



# 2019 Legislative Review



## 2019 Legislative Review

The disposition of bills followed by Farm Bureau in the New Hampshire Legislature this year. In **bold print** following each bill number and description is the position taken by Farm Bureau.

by Rob Johnson,  
NHFB Policy Director

### Bills\* Signed into Law (Does not include study bills.)

**HB 25-A**, making appropriations for capital improvements. Makes appropriations for capital improvements for the biennium (7/1/19 – 6/30/21) and extends certain lapse dates for previous appropriations. Includes appropriations for the renovation and expansion of Spaulding Hall, a building critical to agricultural education and research at UNH, as well as funds for capital improvements at the Career and Technical Education (CTE) centers at Alvirne High School in Hudson and Spaulding High School in Rochester. Also extends previous appropriations for the CTE centers at Dover High School, Plymouth Regional High School, and Spaulding in Rochester. Effective 6/30/19 (Extension of Lapse Dates) & 7/1/19, Chapter Law 146. **Support.**

**HB 162**, repealing the requirement for the inspection of timber. Repeals antiquated statute (RSA 347) relative to the Inspection of Timber. Effective 8/30/19, Chapter Law 150. **Support.**

**HB 259**, relative to building code violations. Requires violation notices issued by a code enforcement authority to reference the relevant section of the state or local building or fire code. Effective 8/4/19, Chapter Law 48. **Support.**

**HB 281**, (New Title) relative to flow devices designed to control beaver damming and minimize the risk of flooding behind an existing beaver dam. Clarifies in RSA 210:9 that a landowner may install any type of flow device to control flooding caused by beaver damming without a wetlands permit by amending current law as follows - new language in **bold italics** print:

#### **210:9 Protection of Beaver, Flow Devices. -**

**I.** No person shall destroy or disturb or interfere in any manner with the dams or houses of beaver, without first obtaining a special permit from the executive director.

#### \*Bill & Resolution Abbreviation Key

**HB** = House Bill – a bill where the prime sponsor is a Representative. House bills start in the House.  
**SB** = Senate Bill – a bill where the prime sponsor is a Senator. Senate bills start in the Senate.  
**FN** = Fiscal Note – means a cost estimate prepared by relevant agencies indicating the bill's

**A** = appropriates funds  
**L** = **LOCAL** - contains information on the bill's impact on municipal revenue.  
**CACR** = Constitutional Amendment Concurrent Resolution – CACRs are proposed changes to the State

Constitution. Hearings on are held similar to bills, the difference being the House and Senate must each pass a proposed CACR by a 3/5ths margin of their entire membership. CACRs do not require the Governor's signature, they go directly before the voters for ratification at the next general election. They require a 2/3rds vote to pass

**HCR** = House Concurrent Resolution – a statement of opinion of the Legislature without the force of law. Concurrent resolutions must be adopted by both the House and Senate. An HCR is sponsored by a Representative and originates in the House.

**II.** Notwithstanding paragraph I or any other provision of law or rule of the executive director or the department of environmental services, a landowner, the landowner's agent, or any town or municipal or state official or employee, may destroy beaver, remove beaver dams, or install beaver pipes or beaver fences **one or more flow devices** on property under their control to protect property, public highways, or bridges from damage or submersion. **The landowner or property owner shall be responsible for maintaining the flow device. Complete or partial dam removal or the installation or removal of a flow device** shall be allowed without a permit under RSA 482-A if machinery does not enter the water and filling or dredging in or adjacent to surface water, wetlands, or their banks does not occur. Removal **and** shall be done in a gradual manner that does not allow a sudden release of impounded water so as to cause erosion, siltation, or a safety hazard downstream.

