LEGISLATIVE COMMITTEE MINUTES

SB269

Bill as Introduced

SB 269-FN - AS INTRODUCED

2022 SESSION

22-3024 07/11

SENATE BILL

269-FN

AN ACT

relative to the New Hampshire weatherization program.

SPONSORS:

Sen. Avard, Dist 12; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. Perkins

Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist

18; Sen. Prentiss, Dist 5

COMMITTEE:

Energy and Natural Resources

ANALYSIS

This bill reduces the contractor pre-qualifications for contracts pertaining to the New Hampshire weatherization assistance program and calls for the weatherization of re-purposed buildings such as mill buildings.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Two

AN ACT

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relative to the New Hampshire weatherization program.

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

1 Purpose. The New Hampshire legislature believes all who act in accordance with the laws, rules, and regulations should be treated with the same respect and receive the same benefits they bestow upon the citizens in New Hampshire. The New Hampshire legislature further believes the shortage of housing will continue to hamper the growth of New Hampshire and its citizens ability to become financially self-sufficient. It is imperative that all housing meant for human habitation should be treated equally to meet government's intent to assist in creating energy efficiency in people's daily lives while also reducing the factors contributing to global warming. Therefore the legislature has determined it is in the best interest of all inhabitants of the state of New Hampshire to, in relation to the New Hampshire weatherization assistance program, remove the contractor prequalifications and call for the specific weatherization of re-purposed buildings such as mill buildings.

2 New Subdivision; New Hampshire Weatherization Assistance Program. Amend RSA 12-P by inserting after section 15 the following new subdivision:

New Hampshire Weatherization Assistance Program

3 New Sections; New Hampshire Weatherization Assistance Program; Requirements. Amend RSA 12-P by inserting after section 15 the following new sections:

12-P:16 Pre-Qualification Requirements Removed. The New Hampshire weatherization assistance program shall remove the pre-qualification requirements for contractors and shall hereby accept any and all contractors doing business in any field necessary to perform the work required to meet the strict standards of workmanship for any and all trades or disciplines used to assist in completion or to complete the work the weatherization assistance program commissions or provides funding in any amount. Contractors shall have the licenses necessary to comply with New Hampshire state licensing requirements, be a business registered with the New Hampshire secretary of state and in good standing, have and maintain a valid New Hampshire workers compensation insurance in accordance with New Hampshire state law, and maintain liability insurance with a company licensed to do business in New Hampshire in an amount sufficient and necessary to cover any liability for the work both during and after completion.

12-P:17 Weatherization of Re-Purposed Buildings. The New Hampshire weatherization program shall include weatherization and energy efficiency measures required for restoration and re-purposing of mill buildings, commercial buildings, residential multifamily and single family, treating each as equals so long as the purpose is to create energy efficient housing for New Hampshire inhabitants and complies with all other necessary requirements. When the intent of

SB 269-FN - AS INTRODUCED - Page 2 -

- 1 maximum energy efficiency, longevity of the savings and efficiency as well as a better value for the
- 2 use of public funds can be achieved by full replacement of windows said replacement should be the
- 3 chosen method for the sake of all.
- 4 4 Effective Date. This act shall take effect 60 days after its passage.

SB 269-FN- FISCAL NOTE AS INTRODUCED

AN ACT

relative to the New Hampshire weatherization program.

FISCAL IMPACT: [X] State

[] County

[] Local

[] None

	Estimated Increase / (Decrease)						
STATE:	FY 2022	FY 2023	FY 2024	FY 2025			
Appropriation	\$0	\$0	. \$0	\$0			
Revenue	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease			
Expenditures	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease			
Funding Source:	[] General Funds	[] Education [] Highway [X	Other - Federal			

METHODOLOGY:

This bill reduces the contractor pre-qualifications for contracts pertaining to the New Hampshire weatherization assistance program and calls for the weatherization of re-purposed buildings such as mill buildings.

The Department of Energy indicates there are two possible meanings of "prequalification" as it relates to the New Hampshire Weatherization Assistance Program, both of which have cost implications.

