games of chance are available.

VII. If the town, city, or unincorporated place has voted within this section to prohibit games of chance, that municipality may pass an ordinance allowing only a specified number of charitable gaming events per year, or certain number of dates per year to be determined by the town, hosted by local charitable organizations pursuant to RSA 287-D:4, and specifying how the municipality shall determine how charitable organizations register for a gaming event.

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.

SPECIAL ORDER

Without objection, the bills in the Committee on Finance were Special Ordered to the present time. Adopted.

FINANCE

HB 322, 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.

Ought to Pass with Amendment, Vote 6-0. Senator Birdsell for the committee.

Senate Finance

May 1, 2024

2024-1716s

09/08

Amendment to HB 322

Amend subparagraph I(a) as inserted by section 2 of the bill by replacing it with the following:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives, 2 of whom shall be from the health, human services, and elderly affairs committee and 2 from the executive departments and administration committee. Each set of 2 from each committee shall have one member from the majority party and one from the minority party.

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

7 Department of Health and Human Services; Certain Licensed Nursing Facilities; Conditions for Appropriation.

I. Nursing facilities eligible for any amount of the appropriation in section 6 of this act shall ensure that:

(a) At least one individual who possessed an operating and ownership interest in the nursing facility upon acquisition in state fiscal year 2023 maintains an operating and ownership interest at a level no less than the operating and ownership level such individual had in the nursing facility upon the acquisition for a period of at least 5 years from the effective date of this section;

(b) The facility complies with applicable state and federal licensing rules and regulations; and

(c) The facility continues to accept Medicaid as a payment source.

II. In the event a nursing facility eligible for any amount of the appropriation in section 6 of this act violates the conditions of this section, the department of health and human services shall have a right to recover 1/5 of the payment made to the facility for each year any of the conditions of this section were not satisfied.

8 Effective Date.

I. Sections 6 and 7 of this act shall take effect July 1, 2024.

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

2024-1716s

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, and creates certain conditions on facilities receiving the appropriated money.

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

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

HB 637-FN, relative to the calculation of average daily membership in attendance and average daily membership in residence for certain home educated pupils.

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

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

HB 1186-FN, relative to firearm purchaser's privacy.

Ought to Pass, Vote 3-2. Senator Pearl for the committee.

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

HB 1307-FN, providing a supplemental appropriation for members of the retirement system receiving an accidental disability retirement allowance.

Ought to Pass with Amendment, Vote 6-0. Senator Birdsell for the committee.

Senate Finance

May 1, 2024

2024-1719s

12/02

Amendment to HB 1307-FN

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

1 Retirement System; Accidental Disability Retirement Allowance; Supplemental Appropriation.

I. An additional one-time allowance of \$500 shall be paid during state fiscal year 2025 to retired members of the retirement system receiving an allowance, or any beneficiary of such a member who is receiving a survivorship pension benefit, who are eligible as follows:

(a) The member is receiving an accidental disability retirement allowance under RSA 100-A:6;

(b) The member retired and has been receiving an allowance for at least 5 years prior to or on July 1, 2023; and

(c) The annual retirement allowance of the member on June 30, 2023 was not greater than \$50,000.

II. The additional allowance shall not become a permanent addition to the member's base retirement allowance.

III. The total cost of the additional allowances, as determined by the actuary and certified by the board of trustees of the retirement system, shall be funded from the state general fund in the fiscal year ending June 30, 2025. The sum necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 New Subparagraph; Accidental Disability Retirement Benefits; Cost of Living Adjustments. Amend RSA 100-A:6, II(d) by inserting after subparagraph (3) the following new subparagraph:

(4) Any member who is receiving an accidental disability retirement allowance under subparagraph (d) shall be granted any supplemental allowance or COLA authorized by the legislature without regard to a minimum number of years of creditable service for eligibility to receive the supplemental allowance or COLA. This subparagraph shall apply to any one-time supplemental allowance or COLA authorized by the legislature on or after the effective date of this subparagraph unless the terms of such authorizing legislation specifically provide otherwise.

3 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.

HB 1466-FN, relative to providing disaster relief funding to municipalities after a natural disaster. Interim Study, Vote 5-0. Senator Pearl for the committee.

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

HB 1579-FN, relative to the merging of school administrative units. Ought to Pass, Vote 5-0. Senator D'Allesandro for the committee.

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

Recess. Out of recess.

SPECIAL ORDER

Without objection, the following bills are Special Ordered to the present time. Adopted.

HEALTH AND HUMAN SERVICES

HB 1231, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

HB 1330-FN, relative to establishing an emergency medical services disciplinary review panel, and relative to procedures for removal of records of discipline.

HB 1616, relative to parental consent for student participation in Medicaid to schools program and establishing a pilot recruitment and retention program within the department of health and human services.

HEALTH AND HUMAN SERVICES

HB 1231, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. Interim Study, Vote 3-2. Senator Birdsell for the committee.