**II-a.** For purposes of paragraph II, the term "beaver pipes" means ~~no more than 3 temporary structures with the widest dimension no larger than 15 inches that is placed in a beaver dam to allow water passage to maintain a specific water surface elevation, and the term "beaver fences"~~ means posts and fencing installed at culverts in such a manner as to either encourage or discourage beaver damming against the fence **"flow device" means one or more fence structures or other combination of fencing and piping used to discourage beaver damming, maintain water flow through an existing beaver dam, or minimize the risk of flooding by preventing the further impoundment of water behind a beaver dam.**

**III.** The executive director may require the reporting of beaver taken pursuant to paragraph II by rules made in accordance with RSA 541-A.

**IV.** Skins or unskinned carcasses taken under this section shall be sealed pursuant to RSA 210:8 before such skins or unskinned carcasses are sold or given away.

**V.** The executive director or his agents shall provide advice relative to beaver control techniques when requested.

Effective 8/24/19, Chapter Law 125. **Support.**

**HB 283**, prohibits the transfer of rabbits younger than 8 weeks of age. (RSA 437:15) Effective 8/17/19, Chapter Law 81. **Support.**

**HB 394-FN**, relative to crop theft. Amends existing law by changing the criminal intent for the crime of crop theft/agricultural vandalism, expands what constitutes crop theft/agricultural vandalism, and adds a minimum compensatory amount that must be paid to a victim by adding the language in **bold italics** to RSA 539:9 as follows:

**539:9 Crop Theft; Agricultural Vandalism. -**

I. Whoever shall [knowingly] *recklessly* cut, fell, destroy, injure, damage, cause to be damaged, carry away, *consume*, tamper with, worry, or vandalize any legal crop or legal crop bearing tree or plant, *Christmas tree*, cropland, pasture or pasture land, livestock or other farm raised animals, as defined in RSA 21:34-a, and all farm buildings, enclosures, structures, or equipment used in the care and production of crops, livestock or other farm raised animals, or aid in such action without permission of the owner, shall forfeit to the person injured **a minimum of \$500 or up to 10 times the market value or repair cost, whichever amount is higher.**

II. A person who violates the provisions of paragraph I shall also be guilty of a class B felony if the actual loss or cost of repair is \$10,000 or more, or a misdemeanor if the actual loss or cost of repair is less than \$10,000.

Effective 1/1/20, Chapter Law 167. **Support.**

**HB 443**, *relative to municipal watering restrictions*. Expands the ability of municipalities to restrict the use of water by amending RSA 41:11-d as follows:

**4:11-d Restricting the Watering of Lawns. -**

**I.** The local governing body may establish regulations restricting the use of water from private wells or public water systems for [~~residential~~] outdoor lawn watering when administrative agencies of the state or federal government have designated the region as being under a declared state or condition of drought. ***The grass playing turf of a recreational field, the grass playing surfaces of a golf course, and grass agricultural fields, including fields used for the production of sod, may be excluded from any restrictions pursuant to this paragraph. Nothing in this paragraph shall limit any public water system's authority to require a reduction in demand or implementation of conservation measures in accordance with rules of the department of environmental services.***

**II.** The local governing body shall give notice prior to the implementation of the regulations in paragraph I. Notice shall be given at least 3 calendar days before the regulations are implemented. The notice required under this section shall not include the day notice is posted. Notice of the regulations shall be published in a paper of general circulation in the municipality and shall be posted in at least 2 public places.

**III.** The full text of the proposed regulations need not be included in the notice if an adequate statement describing the proposal and designating the place where the proposal is on file for public inspection is stated in the notice.

Effective 9/10/19, Chapter Law 213. **Oppose as passed into law.**

**HB 459-FN**, (*Second New Title*) *defining hemp, relative to its growth and use in New Hampshire, establishing a committee to study the federal guidelines on growing hemp, and relative to costs of care for animals seized in animal cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases.*

New RSA Chapter 439-A declares hemp an agricultural product permitted to be grown in New Hampshire provided "Any grower, processor, or commercial trader of hemp shall be licensed by the United States Department of Agriculture." and defines "hemp" as "the plant *Cannabis sativa* L. and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration (THC) of not more than 0.3 percent on a dry weight basis." Also establishes a study committee charged with recommending the administrative mechanism for permitting the growing of hemp consistent with federal law as authorized in the 2018 Farm Bill (Agricultural Improvement Act of 2018) and determining labeling requirements for hemp products. The committee will recommend whether it is preferable for the state to establish a state oversight program for hemp within the Department of Agriculture or to request the federal government oversee hemp

production in New Hampshire. A report is due by November 1, 2019. USDA has announced it expects to issue an interim final rule implementing the Farm Bill's legalization of hemp production in August.