- Prequalification relates to required "fair and open" competition in the Uniform Guidance 2 CFR 200.319. A contractor can be "prequalified" by responding to a request for qualifications from the Community Action Program (CAP). Their qualifications are evaluated and if they meet the requirements, the contractor is placed on a "prequalified" list of contractors. This process allows for federally required fair and open competition and eliminates the need to go out with an RFP for each contractor, saving time. Eliminating pre-qualification requirements would require each CAP to issue an RFP or go through another allowable procurement process for every weatherization service. This would increase administrative costs for the CAPs and reduce the amount of funding available for weatherization projects.
- If "pre-qualification" is referring to the certifications weatherization contractors must have to work within the Weatherization Program, those requirements come directly from the U.S. Department of Energy, contained in the WPN 15-4: Quality Work Plan Requirement Update. This requirement is still in effect and if the bill becomes law, it is

likely that the next Work Plan submitted to the US DOE would not be approved since it would be out of compliance and the State would not be awarded federal funding.

The Department indicates noncompliance with federal regulations in the middle of a program year would result in "questioned costs" which the State would either have to pay back to the federal government from general funds or receive reductions in future federal funds. The program receives federal funds of approximately \$1.9 million each year and an additional \$18.5 million in one time money from the federal infrastructure bill. Noncompliance with the U.S. Department of Energy regulations would result in federal funds not being awarded to the State.

AGENCIES CONTACTED:

Department of Energy

SB 269-FN - AS AMENDED BY THE SENATE

02/24/2022 0750s

2022 SESSION

22-3024 07/11

SENATE BILL

269-FN

AN ACT

establishing a commission to study energy saving weatherization programs.

SPONSORS:

Sen. Avard, Dist 12; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. Perkins

Kwoka, Dist 21; Sen. Watters, Dist 4; Sen. Rosenwald, Dist 13; Sen. Soucy, Dist

18; Sen. Prentiss, Dist 5

COMMITTEE:

Explanation:

Energy and Natural Resources

AMENDED ANALYSIS

This bill establishes a commission to study methods of participation for maintaining an energy saving weatherization program to assist in lowering the overall energy consumption for New Hampshire families.

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.

22-3024 07/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT

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establishing a commission to study energy saving weatherization programs.

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

- 1 Declaration of Purpose. Participation and administration of the New Hampshire weatherization and energy efficiency programs, as authorized for funding by the New Hampshire legislature for programs approved by the public utilities commission and as administered by the utility companies of New Hampshire, is essential for the growing number of elders caring for a third generation while living on social security. The energy weatherization program serves us all as citizens of New Hampshire. We build strength by standing together and, with these programs, we will raise our next generation with the proper tools to maintain our way of life.
- 2 New Section; Commission to Study Energy Saving Weatherization Programs Established. Amend RSA 12-P by inserting after section 7-b the following new section:
 - 12-P:7-c Commission to Study Energy Saving Weatherization Programs Established.
 - I. The commission duties shall be as follows:
- (a) The commission shall identify policy and funding opportunities to support weatherization of buildings heated with fuels including, but not limited to, electricity, natural gas, oil, propane, kerosene and wood, including, but not limited to, the following avenues:
- (1) Policy direction to further prioritize weatherization within the existing NHSaves programs;
- (2) Research to explore expanding the fiscal participation of propane and oil users in New Hampshire in the same manner as electric and natural gas; and
 - (3) Use of other funding sources such as grant funds.
- (b) The commission shall also explore the fiscal feasibility of double or triple pane replacement of windows, insulated doors, and water heaters in residential duplexes, quadplexes, and multi-residential buildings with units falling under the definition of workforce housing in RSA 674:58, IV.
 - II.(a) The commission shall be comprised of the following members:
 - (1) One member of the senate, appointed by the senate president;
- (2) Three members of the house of representatives, appointed by the speaker of the house of representatives;
 - (3) One representative each from an electric provider, a natural gas provider, a propane supplier and an oil supplier, appointed by the governor;
 - (4) One representative from Clean Energy NH, appointed by such organization;

SB 269-FN - AS AMENDED BY THE SENATE - Page 2 -

One representative from the New Hampshire Home Builders Association, 1 **(5)** 2 appointed by such organization; One New Hampshire representative from the Association of Builders and 3 Contractors of New Hampshire and Vermont, appointed by such organization; 4 5 (7) The consumer advocate, or designee; (8) One member of the New Hampshire Building Officials Association, appointed by 6 7 such organization; 8 (9) One member of the public employed in the weatherization and energy efficiency 9 field, appointed by the governor; (10) One member of the public not employed in the construction nor weatherization 10 11 or energy efficiency fields, appointed by the governor; and 12 (11) Two members from the New Hampshire Community Action Partnerships, one of whom shall be from the community action partnership with the largest population served, appointed 13 14 by the New Hampshire Community Action Association. 15 (b) Legislative members of the commission shall receive mileage at the legislative rate 16 when attending to the duties of the commission. 17 (c) The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first 18 19 meeting of the commission shall be held within 45 days of the effective date of this section. The 20 commission shall meet at least monthly. Eight members of the commission shall constitute a 21quorum. 22 III. The minutes of each meeting shall be provided to the governor, president of the senate, speaker of the house of representatives, and the commissioner of the department of energy within 23 24 the first week of every month. 25 IV. The commission shall provide any findings or solutions suitable for legislation no later 26 than December 15, 2022. 27 3 Prospective Repeal. RSA 12-P:7-c, relative to the commission to study energy saving 28 weatherization programs, is repealed. 29 4 Effective Date. 30 I. Section 3 of this act shall take effect December 16, 2022. 31 II. The remainder of this act shall take effect upon its passage. 32

