

Committee Report

CONSENT CALENDAR

April 27, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred SB 106,

AN ACT adopting omnibus legislation relative to codes.

Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Carol McGuire

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	SB 106
Title:	adopting omnibus legislation relative to codes.
Date:	April 27, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-1105h

STATEMENT OF INTENT

This bill is a request of the StateFire Marshal and includes two sections. The first section repeals a voluntary certification for fire equipment (sprinklers and alarms, primarily) because these requirements have been included in the mandatory electrical and plumbing codes. It was thought when creating this certification that it might move towards a mandatory license for fire equipment, but other codes have taken precedence and such a license is no longer in consideration. The second section includes a study committee to recommend the next version (2018) of the building codes and fire code, as amended by the technical committees. The committee amendment requires this committee to evaluate the process for updating the codes and suggest improvements.

Vote 19-0.

Rep. Carol McGuire
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

SB 106, adopting omnibus legislation relative to codes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill is a request of the State Fire Marshal and includes two sections. The first section repeals a voluntary certification for fire equipment (sprinklers and alarms, primarily) because these requirements have been included in the mandatory electrical and plumbing codes. It was thought when creating this certification that it might move towards a mandatory license for fire equipment, but other codes have taken precedence and such a license is no longer in consideration. The second section includes a study committee to recommend the next version (2018) of the building codes and fire code, as amended by the technical committees. The committee amendment requires this committee to evaluate the process for updating the codes and suggest improvements. **Vote 19-0.**

Original: House Clerk

Cc: Committee Bill File

Amendment to SB 106

1 Amend the bill by replacing Part II with the following:

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Part II

4

Establishing a committee to study adopting changes to the state fire and building codes.

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1 Committee Established. There is established a committee to study adopting changes to the state fire code and building code.

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2 Membership and Compensation.

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

10

(a) Three members of the senate, appointed by the president of the senate.

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

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house of representatives.

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

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3 Duties. The committee shall study adopting changes to the state fire code and building code. The committee shall review and make recommendations for establishing a process for the adoption of new editions of national or model codes and any necessary amendments. This review shall include consideration of establishing a permanent statutory committee for this purpose.

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

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5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2021.

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6 Effective Date. Part II of this act shall take effect upon its passage.

Archived: Thursday, May 6, 2021 8:35:15 AM
From: [Miriam Simmons](#)
Sent: Thursday, May 6, 2021 8:33:30 AM
To: [Miriam Simmons](#)
Subject: FW: SB 106 committee report
Response requested: No
Importance: Normal

From: Carol McGuire <mcguire4house@gmail.com>
Sent: Wednesday, April 28, 2021 11:54 AM
To: Jaci Grote <Jaci.Grote@leg.state.nh.us>
Cc: Miriam Simmons <miriam.simmons@leg.state.nh.us>; Pam Smarling <Pam.Smarling@leg.state.nh.us>
Subject: Re: SB 15 committee report

SB 106, omnibus legislation relative to codes

OTP/A, 19-0 consent

This bill is a request of the state fire marshal and includes two sections. The first repeals a voluntary certification for fire equipment (sprinklers and alarms, primarily) because these requirements have been included in the mandatory electrical and plumbing codes. It was thought when creating this certification that it might move towards a mandatory license for fire equipment, but other codes have taken precedence and such a license is no longer in consideration. The second section includes a study committee to recommend the next version (2018) of the building codes and fire code, as amended by the technical committees; the committee amendment requires this committee to evaluate the process and suggest improvements.

Carol McGuire for the committee

|

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 106

BILL TITLE: adopting omnibus legislation relative to codes.

DATE: March 24, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: OUGHT TO PASS

Moved by _____ Seconded by _____ Vote: 12-7

HOLD the March 24th EXEC SHEET

BILL Called back into EXECUTIVE SESSION on April 27, 2021

BILL TITLE: adopting omnibus legislation relative to codes.