The bill also includes language that amends the animal cruelty statute (RSA 644:8) taken from **SB 77-FN**, *relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases* – which had been tabled in the House. It does not include the Cost of Care provisions contained in **SB 77**. It provides for a preliminary hearing within 14 days of an animal being seized, strengthens due process rights of the accused, protects co-owners of an animal who are not defendants, clarifies the requirement for restitution and the disposition of animals if the defendant is convicted, clarifies the court's capacity to limit a convicted person's access to animals in the future, requires a minimum ban of five years on future animal ownership for anyone convicted of felony animal cruelty, clarifies the existing capacity of the court to require a bond for a person convicted in circuit court who want to appeal to a higher court, requires dogs, cats, and ferrets being transferred be accompanied by a health certificate, and provides the Department of Agriculture rulemaking authority to set limits for reasonable daily boarding and care costs for animals confiscated under the animal cruelty statute. Effective 7/30/19 (hemp language), 1/1/20 (animal cruelty language), Chapter Law 306. **Support.**

**HB 476-FN**, *replacing the milk producers emergency relief fund with the dairy premium fund*. Creates a Dairy Premium Program (RSA 184:106-111) to be administered by the NH Department of Agriculture, Markets and Food. Participation is voluntary, with the law stipulating a minimum of 86% of funds generated from the use of the program label going back directly to qualifying NH dairy farmers with remaining funds used to promote the program. Milk products containing no less than 85% NH produced milk qualify to be labeled as "New Hampshire's Own" and milk products containing 100% New England produced milk qualify for labeling as "Supporting NH Dairy Farms". A nine-member Dairy Premium Fund Board – which includes two dairy farmers - is created to advise the Commissioner of Agriculture regarding the operation of the program. The Commissioner is authorized to expend up to \$200,000 the Department's Agricultural Products and Scale Testing Fund for initial promotion of the program. Effective 8/7/19, Chapter Law 319. **Support.**

**HB592**, *relative to OHRV operation and license*. Makes changes to RSA 215-A governing OHRV operation including making changes to existing statute by requiring any individual not licensed to drive a motor vehicle and operating an OHRV on a public way be accompanied by a licensed driver of at least 25 years of age – previously unlicensed drivers were required to be accompanied by a licensed driver of at least 18 years of age. Also requires unlicensed drivers keep to the extreme right when operating on a public way and stipulates licensed drivers accompanied by OHRV operators under the age of 14 are legally responsible for the under 14 year olds operation of the vehicles. Effective 9/27/19, Chapter Law 294. **Monitor.**

**HB 597-FN**, *relative to sales of beverages and wine hosted by other licensees*. Allows nano brewery licensees to distribute samples at a wine manufacturer's facility and wine manufacturer licensees to distribute samples at a nano brewery. Effective 5/15/19, Chapter Law 34. **Support.**

**HB 605-FN**, *relative to criminal penalties for possession, transfer, or manufacture of animal fighting paraphernalia with the intent to be present at, aid in, or contribute to such fighting*. The penalties are



created in the Animal Cruelty statute (RSA 644:8). Effective 10/27/19, Chapter Law 295. **Monitor.**

**HB 630-FN**, operation increasing certain fines for OHRV and snowmobile operation violations. Increases fines as follows:

**OHRV Violations under RSA 215-A & Snowmobile Violations under RSA 215-C**

Unreasonable speed, 1-24 mph over prima facie speed limit - \$124, 25+mph over prima facie speed limit - \$248, Required equipment/Sound levels mufflers and exhaust system - \$248, Operating unregistered vehicle - \$248, Operating on another's property without permission - \$248 (includes operating off designated trails)

Effective 7/1/19, Chapter Law 153. **Support.**

**HB 635-LOCAL**, enabling a payment in lieu of taxes for a combined heat and power agricultural facility.

Current statute under RSA 72:74 enables payment in lieu of taxes for renewable energy facilities but is silent regarding the ability to enter into such agreements for combined heat and power facilities. The entity North Country Growers is proposing a 20 acre greenhouse (in which greens and tomatoes will be grown) and product packaging & shipping facility in Berlin. They have a purchase and sale agreement on a 200 acre property in which their plan is to tap into an existing natural gas pipeline, generate electricity from the gas and recover heat generated as steam to heat greenhouses. A payment in lieu of taxes agreement will provide predictability in the property taxes they will pay and enable them to obtain the remainder of the financing they need to get the project off the ground. The city supports the project as an economic development tool that will expand its tax base. It is estimated 8.8 MWs of electric power will be generated – most of it used by the facility - and that 80 full-time, year-around jobs will be created.

Effective 8/20/19, Chapter Law 266. **Support.**

**HB 642**, defining specialty cider. Defines specialty ciders and makes provisions regarding the manufacture of specialty ciders. Specialty cider is defined as follows:

RSA 175:1, LXIV-aa. "Specialty cider" means either the naturally fermented expressed juice of apples or the fermented expressed juice of apples to which activated yeast is added, either of which contains not less than 8 percent and not more than 12 percent alcohol by volume at 60 degrees Fahrenheit. Specialty cider may contain flavoring, coloring, or related ingredients and may be carbonated or fermented in a sealed container to produce a sparkling beverage or liquor. Specialty cider shall not include cider as defined in RSA 434:40-a.

Effective 6/6/19, Chapter Law 68. **Monitor.**

**HB 710-FN**, relative to adoption of state building code and fire code amendments. Includes language requiring the State Building Code Review Board maintain a publicly accessible list of applicable building codes and amendments and provides for an appeal of final decisions of any local building code board of appeals established under RSA 674 to the State Building Code Review Board. Effective 8/11/19, Chapter Law 219. **Monitor.** (See also **SB 113**.)

**HB 714-FN**, relative to New Hampshire products purchased and sold by the liquor commission. Modifies requirements in the state's liquor laws that the Liquor Commission purchase and list for sale New Hampshire products by adding the language in **bold italics** as follows:

**RSA 176:12 New Hampshire Products**

I. The commission, wherever feasible, shall purchase and list for sale in all state stores [the domestic] liquor and wines [manufactured or bottled in this state by a manufacturer] **that are grown in New Hampshire,**

**made in New Hampshire, or packaged in New Hampshire. This section shall only apply to New Hampshire domestic manufacturers selling less than 15,000 9-liter-equivalent total cases annually within the state of New Hampshire.**

**II. In this section:**

(a) "Grown in New Hampshire" means that at least 80 percent of the primary ingredients were grown or produced in New Hampshire and the finished product was manufactured and packaged in New Hampshire.

(b) "Made in New Hampshire" means that the finished product was packaged in New Hampshire and was at least 50 percent manufactured in New Hampshire.

(c) "Packaged in New Hampshire" means that the finished product was packaged in New Hampshire.