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

HB 1330-FN, relative to establishing an emergency medical services disciplinary review panel, and relative to procedures for removal of records of discipline.

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

Recess. Out of recess.

SPECIAL ORDER

Without objection, HB 1330-FN and HB 1616 are Special Ordered to the first order of business on Thursday, May 16, 2024. Adopted.

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
LIST OF RULE 6-25'S FOR THE DAY

Senator Carson: HB 1179-FN

Senator Perkins Kwoka: HB 1600-FN

LIST OF IN FAVOR/OPPOSITION FORMS FOR THE DAY

Senator Altschiller: HB 318-FN-A: In favor of the Committee Amendment.
Senator Altschiller: HB 602-FN: In opposition to the motion of Interim Study.
Senator Altschiller: HB 622-FN: In opposition to the motion of Interim Study.
Senator Altschiller: HB 1116: In opposition to the motion of Ought to Pass.
Senator Altschiller: HB 1145-FN: In opposition to the motion of Interim Study.
Senator Altschiller: HB 1186-FN: In opposition to the motion of Ought to Pass.
Senator Altschiller: HB 1231: In opposition to the motion of Interim Study.
Senator Altschiller: HB 1314-FN: In opposition to the motion of Interim Study.
Senator Altschiller: HB 1424: In opposition to the motion of Ought to Pass.
Senator Altschiller: HB 1466-FN: In opposition to the motion of Interim Study.
Senator Altschiller: HB 1620-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Altschiller: HB 1623-FN: In opposition to the motion of Ought to Pass with Amendment.
Senator Altschiller: HB 1632-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Chandley: HB 1186-FN: In opposition to the motion of Ought to Pass.
Senator Chandley: HB 1632-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Chandley: HB 1649-FN: In favor of the motion of Ought to Pass with Amendment.
Senator Fenton: HB 602-FN: In opposition to the motion of Interim Study.
Senator Fenton: HB 1145-FN: In opposition to the motion of Interim Study.
Senator Fenton: HB 1620-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Fenton: HB 1632-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Perkins Kwoka: HB 602-FN: In opposition to the motion of Interim Study.
Senator Perkins Kwoka: HB 1632-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Prentiss: HB 602-FN: In opposition to the motion of Interim Study.
Senator Prentiss: HB 1620-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Prentiss: HB 1632-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Ricciardi: HB 602-FN: In opposition to the motion of Interim Study.
Senator Ricciardi: HB 1145-FN: In opposition to the motion of Interim Study.
Senator Ricciardi: HB 1620-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Ricciardi: HB 1632-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Rosenwald: HB 602-FN: In opposition to the motion of Interim Study.
Senator Rosenwald: HB 1116: In opposition to the motion of Ought to Pass.
Senator Rosenwald: HB 1620-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Rosenwald: HB 1632-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Soucy: HB 1186-FN: In opposition to the motion of Ought to Pass.
Senator Soucy: HB 1620-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Watters: HB 602-FN: In opposition to the motion of Interim Study.
Senator Watters: HB 1620-FN: In opposition to the motion of Inexpedient to Legislate.
Senator Watters: HB 1632-FN: In opposition to the motion of Inexpedient to Legislate

ANNOUNCEMENTS

(The Chair recognized Senator Perkins Kwoka.)

SENATOR PERKINS KWOKA: We appreciate you, Cam.

(The Chair recognized Senator Soucy.)

SENATOR SOUCY: Tomorrow morning, Mister President, are we still having the presentation at 9:30 a.m.?

PRESIDENT BRADLEY: Yes.

SENATOR SOUCY: Therefore, the Democrats will caucus at 9:00 a.m. in Room 120, so we can be here for the 9:30 a.m. presentation.

(The Chair recognized Senator D'Allesandro.)

SENATOR D'ALLESANDRO: Thank you, Mister President. Unanimous Consent. Many of you don't remember Representative Jack Pratt. He was a wonderful human being who was alive and well during the Selma situation. He marched with Martin Luther King, and he was a wonderful advocate, a wonderful advocate of getting rid of segregation in the South. He marched, he came here as a retired lawyer, retired investment guy, came to New Hampshire, and settled in New Hampshire. He died just a few days ago and I'm sure Mister President, you remember Jack and the kind of work he did when he was at the House of Representatives. Just a wonderful, wonderful guy who did so much to try to make things better and I think it's something we all ought to think about how we're going to make things better. Thank you, Mister President.

(The Chair recognized Senator Avar.)

SENATOR AVARD: Just real quickly thanking my committee members Mister President, for all their help and their work and bipartisanship in Energy. I think we're all done unless there's something else that we have to do but, we got one more. Well, I'll take that back. I just want to appreciate everybody and all their hard work and bipartisanship and leaning on both my Republican and Democrat friends on both sides to get a lot accomplished this year and so just hats off to them all. Thank you, Mister President.