DATE: April 27, 2021

MOTION TO RECONSIDER

Moved by Rep McGuire Seconded by Rep Roy Vote 19-0

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. McGuire Seconded by Rep. Roy AM Vote: 19-0

Amendment # 2021-1105h

Moved by Rep. McGuire Seconded by Rep. P. Schmidt Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk

HOUSE COMMITTEE ON Finance ED + A
EXECUTIVE SESSION ON ^{SB} HB 108106

BILL TITLE: ADOPTING OMNIBUS LEGISLATION PRELATIVE TO CODES,

DATE: 4-27-21

LOB ROOM: 206-208

MOTION: (Please check one box) RECONSIDER VOTE

OTP ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. McGUIRE Seconded by Rep. ROY Vote: 19-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # 110514
 Interim Study (2nd year) (if offered)

Moved by Rep. McGUIRE Seconded by Rep. ROY Vote: 19-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. McGUIRE Seconded by Rep. SCHMIDT Vote: 19-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR? Yes No

Minority Report? Yes No If yes, author, Rep.: _____ Motion: _____

Respectfully submitted, Rep. [Signature], Clerk



2021 SESSION

Executive Departments and Administration

Bill #: SB 105 Motion: RECONSIDER VOTE ON SB 105 106 AM #: H05H Exec Session Date: 4-27-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Judy, Jean L.	X		
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J. <i>GRASSIE</i>	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
TOTAL VOTE:			



2021 SESSION

Executive Departments and Administration

Bill #: SB 106 Motion: ADOPT AMENDMENT
ADTP/A AM #: 1105H Exec Session Date: 4-27-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Judy, Jean L.	X		
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J. <u>GRASSIE</u>	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
TOTAL VOTE:			

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 9:57:48 AM
Roll Call Committee Registers
Report

2021 SESSION

Executive Departments and Administration

Bill #: SB 106 Motion: OT P/AM AM #: 1105 Exec Session Date: 4/27/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Jeudy, Jean L.	X		
Schmidt, Peter B.	X		
Schultz, Kristina M.	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J. <i>GRASSIE</i>	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
TOTAL VOTE:			

19-10

Amendment to SB 106

1 Amend the bill by replacing Part II with the following:

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6 Effective Date. Part II of this act shall take effect upon its passage.

Re: SB 106 Exec paperwork March 24th Exec



Carol McGuire <mcguire4house@gmail.com>

To Miriam Simmons

Cc Pam Smarling; Sytek, John



3:29 PM

i Follow up. Start by Wednesday, April 28, 2021. Due by Wednesday, April 28, 2021.
You replied to this message on 4/28/2021 4:04 PM.

I don't have the paper, but the motion was OTP by Lekas, seconded by me, and the vote was 12-7 with Sytek, Goley, Schuett, Schultz, Fellows, O'Brien opposed. Not sure of the 7th, but it was not Grote nor Schmidt. Judy seems likely.

Carol

On Wed, Apr 28, 2021 at 3:22 PM Miriam Simmons
<miriam.simmons@leg.state.nh.us> wrote:

I will need a copy of the March 24th Exec paperwork for SB 106.

A motion was made that day, and then the Committee held the paperwork.

Yesterday, April 27th, a Reconsideration vote was taken on SB 106 but I do not have any paperwork from its first Exec session.

If you can find it, could you leave it for Pam to scan for me please.

Archived: Thursday, April 29, 2021 12:17:59 PM
From: Carol McGuire
Sent: Thursday, April 29, 2021 11:37:31 AM
To: Miriam Simmons
Cc: Pam Smarling; Sytek, John
Subject: Re: Summary SB106 Exec paperwork March 24th Exec
Importance: Normal

Thank you, that matches my recollection.

On Thu, Apr 29, 2021 at 10:19 AM Miriam Simmons <miriam.simmons@leg.state.nh.us> wrote:

I watched the You Tube video for EDA on March 24th, to review the Executive Session that starts 3 Hours and 24 minutes into the recording.

- SB 106 motion and discussion start about 3 hours and 58 minutes into the recording.
- Discussion follows – Rep Schuett asks for time to contact her Town Chief
- The Roll call on SB 106's motion OTP is taken near the 4 Hour recording mark with a vote of 12 - 7
- At the close of the Vote Chairman McGuire asks to Hold the bill, so the Committee can reconsider it at a future Executive session, perhaps to reach a consensus on the motion. The Chairman asks the committee members to use the time to contact their Town on their procedures.

I can confirm the 7 votes in opposition were:

- Sytek (Clerk)
- Goley
- Schuett
- Schultz
- Fellows
- O'Brien
- Jeudy

All other members present (12) voted in favor. All 19 members of the committee were present (no replacements).

I have recreated the Roll call sheet and Exec Session forms for the bill file (attached).

Miriam Simmons

Committee Clerk

From: Carol McGuire <mcguire4house@gmail.com>
Sent: Wednesday, April 28, 2021 3:29 PM
To: Miriam Simmons <miriam.simmons@leg.state.nh.us>
Cc: Pam Smarling <Pam.Smarling@leg.state.nh.us>; Sytek, John <johnsytek@aol.com>
Subject: Re: SB 106 Exec paperwork March 24th Exec

I don't have the paper, but the motion was OTP by Lekas, seconded by me, and the vote was 12-7 with Sytek, Goley, Schuett, Schultz, Fellows, O'Brien opposed. Not sure of the 7th, but it was not Grote nor Schmidt. Jeudy seems likely.