Effective 7/14/19, Chapter Law 39. **Monitor.**

**SB 21**, relative to notice to cut timber. Clarifies that public notice of Intent to Cut timber is only required when the Notice of Intent to Cut is signed by the assessing officials outside a public meeting. Effective 9/17/19, Chapter Law 84. **Support.**

**SB 39**, relative to the repair of roads not maintained by a municipality. Adds language in statute (RSA 231:81-a) stating that in instances where an express agreement does not exist regarding the maintenance of a private road, residential landowners who enjoy a common benefit shall contribute to the cost of its maintenance. Does not include Class VI highways and includes language stating "Nothing in this section is intended to extend or restrict the common law as applied to residences on private roads, nor to affect the rights and obligations of non-residential property owners on private roads as they exist under the New Hampshire common law on easements." Effective 8/2/19, Chapter Law 308. **Farm Bureau opposed as introduced but took no position on the version signed into law.**

**SB 200**, relative to wildlife corridors. Recognizes the protection of wildlife corridors and habitat strongholds as a public good in statute. Effective 9/10/19, Chapter Law 243. **Monitor.**

**SB 203**, making modifications to legal requirements for wetlands and environmental council administrative appeals. Effective 9/8/19, Chapter Law 202. **Support.**

**SB 270-FN**, establishing a tax credit against the business profits tax for donations to career and technical education centers. The law is repealed on 6/30/22. Effective 7/1/19, Chapter Law 247. **Support.**

**Bills Passed by the Legislature  
Not Yet Acted on by the Governor**

**HB 663**, relative to the definition of agriculture and existing agricultural uses. Clarifies language in RSA 21:34-a defining the terms Farm, Agriculture, and Farming, RSA 672:1, III-d relative to agriculture under General Provisions in the Planning and Zoning statutes, and RSA 674:32-a, b, & c under Agricultural Uses of Land in the Local Land Use Planning and Regulatory Powers statutes. **Support.** (**HB 151**, relative to the definition of "agriculture" has been retained by the House Environment and Agriculture Committee to be used as a vehicle in the event **HB 663** fails to pass into law.)

**Bills and Resolutions Found Inexpedient-to-Legislate (ITL) – (Also includes Bills Tabled & Bills in which the House or Senate did not concur)**

**CACR 3**, relating to hunters' rights. Providing that citizens of the state have the right to hunt subject to laws promoting sound wildlife conservation and management. **Monitor.**

**CACR 4**, relating to right to govern. Providing that the people of the state may enact local laws that protect health, safety, and welfare. **Oppose.**

**CACR 7**, relating to membership of the New Hampshire house of representatives. Providing that the number of representatives be reduced. **Oppose.**

**CACR 8**, relating to the right to govern. Providing that the people of the state may enact local laws that protect health. **Oppose.**

**HB 206-FN-A-L**, eliminating timber taxes for certain properties. – Adding residential owners of land not enrolled in Current Use to those not required to file an Intent to Cut or timber taxes. **Oppose.** (Current law RSA 79:1, II, (b) allows for an exemption from filing an Intent to Cut for timber cut for personal use.)

**HB 227**, relative to the length of time an employer may lease an employee through an employee leasing company. - Limited employee leasing arrangements to 120 days. **Monitor.**

**HB 290**, relative to (requiring) the removal of certain wood stoves upon the sale of a home and notification of such removal to the department of environmental services. **Oppose.**

**HB 296-FN**, relative to animal waste cleanup in state forests and state parks. – Requiring a person bringing an animal into a state park or forest to remove solid waste produced by the animal. **Oppose.**

**HB 313**, establishing a study committee on the authority and duties of the board of veterinary medicine. **Monitor.**

**HB 316-FN**, relative to the law governing training permits for the training of bird dogs and trail or tree hounds. – Making changes to law governing dog training in the Fish and Game statutes. **Monitor.**

**HB 322**, relative to reporting the taking of a turkey. - Requiring Fish and Game develop and make available telephonic and online registration of wild turkeys taken. **Monitor.**

**HB 331**, relative to the duties of a veterinarian. - Allowed veterinarians to vary from rabies dosage protocols for companion animals. **Oppose.**

**HB 426**, establishing a committee to study allowing town clerks to accept proof of certain exemptions from the rabies vaccine for the purpose of registering dogs. **Oppose.**