LBA 22-3024 Amended 2/28/22

SB 269-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2022-0750s)

AN ACT	establi	shing a comr	nissio	n to study	energy	saving weat	herizati	ion program	s.
FISCAL IMPACT	: [] State	[] County		[] Local		[X] None	

METHODOLOGY:

This bill, as amended by the Senate, establishes a commission to study methods of participation for maintaining an energy saving weatherization program to assist in lowering the overall energy consumption for New Hampshire families. The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenues.

AGENCIES CONTACTED:

None

LBA 22-3024 Amended 2/28/22

SB 269-FN FISCAL NOTE AS AMENDED BY THE SENATE (AMENDMENT #2022-0750s)

AN ACT	establ	lishing a cor	nmission to study end	ergy saving weather	rization programs.
FISCAL IMPACT	r: [] State	[] County	[] Local	[X] None

METHODOLOGY:

This bill, as amended by the Senate, establishes a commission to study methods of participation for maintaining an energy saving weatherization program to assist in lowering the overall energy consumption for New Hampshire families. The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenues.

AGENCIES CONTACTED:

None

Amendments

Amendment to SB 269-FN

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

AN ACT relative to the home performance with energy star program.

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

2 New Section; Home Performance with Energy Star Program; Requirements. Amend RSA 363 by inserting after section 39 the following new section:

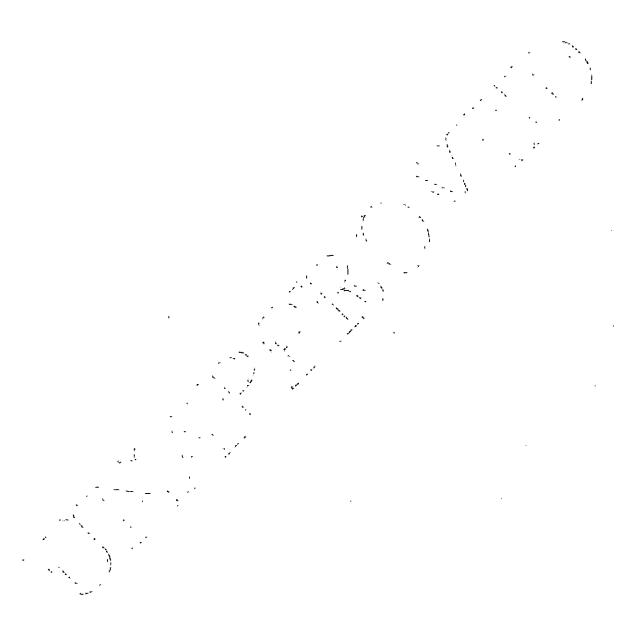
363:40 Home Performance with Energy Star Program Requirements.

- I. The home performance with energy star program, as administered by the public utilities commission, shall remove the pre-qualification requirements for contractors and shall hereby accept any and all contractors doing business in any field necessary to perform the work required to meet the strict standards of workmanship for any and all trades or disciplines used to assist in completion or to complete the work the home performance with energy star program commissions or provides funding in any amount. Contractors shall have the licenses necessary to comply with New Hampshire state licensing requirements, be a business registered with the New Hampshire secretary of state and in good standing, have and maintain a valid New Hampshire workers compensation insurance in accordance with New Hampshire state law, and maintain liability insurance with a company licensed to do business in New Hampshire in an amount sufficient and necessary to cover any liability for the work both during and after completion.
- II. The home performance with energy star program shall include weatherization and energy efficiency measures required for restoration and re-purposing of mill buildings, commercial buildings, residential multifamily and single family, treating each as equals so long as the purpose is to create energy efficient housing for New Hampshire inhabitants and complies with all other necessary requirements. When the intent of maximum energy efficiency, longevity of the savings and efficiency as well as a better value for the use of public funds can be achieved by full replacement of windows said replacement should be the chosen method for the sake of all.
 - 3 Effective Date. This act shall take effect 60 days after its passage.