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Miriam

From: Miriam Simmons
Sent: Tuesday, April 27, 2021 11:36 AM
To: John Sytek <John.Sytek@leg.state.nh.us>
Cc: Pam Smarling <Pam.Smarling@leg.state.nh.us>
Subject: SB 106 Exec paperwork reminder

Rep Sytek,

When you submit the EXEC paperwork on SB 106, please remember to also hand in the March 24th Exec motion/sheet and roll call vote.

Then I will have the full trail of Exec motions on SB 106 for the Bill file.

Thank-you,

Miriam



2021 SESSION

Executive Departments and Administration

Bill #: SB106 Motion: OT P AM #: _____ Exec Session Date: 03-24-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	✓		
Roy, Terry Vice Chairman	✓		
Sytek, John Clerk		✓	
Pearson, Stephen C.	✓		
Yakubovich, Michael	✓		
Lekas, Tony	✓		
Alliegro, Mark C.	✓		
Bailey, Glenn	✓		
Lanzara, Tom E.	✓		
Santonastaso, Matthew	✓		
Goley, Jeffrey P.		✓	
Schuett, Dianne E.		✓	
Jeady, Jean L.		✓	
Schmidt, Peter B.	✓		
Schultz, Kristina M.		✓	
Fellows, Sallie D.		✓	
Fontneau, Timothy J.	✓		
Grote, Jaci L.	✓		
O'Brien, Michael B.		✓	
TOTAL VOTE:	12	7	

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 106

BILL TITLE: adopting omnibus legislation relative to codes.

DATE: March 24, 2021

LOB ROOM: LOB Hybrid **Time Public Hearing Called to Order:** 11:15 a.m.

Time Adjourned: 11:55 a.m.

Committee Members: Reps. McGuire, Roy, Sytek, S. Pearson, T. Lekas, Alliegro, Bailey, Lanzara, Santonastaso, Goley, Schuett, Jeudy, P. Schmidt, Schultz, Fellows, Fontneau, Grote and O'Brien ~~Yakubovich~~

Bill Sponsors:
Sen. Carson

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sen. Carson, sponsor, introduced the bill and said it was an omnibus bill (two parts) that would adopt various changes to codes. The first part would repeal the voluntary fire service equipment certification program and the second would establish a committee to study changes to the state fire code (FC) and building code (BC).

The first section (repeal) was filed at the request of the Fire Marshal's office.

Fire Marshal (FM) Paul Parisi spoke in support of the bill. He said this program went into effect in 2005 and was established to encourage technicians who installed such components as fire alarms, sprinklers to be certified in NH. This would require certification by an outside group. Also, such individuals would have to have engineering training. There was an expectation that this program would someday become mandatory. He reviewed the history and said there were presently fewer than 20 participants and recommended that this program be discontinued.

- There were committee questions about who is doing this work; are they qualified? What enforcement is there?

Sen. Carson then introduced part two which would establish a committee to study procedures for adopting changes to the fire and building codes as requested by the FM office. She spoke of a bill last session that would keep NH on the one-cycle behind program for adopting code changes but the bill was lost due to COVID.

FM Parisi spoke in support. He explained the one-cycle policy of adoption, that NH did a "double jump" in 2018; that we did not go further because the fire control review board and building code review board could not get its list of recommendations together due to COVID considerations.

- In response to a question, he said that this study committee would work with both boards to develop legislation for code updating.

Ari Pollack, an attorney with Gallagher, Callahan and Gartrell and lobbyist for the Home Builders Association, said that the Home Builders Association is in support of this bill. He agreed with the history as presented and said that there were inconsistencies between the two codes in the the 2018 versions. He said that there was at present a committee working on this but it did not have legislators on it and was "administrative."

Hearing adjourned at 11:55 a.m.

Respectfully submitted by,

Rep. John Sytek, Committee Clerk

March 24, 2021

SB 106 adopting omnibus legislation relative to codes. (11:15 AM/11:55 AM) The entire ED&A Committee was present except for Rep. Yakubovich who was absent.

Sen. Carson, sponsor, introduced the bill and said it was an omnibus bill (two parts) that would adopt various changes to codes. The first part would repeal the voluntary fire service equipment certification program and the second would establish a committee to study changes to the state fire code (FC) and building code (BC).