**HB 442**, relative to coyote hunting. - Prohibiting hunting coyotes April 1 – August 31 to coincide with coyote pup rearing. **Oppose.**

**HB 485-FN**, creating a one-day license for alcoholic beverages served at dinners hosted at farms. (Incorporated into **HB 598** which established a commission to study beer, wine, and liquor tourism.) **Support.**

**HB 498-FN**, prohibiting OHRV operation on class V highways. **Oppose.**

**HB 502**, establishing a committee to study the will of Benjamin Thompson and whether the university of New Hampshire is in compliance therewith. **Monitor.**

**HB 510-FN-A**, relative to state motor vehicle registration fees and funding for noise abatement projects. – Provided vehicle registration fees be adjusted annually for inflation and miles per gallon ratings.

**Oppose.**

**HB 523**, relative to integrated pest management for school grounds. – Prohibiting the use of pesticides on school grounds unless the school has an Integrated Pest Management plan in place, required public notice of pesticide applications, and requiring the Department of Agriculture maintain a public database of pesticide applications to school grounds.

**Oppose.**

**HB 533**, relative to training for servers of alcohol. - Required training for servers of alcohol. **Monitor.**

**HB 560-FN**, (New Title) relative to required reporting on waste reduction.- Requiring towns report certain information to DES relative to solid waste reduction. As the bill passed the House it restricted the distribution of single-use carryout bags by stores (defined as retail establishments of over 1,000 square feet of retail space) and food service businesses (defined as a business selling food for consumption on or off the premises). **Monitor. - House did not concur with the Senate amended. No Committee of Conference established.** (Note: **HB 102**, relative to municipal ordinances regarding the use of plastics & **HB 559**, enabling municipalities to ban single-use sources of plastic pollution have been retained by the House Municipal and County Government Committee. **Farm Bureau opposes both of these bills.**)

**HB 688-FN**, relative to transfer and inspection of animals. - Making changes in RSA 437 relative to the Transfer of Animals and Pets (customarily used as household pets). Included redefining “commercial breeding kennel,” specifying animal shelter facilities, hobby breeders, and working dog breeders shall not be defined as “pet vendors,” creating and defining a “hobby breeder” (a breeder who transfers animals for a fee and transfers 30 or fewer animals in a year), and requiring the licensing of animal shelters. Also established a Companion Animal Welfare Division within the Department of Agriculture and required the establishment of an animal transfer database within the Department. **Monitor – Tabled in the House** (See Vetoed **HB 2-FN-A**)

**HB 724-FN**, relative to certain rights of employees. – Contained language requiring an employer with 10 or more employees or 2 or more locations in the state to provide employees with a work schedule in writing at least 7 days prior to the first day of the work schedule. **Oppose.** (See referred **SB 60**)

**SB 77-FN**, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases. **Opposed as drafted. Much of this language was amended and incorporated into HB 459-FN which was supported by Farm Bureau and signed into law. – SB 77-FN was Tabled in the House.** (See also **HB 2-FN-A.**)

**SB 161**, (New Title) relative to the definition of pet vendor, the transfer of animals, and establishing the position of accounting clerk in the department of agriculture, markets, and food. **Monitor. – Tabled in the House.** (See **HB 2-FN-A.**)

**Bills Vetoed by the Governor**

State Budget Bills: **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2020 and June 30, 2021 & **HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures. **HB 1-A** contains funding for programs that have not been funded in years, including \$750,000 for the Department



of Agriculture's farmland conservation program and revenue sharing with cities and towns. *HB 2-FN-A* repeals scheduled reductions in the Business Profits Tax in 2020 (7.7%) and 2021 (7.5%), maintaining the tax at its current level – 7.9% and repeals scheduled reductions in the Business Enterprise Tax in 2020 (.6%) and 2021 (.5%), maintaining the tax at its current level - .675%. It also contains language defining a “pet vendor” in RSA 437 as the transfer (with or without a fee) of 25 or more dogs, 25 or more cats, 30 or more ferrets, or 50 or more birds customarily used as pets and establishes a Cost of Care Fund to be administered by the Department of Agriculture to assist municipalities by providing grant funds for the care of animals confiscated in cruelty cases. \$100,000 in each year of the biennium is appropriated from the general fund. **Farm Bureau policy supports the repeal of the Business Enterprise Tax. Farm Bureau opposes the proposed “pet vendor” definition and supports the creation of a Cost of Care Fund within the Department of Agriculture.**

