

LEGISLATIVE COMMITTEE MINUTES

HB1187

Bill as
Introduced

HB 1187 - AS AMENDED BY THE HOUSE

16Feb2022... 0340h

2022 SESSION

22-2148

08/11

HOUSE BILL **1187**

AN ACT relative to milk pasteurization.

SPONSORS: Rep. Allard, Merr. 21; Rep. Woodcock, Carr. 2; Rep. Marsh, Carr. 8; Rep. Deshaies, Carr. 6; Rep. Merchant, Sull. 4; Rep. Aron, Sull. 7; Rep. A. Lekas, Hills. 37

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill allows for the sale of products made with raw milk in certain circumstances.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to milk pasteurization.

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

1 1 License Required; Exemptions. Amend the introductory paragraph of RSA 184:84, V to read
2 as follows:

3 V. A milk producer-distributor who daily produces for sale less than 20 gallons of raw milk
4 or processes less than 20 gallons of raw milk into cheese aged at least 60 days, yogurt, cream, butter,
5 *ice cream, frozen yogurt*, or kefir shall not require a milk producer-distributor license, provided
6 these products are offered as direct sales from the producer-distributor's own farm, farm stand, or at
7 a farmers' market to the food consumer within the state of New Hampshire only. *Ice cream and*
8 *frozen yogurt produced and sold under this paragraph shall be packaged in containers no*
9 *larger than 6 fluid ounces and shall be marked with an expiration date 30 days from the*
10 *date of manufacture."*

11 2 Labeling of Raw Milk Products. Amend RSA 184:84, V(a) to read as follows:

12 (a) Any product containing raw milk from the milk producer-distributor's farm or farm
13 stand or at farmers' markets shall be clearly labeled. If the product is sold in containers provided by
14 the producer-distributor, the individual container shall have a label which contains the name,
15 address, and phone number of the milk producer-distributor's farm; the name of the product; and the
16 following statement: "This product is made with raw milk and is exempt from New Hampshire
17 licensing and inspection. *RAW MILK: consuming raw milk may increase your risk of*
18 *foodborne illness."*

19 3 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

SENATE CALENDAR NOTICE

Energy and Natural Resources

Sen Kevin Avard, Chair
 Sen Bob Giuda, Vice Chair
 Sen James Gray, Member
 Sen David Watters, Member
 Sen Rebecca Perkins Kwoka, Member

Date: March 31, 2022

HEARINGS

	Tuesday	04/05/2022
	(Day)	(Date)
Energy and Natural Resources		9:00 a.m.
(Name of Committee)		(Time)
	State House 103	
	(Place)	
9:00 a.m.	HB 1454-FN	relative to permits for the siting of new landfills.
9:20 a.m.	HB 1599-FN	relative to customer generators who sell renewable energy certificates.
9:40 a.m.	HB 1629-FN	relative to default service for net metering.
10:00 a.m.	HB 1187	relative to milk pasteurization.
10:15 a.m.	HB 241	repealing the definition of brook trout.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 1454-FN

Rep. Tucker

Rep. Hatch

Rep. Deshaies

HB 1599-FN

Rep. Vose

HB 1629-FN

Rep. Berezny

HB 1187

Rep. Allard

Rep. Merchant

HB 241

Rep. Avellani

Rep. Thompson

Rep. Merner

Sen. Hennessey

Rep. Notter

Rep. Lang

Rep. Woodcock

Rep. Aron

Rep. Massimilla

Rep. Laflamme

Sen. Sherman

Rep. Nunez

Rep. Marsh

Rep. A. Lekas

Rep. Egan

Rep. Myler

Rep. Deshaies

Daley Frenette 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee
Daley Frenette 271-3042

HB 1187, relative to milk pasteurization.

Hearing Date: April 5, 2022

Members of the Committee Present: Senators Giuda, Gray and Watters

Members of the Committee Absent : Senators Avard and Perkins Kwoka

Bill Analysis: This bill allows for the sale of products made with raw milk in certain circumstances.

Sponsors:

Rep. Allard

Rep. Woodcock

Rep. Marsh

Rep. Deshaies

Rep. Merchant

Rep. Aron

Rep. A. Lekas

Who supports the bill: Alecia Lekas, Jennifer Smith MD, MPH, Curtis Howland, Jesse Medeiros, Deborah Glidden, Alvin See.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented:

Senator Gray, Senate District 6

- Senator Gray introduced HB 1187 in place of the prime sponsor.