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House Remote Testify

Executive Departments and Administration Committee Testify List for Bill SB106 on 2

Support: 7 Oppose: 1 Neutral: 0 Total to Testify: 3

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>S</u>
Pollack, Ari	Concord, NH pollack@gcglaw.com	A Lobbyist	NH Homebuilders	Support	Yes (2m)	3,
Parisi, Paul	SALEM, NH paul.j.parisi@dos.nh.gov	State Agency Staff	NH State Fire Marshal's Office	Support	Yes (2m)	3,
Carson, Sharon	Londonderry, NH deborah.chroniak@leg.state.nh.us	An Elected Official	Senate District 14 - PRIME SPONSOR	Support	Yes (0m)	3,
Hope, Lucinda	Tilton, NH lmhope46@gmail.com	A Member of the Public	Myself	Support	No	3,
Marcum, Jessica	Raymond, NH Jessmarcum9999@gmail.com	A Member of the Public	Myself	Oppose	No	3,
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	3,
Fordey, Nicole	Litchfield, NH nikkif610@gmail.com	A Member of the Public	Myself	Support	No	3,
Larson, Ruth	Alton, NH ruthlarson@msn.com	A Member of the Public	Myself	Support	No	3,

Testimony

Archived: Wednesday, April 7, 2021 2:23:10 PM

From: Parisi, Paul

Sent: Tuesday, March 23, 2021 8:09:22 AM

To: ~House Executive Departments and Administration

Subject: NH House Remote Testify: 11:15 am - SB106 in House Executive Departments and Administration

Importance: Normal

Attachments:

FMO Position Paper - SB 106 Part I.pdf ;FMO Position Paper - SB 106 Part II.pdf ;

Good morning, attached please find position papers on HB 106 part 1 and HB 106 part 2. Thank you!

Paul



Paul J. Parisi
State Fire Marshal

Department of Safety | Division of Fire Safety
New Hampshire State Fire Marshal's Office (FMO)

Physical: 110 Smokey Bear Boulevard (IPOC), Concord NH
Mailing: 33 Hazen Drive
Concord, NH 03305

Office: 603-223-4289

Direct: 603-223-4293

Fax: 603-223-4294

Arson Hotline: 1-800-400-3526

Email: paul.paris@doh.nh.gov

"Saving lives and property through education, engineering & enforcement"



Web Site Address: <http://www.nh.gov/safety/divisions/firesafety>

Subscribe to our [list serve](#) to receive public safety notices and press releases.

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Bill as
Introduced

SB 106 - AS INTRODUCED

2021 SESSION

21-0972

08/05

SENATE BILL **106**

AN ACT adopting omnibus legislation relative to codes.

SPONSORS: Sen. Carson, Dist 14

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill adopts legislation relative to:

I. Repealing the voluntary fire service equipment certification.

II. Establishing a committee to study adopting changes to the state fire and building codes.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT adopting omnibus legislation relative to codes.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Sponsorship. This act consists of the following proposed legislation:

2 Part I. LSR 21-0972, repealing the voluntary fire service equipment certification, sponsored
3 by Sen. Carson, Prime/Dist 14.

4 Part II. LSR 21-0974, establishing a committee to study adopting changes to state fire and
5 building codes, sponsored by Sen. Carson, Prime/Dist 14; Sen. Perkins Kwoka, Dist. 21.

6 Part I

7 Repealing the voluntary fire service equipment certification.

8 1 Repeal. RSA 153:5-a, relative to voluntary fire service equipment certification, is repealed.

9 2 Effective Date. Part I of this act shall take effect 60 days after its passage.

10 Part II

11 Establishing a committee to study adopting changes to the state fire and building codes.

12 1 Committee Established. There is established a committee to study adopting changes to the
13 state fire code and building code.

14 2 Membership and Compensation.

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

16 (a) Three members of the senate, appointed by the president of the senate.

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18 house of representatives.

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

21 3 Duties. The committee shall study adopting changes to the state fire code and building code.

22 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from
23 among the members. The first meeting of the committee shall be called by the first-named senate
24 member. The first meeting of the committee shall be held within 45 days of the effective date of this
25 section. Four members of the committee shall constitute a quorum.

26 5 Report. The committee shall report its findings and any recommendations for proposed
27 legislation to the president of the senate, the speaker of the house of representatives, the senate
28 clerk, the house clerk, the governor, and the state library on or before November 1, 2021.

29 6 Effective Date. Part II of this act shall take effect upon its passage.