*HB 183, (Second New Title) establishing a committee to study the applications of microgrids in New Hampshire and changes in law necessary to allow for microgrids in electrical supply, and relative to baseload renewable generation credits for biomass energy facilities.* Creates a study of small, local power grids and amends current law with what is known as the “Biomass Amendment” in another attempt to preserve the state's six wood-fired power plants. The amendment allows for a baseload renewable energy credit to be sold to utilities in a similar pricing methodology as became law as part of last year's *SB 365*. This amendment creates a mechanism that avoids the issues in the litigation pending at the Federal Energy Regulatory Commission and challenged at the Public Utilities Commission by opponents of the *SB 365*. It follows precedent established in other states that have looked for ways to preserve home-grown power generation. The goal is to achieve the same benefit of *SB 365* through a slightly different mechanism. **Farm Bureau supports *HB 183*.**

*HB 326, relative to the definition of prime wetland.* Enables wetlands less than 50 feet in width to be included in wetland areas designated by municipalities as “prime wetlands.” RSA 482-A:15 provides for a local option to designate prime wetlands. There are currently 33 municipalities with designated prime wetlands. A prime wetland designation automatically elevates permitting requirements for any work conducted in or adjacent to a prime wetland to a “Major” permitting project. **Farm Bureau supports the Governor's veto.**

*HB 365, relative to net energy metering limits for customer generators.* Increases the electric generating capacity of customer generators who may participate in net energy metering from one megawatt to “less than 5 megawatts.” **Farm Bureau policy supports increasing the electric generating capacity of customer generators who net meter to 3 megawatts.**

*SB 1, relative to family and medical leave.* Establishes a Family and Medical Leave Insurance (FMLI) program in which employers are required to participate in a FMLI program, whether it be an equal or greater self-insured or private program, or the state administered program. Employers would be required to submit premium payments on a quarterly basis equaling 0.5% of wages earned. Employers may pay this in its entirety, a portion of it, or withhold any or all of the amount from wages. Employees would be eligible for FMLI after 6 months and having met a certain minimum earnings threshold, and able to take up to 12 weeks of leave in a years-time for the following:

(a) *Because of the birth of a child of the employee, within the past 12 months; or*

(b) *Because of the placement of a child with the employee for adoption,*

*legal guardianship, or fostering, within the past 12 months; or*

(c) *Because of a serious health condition of a family member; or*

(d) *Because of a serious health condition of the employee that isn't related to employment; or*

(e) *Because of any qualifying exigency arising from the foreign deployment with the Armed Forces, or to care for a service member with a serious injury or illness as permitted under the federal Family and Medical Leave Act, 29 U.S.C. section 2612(a)(1).*

Medical certification demonstrating need would be required to qualify for the benefits. Benefits would be 60% of wages with no weekly benefit less than \$125 per week or greater than 0.85 of the average weekly wage in the state. **Monitor. Farm Bureau policy opposes taxes on gross income.**

*SB 10, (Second New Title) relative to the state minimum hourly rate.* Sets a state minimum wage rate (RSA 279:21) for non-tipped employees as follows:

From January 1, 2020 to December 31, 2021, \$10 per hour. From January 1, 2022 and thereafter, \$12 per hour.

Does not change the existing exemption in statute for “farm labor” nor does it change existing language relative to employees with less than 6 months' experience in an occupation or relative to persons 16 years of age or under – provided they are not paid less than 75% of the applicable minimum wage rate.