Jennifer Smith. MDMPH

- Mrs. Smith did not indicate her support or opposition for the bill. She noted that this bill may be in the wrong committee. Her concerns are that ice cream and frozen yogurt are substantially different than aged cheese, yogurt, cream, and butter in that they are very attractive to children and children are more susceptible to serious gastrointestinal bugs. The purpose of milk pasteurization is to prevent people whose gastrointestinal systems are not going to be immune competent from getting seriously ill. Small children can die from diarrhea, and it is a leading cause of death in other parts of the world.

- Ice cream, unlike butter or cream is going to contain a substantial portion of fluid where bacteria tend to reside.
- Senator Watters asked about RSA 11 which pertains to netting of minnow. He asked if this bill would affect the law around netting minnows in the presence of brook trout. Mrs. Timmons believes that falls under the rules of baiting. She said she would find out the answer to the question as she was unsure. Senator Watters was concerned that repealing the definition may impact the rules around it.

DF

Date Hearing Report completed: April 5, 2022

Speakers

Senate Energy & Natural Resources Committee

SIGN-IN SHEET

Date: 4/5/2022 Time: 10:00 a.m.

HB 1187

AN ACT relative to milk pasteurization.

Name/Representing (please print neatly)

NH	Alicia Lekas Hills 37	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Jennifer Smith, MD, MPH	Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill HB1187 on 2022-0

Support: 4 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Howland, Curtis	A Member of the Public	Myself	Support
Medeiros, Jesse	A Member of the Public	Myself	Support
glidden, deborah	A Member of the Public	Myself	Support
See, Alvin	A Member of the Public	Myself	Support

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # 1187

Hearing Date: 4/5/22

Executive Session Date: 4/12/22

Motion of: OTTP Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: Censure Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Watters

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, April 13, 2022

THE COMMITTEE ON Energy and Natural Resources

to which was referred **HB 1187**

AN ACT relative to milk pasteurization.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator David Watters
For the Committee

HB 1187 allows for the sale of products made with raw milk in certain circumstances. The bill will allow a milk producer-distributor who produces less than twenty gallons of raw milk daily, or processes less than twenty gallons of raw milk into cheese aged at least sixty days, yogurt, cream, butter, ice cream, frozen yogurt, or kefir to not be required to have a milk producer-distributor license provided that the products are being sold from the producer-distributor's own farm, farm stand, or at a farmers' market to the consumer within the state of New Hampshire.

Daley Frenette 271-3042

FOR THE CONSENT CALENDAR

ENERGY AND NATURAL RESOURCES

HB 1187, relative to milk pasteurization.

Ought to Pass, Vote 5-0.

Senator David Watters for the committee.

HB 1187 allows for the sale of products made with raw milk in certain circumstances. The bill will allow a milk producer-distributor who produces less than twenty gallons of raw milk daily, or processes less than twenty gallons of raw milk into cheese aged at least sixty days, yogurt, cream, butter, ice cream, frozen yogurt, or kefir to not be required to have a milk producer-distributor license provided that the products are being sold from the producer-distributor's own farm, farm stand, or at a farmers' market to the consumer within the state of New Hampshire.

General Court of New Hampshire - Bill Status System

Docket of HB1187

Docket Abbreviations

Bill Title: relative to milk pasteurization.*Official Docket of HB1187.:*

Date	Body	Description
11/17/2021	H	Introduced 01/05/2022 and referred to Environment and Agriculture
1/25/2022	H	Public Hearing: 01/25/2022 10:30 a.m. LOB301-303
1/9/2022	H	Executive Session: 01/25/2022 10:30 am LOB 301-303
2/8/2022	H	Committee Report: Ought to Pass with Amendment #2022-0340h (Vote 17-0; CC)
2/16/2022	H	Ought to Pass with Amendment 2022-0340h: MA VV 02/16/2022 HJ 3
2/23/2022	H	Amendment #2022-0340h : AA VV 02/16/2022 HJ 3
3/1/2022	S	Introduced 02/24/2022 and Referred to Energy and Natural Resources; SJ 5
3/31/2022	S	Hearing: 04/05/2022, Room 103, SH, 10:00 am; SC 14
4/13/2022	S	Committee Report: Ought to Pass, 04/21/2022; Vote 5-0; CC; SC 16
4/21/2022	S	Sen. Avard Moved to Remove HB 1187 from the Consent Calendar; 04/21/2022; SJ 9
4/21/2022	S	Sen. Avard Moved Laid on Table, MA, VV; 04/21/2022; SJ 9
4/21/2022	S	Pending Motion Ought to Pass; 04/21/2022; SJ 9

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 1187

Senate Committee: Energy

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

___ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

[Signature]
Committee Aide

6/24/22
Date

Senate Clerk's Office AC