PRESIDENT BRADLEY: So, a couple of things. The calendar this week will come out on Friday because of the volume. Senator Soucy reminded everybody to be in the chamber at 9:30 a.m. I think it's very important for all of us to participate in that. And I'd be remiss if I didn't thank all of the staff. Third floor staff, first floor staff, the Clerk staff, committee staff, we had a huge calendar and we're making a lot of progress on it and tomorrow we'll have a lot more debates but everybody's working overtime and hopefully the Celtics work that hard tonight and we'll be in a good mood tomorrow, I promise.

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

CACR 13, relating to slavery and involuntary servitude. Providing that slavery and involuntary servitude shall be prohibited in the state of New Hampshire.

HB 274, relative to the administrative rulemaking process.

HB 322-FN, 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.

HB 637-FN, relative to the calculation of average daily membership in attendance and average daily membership in residence for certain home educated pupils.

HB 1057, relative to provisional licenses for new applicants for state emergency medical services licensure.

HB 1083, relative to vehicles held in joint tenancy with rights of survivorship.

HB 1095, relative to the administration of occupational boards by the office of professional licensure and certification.

HB 1103-FN, relative to revising the penalties of the shoreland protection act.

HB 1113, relative to shoreland septic systems.

HB 1116, relative to certain firearms to be used for taking of game.

HB 1125, relative to requiring public notice and comment at all county commissioner and delegation meetings.

HB 1126, relative to candidate requests for absentee ballot information.

HB 1131, relative to mental health practice.

HB 1139, relative to location of conventional septic systems relative to the seasonal high water table.

HB 1141, relative to requirements for approval to increase load on a sewage disposal system.

HB 1143, including control of cyanobacteria blooms under the New Hampshire clean lakes program.

HB 1158, relative to establishing an exception to vessel registration, defining commercial passenger vessel, and regulating written examinations and certifications for operating commercial vessels.

HB 1172, relative to meetings of condominium boards and committees.

HB 1186-FN, relative to firearm purchaser's privacy.

HB 1188-FN, relative to qualifications for licensed nursing assistants.

HB 1223-FN, creating local options for games of chance.

HB 1274-FN, relative to judicial administration.

HB 1293-FN, relative to the use of certain fertilizers on turf.

HB 1300, relative to terminal patients' right to try act.

HB 1304-FN-LOCAL, relative to vessel registration and boat fee decals.

HB 1307-FN, providing a supplemental appropriation for members of the retirement system receiving an accidental disability retirement allowance.

HB 1318, relative to the duties of the opioid abatement advisory commission.

HB 1319-FN, relative to prohibiting the nonconsensual dissemination of synthetic sexual images.

HB 1323-FN-A, relative to the furnishing of copies of the state constitution by the secretary of state to the public.

HB 1354, relative to special number plates for surviving spouses of veterans.

HB 1360, relative to emergency authority on the public or coastal waters of the state.

HB 1366-FN, relative to penalties for the negligent or reckless operation of boats.

HB 1371, relative to allowing the land use master plan to include a section on waste reduction.

HB 1385-FN, relative to establishing the veteran licensing acceleration program and making an appropriation therefor.

HB 1424, relative to pistols permitted for taking game.

HB 1457-FN, establishing penalties for driving over covered wooden bridges in vehicles that exceed posted limits and for vehicular damage to covered wooden bridges.

HB 1463, establishing a committee to study the effects of laws relative to the production of beef, pork, and poultry.

HB 1465-FN, relative to studies of nuclear energy technologies and renaming the office of offshore wind industry development.

HB 1468-FN-A, directing the department of transportation to develop a Conway Branch rail line master plan.

HB 1511, relative to liability for children with disabilities in certain court ordered placements or episodes of treatment.

HB 1526-FN, relative to a conditional veterinary license for graduates of non-AVMA-accredited colleges of veterinary medicine.

HB 1542-FN, relative to possession and presentation of safe boater education certificates.

HB 1548-FN, relative to recommendations of the joint committee on employee classification.

HB 1554, relative to certified culvert maintainer program reporting and requiring the commissioner of the department of environmental services to regulate the cutting of native aquatic vegetation on submerged lands in public waters or certain public-owned water bodies and establishing rulemaking authority for such regulation.

HB 1579-FN, relative to the merging of school administrative units.

HB 1591-FN, relative to fines for prohibited sales of tobacco.

HB 1596-FN, requiring a disclosure of deceptive artificial intelligence usage in political advertising.

HB 1600, establishing a committee to study the aggregation of electric customers by municipalities and counties.

HB 1622-FN, relative to administrative rulemaking and license renewals by the office of professional licensure and certification.

HB 1628, relative to regulatory authority for apples, coal grading, potatoes, cider, milk, and lumber.

HB 1688-FN, relative to the use of artificial intelligence by state agencies.

HB 1712, renewing the committee to study non-pharmacological treatment options for patients with chronic pain.

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.