**Farm Bureau policy opposes the adoption of a state minimum wage.**

(See also Rereferred/ Retained *HB 186 & HB 731-FN*)

*SB 20, relative to notification requirements for employees, workplace inspections, and the youth employment law.* Makes changes to the state's labor laws including adding language to the Youth Employment Law (RSA 276-A) that “The employment of any youth in any place or establishment defined in RSA 276-A:11 at any time other than the posted hours of labor shall be prima facie evidence of a violation of this section” and language under RSA 273 that all inspections performed by the Department of Labor “shall be proportional and relative to the potential violations being inspected.” Much of the language contained in *SB 20* overturns law adopted in 2018. **Farm Bureau supports the Governor's veto.**

*SB 74-FN-A, (2nd New Title) relative to register of deeds fees used to support the land and community heritage investment program (LCHIP), and establishing a committee to study the economic impact of land conservation and to review the LCHIP surcharge.* Increases the additional surcharge assessed to record deeds, mortgages and mortgage discharges or plans from \$25 to \$35 in support of the Land and Community Heritage Investment Program. **Farm Bureau supports *SB 74-FN-A*.**

**Study Bills & Retained (House), Rereferred (Senate) by \_\_\_\_\_ and Not Listed in July/August Communicator**

*SB 164, (2nd New Title) establishing a committee to study unprotected drinking water sources.* The study committee is tasked with looking into ways in which drinking water resources are contaminated, determining and cataloging all known unprotected high priority drinking water resources in the state, and identifying funding mechanisms for their protection. A final report is due November 1, 2020. Effective 7/12/19, Chapter Law 238. **Monitor.**

#### House Environment and Agriculture

**HB 484-FN-L**, relative to group dog licenses. Increases the fee for group dog licenses of more than 5 dogs. **Monitor.**

#### House State-Federal Relations and Veterans Affairs

**HCR 6**, applying to congress to propose a congressional term limits constitutional amendment. **Farm Bureau policy supports term limits for members of Congress.**

#### House Labor, Industrial and Rehabilitative Services

**HB 731-FN**, relative to the minimum hourly rate. Establishes a state minimum wage with a cost of living adjustment and sets a training wage for employees who are 16 or 17 years of age. Also enables municipalities to establish a minimum wage greater than the state minimum wage. (See vetoed **SB 10** & rereferred **HB 186**.)

#### Senate Commerce

**SB 60**, relative to advance notice to hourly employees of work schedules. Requires employers with 15 or more employees in NH to provide their employees with two week advance notice of the work schedule. **Oppose.** (See Inexpedient-to-Legislate **HB 724-FN**)

**HB 186**, establishing a state minimum wage and providing for adjustments to the minimum wage. Includes language establishing a youth minimum wage for employees under 17 years of age. Current law (RSA 279:21, V) sets a minimum wage rate of 75% of the statutory rate for persons 16 years of age and under. **Farm Bureau policy opposes the adoption of a state minimum wage and supports a youth wage separate from the minimum wage.** (See vetoed **SB 10** & retained **HB 731-FN**.)

**HB 272**, relative to temporary workers. Establishes notification and disclosure provisions for the hiring of temporary workers. **Monitor.**

#### Senate Executive Departments and Administration

**SB 113**, relative to municipal authority regarding the state building code. Includes language requiring the state Fire Marshall review and approve local fire safety codes and ordinances and also prohibits municipalities from imposing a fee to appeal a decision of a code compliance official. **Monitor.** (See also **HB 710-FN**.)

*You can contact NHFB Policy Director Rob Johnson if you have questions by phoning him at 312-6877 or through email at [robj@nhfarmbureau.org](mailto:robj@nhfarmbureau.org). You can also stay abreast of what is happening in the NH Legislature affecting agriculture and landowners by subscribing to the NHFB's Friday Review, a public affairs review for farm, forest, and rural interest published weekly during the legislative session.*