2022-0258s

AMENDED ANALYSIS

This bill reduces the contractor pre-qualifications for contracts pertaining to the home performance with energy star program as administered by the public utilities commission and calls for the weatherization of re-purposed buildings such as mill buildings.



Amendment to SB 269-FN

1	Amend the title of the bill by replacing it with the following:
2	
3 4	AN ACT establishing a commission to study energy saving weatherization programs.
5	Amend the bill by replacing all after the enacting clause with the following:
6	
7	1 Declaration of Purpose. Participation and administration of the New Hampshire
8	weatherization and energy efficiency programs, as authorized for funding by the New Hampshire
9	legislature for programs approved by the public utilities commission and as administered by the
LO	utility companies of New Hampshire, is essential for the growing number of elders caring for a third
1	generation while living on social security. The energy weatherization program serves us all as
12	citizens of New Hampshire. We build strength by standing together and, with these programs, we
L3	will raise our next generation with the proper tools to maintain our way of life.
l 4	2 New Section; Commission to Study Energy Saving Weatherization Programs Established.
L 5	Amend RSA 12-P by inserting after section 7-b the following new section:
16	12-P:7-c Commission to Study Energy Saving Weatherization Programs Established.
L 7	I. The commission duties shall be as follows: Michael but not 11 miled de
18	(a) The commission shall identify policy and funding opportunities to support fall including electric for feeling weatherization of buildings heated with delivered fuels such as oil, propane, kerosene and wood,
20	including, but not limited to, the following avenues:
21	(1) Policy direction to further prioritize weatherization within the existing NHSaves
22	programs;
23	(2) Research to explore expanding the fiscal participation of propane and oil users in
24	New Hampshire in the same manner as electric and natural gas; and
25	(3) Use of other funding sources such as grant funds.
26	(b) The commission shall also explore the fiscal feasibility of double or triple pane
27	replacement of windows, insulated doors, and water heaters in residential duplexes, quadplexes, and
28	multi-residential buildings with units falling under the definition of workforce housing in RSA
29	674:58, IV.
30	II. (a) The commission shall be comprised of the following members:
	(1) The members of the senate, appointed by the senate president;

Amendment to SB 269-FN - Page 2 -

1	(2) Three members of the house of representatives, appointed by the speaker of the
2	house of representatives;
3	(3) One representative each from an electric provider, a natural gas provider, a
4	propane supplier and an oil supplier, appointed by the governor;
5	(4) One representative from Clean Energy NH, appointed by such organization;
6	(5) One representative from the New Hampshire Home Builders Association,
7	appointed by such organization;
8	(6) One New Hampshire representative from the Association of Builders and
9	Contractors of New Hampshire and Vermont, appointed by such organization;
10	(7) The consumer advocate, or designee;
XI)	(8) One member of the New Hampshire Building Officials Association, appointed by
12	such organization;
13	(9) One member of the public employed in the weatherization and energy efficiency
14	field, appointed by the governor; and
15	(10) One member of the public not employed in the construction nor weatherization or energy efficient sides amounted by the governor.
16	or energy efficiency fields, appointed by the governor.
(H)	(b) Legislative members of the commission shall receive mileage at the legislative rate
18	when attending to the duties of the commission.
19	(c) The members of the commission shall elect a chairperson from among the members.
20	The first meeting of the commission shall be called by the first-named senate member. The first
21	meeting of the commission shall be held within 45 days of the effective date of this section. The
22	commission shall meet at least monthly. Eight members of the commission shall constitute a
23	quorum.
24	III. The minutes of each meeting shall be provided to the governor, president of the senate,
25	speaker of the house of representatives, and the commissioner of the department of energy within
26	the first week of every month.
27	TV. The commission shall provide any findings or solutions suitable for legislation no later
28	than December 15, 2022.
29	3 Prospective Repeal. RSA 12-P:7-c, relative to the commission to study energy saving
30	weatherization programs, is repealed.
31 .	4-Effective Date.
32	I. Section 3 of this act shall take effect December 16, 2022.
33	II. The remainder of this act shall take effect upon its passage.

Amendment to SB 269-FN - Page 3 -

 $2022\text{-}0656\mathrm{s}$

AMENDED ANALYSIS

This bill establishes a commission to study methods of participation for maintaining an energy saving weatherization program to assist in lowering the overall energy consumption for New Hampshire families.



Energy and Natural Resources February 15, 2022 2022-0720s 07/05

31

Amendment to SB 269-FN

1	Amend the title of the bill by replacing it with the following:
2	
3	AN ACT establishing a commission to study energy saving weatherization programs.
4	
5	Amend the bill by replacing all after the enacting clause with the following:
6	
7	1 Declaration of Purpose. Participation and administration of the New Hampshire
8	weatherization and energy efficiency programs, as authorized for funding by the New Hampshire
9	legislature for programs approved by the public utilities commission and as administered by the
10	utility companies of New Hampshire, is essential for the growing number of elders caring for a third
11	generation while living on social security. The energy weatherization program serves us all as
12 .	citizens of New Hampshire. We build strength by standing together and, with these programs, we
13	will raise our next generation with the proper tools to maintain our way of life.
14	2 New Section; Commission to Study Energy Saving Weatherization Programs Established.
15	Amend RSA 12-P by inserting after section 7-b the following new section:
16	12-P:7-c Commission to Study Energy Saving Weatherization Programs Established.
17	I. The commission duties shall be as follows:
18	(a) The commission shall identify policy and funding opportunities to support
19	weatherization of buildings heated with fuels including, but not limited to, electricity, natural gas,
20	oil, propane, kerosene and wood, including, but not limited to, the following avenues:
21	(1) Policy direction to further prioritize weatherization within the existing NHSaves
22	programs;
23	(2) Research to explore expanding the fiscal participation of propane and oil users in
24	New Hampshire in the same manner as electric and natural gas; and
25	(3) Use of other funding sources such as grant funds.
26	(b) The commission shall also explore the fiscal feasibility of double or triple pane
27	replacement of windows, insulated doors, and water heaters in residential duplexes, quadplexes, and
28	multi-residential buildings with units falling under the definition of workforce housing in RSA
29	674:58, IV.
30	II.(a) The commission shall be comprised of the following members:

(1) One member of the senate, appointed by the senate president;

Amendment to SB 269-FN - Page 2 -

1	(2) Three members of the house of representatives, appointed by the speaker of the
2	house of representatives;
3	(3) One representative each from an electric provider, a natural gas provider, a
4	propane supplier and an oil supplier, appointed by the governor;
5	(4) One representative from Clean Energy NH, appointed by such organization;
6	(5) One representative from the New Hampshire Home Builders Association,
7	appointed by such organization;
8	(6) One New Hampshire representative from the Association of Builders and
9	Contractors of New Hampshire and Vermont, appointed by such organization;
10	(7) The consumer advocate, or designee;
11	(8) One member of the New Hampshire Building Officials Association, appointed by
12	such organization;
13	(9) One member of the public employed in the weatherization and energy efficiency
14	field, appointed by the governor;
15	(10) One member of the public not employed in the construction nor weatherization
16	or energy efficiency fields, appointed by the governor; and
17	(11) One member representing the New Hampshire Consumer Community Action
18	Program, appointed by the governor.
19	(b) Legislative members of the commission shall receive mileage at the legislative rate
20	when attending to the duties of the commission.
21	(c) The members of the commission shall elect a chairperson from among the members.
22	The first meeting of the commission shall be called by the first-named senate member. The first
23	meeting of the commission shall be held within 45 days of the effective date of this section. The
24	commission shall meet at least monthly. Eight members of the commission shall constitute a
25	quorum.
26	III. The minutes of each meeting shall be provided to the governor, president of the senate,
27	speaker of the house of representatives, and the commissioner of the department of energy within
28	the first week of every month.
29	IV. The commission shall provide any findings or solutions suitable for legislation no later
30	than December 15, 2022.
31	3 Prospective Repeal. RSA 12-P:7-c, relative to the commission to study energy saving
32	weatherization programs, is repealed.
33	4 Effective Date.
34	I. Section 3 of this act shall take effect December 16, 2022.

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

35

Amendment to SB 269-FN - Page 3 -

2022-0720s

AMENDED ANALYSIS

This bill establishes a commission to study methods of participation for maintaining an energy saving weatherization program to assist in lowering the overall energy consumption for New Hampshire families.

Sen. D'Allesandro, Dist 20 February 18, 2022 2022-0750s 07/08

31

Floor Amendment to SB 269-FN

1	Amend the title of the bill by replacing it with the following:
2	
3	AN ACT establishing a commission to study energy saving weatherization programs.
4	
5	Amend the bill by replacing all after the enacting clause with the following:
6	
7	1 Declaration of Purpose. Participation and administration of the New Hampshire
8	weatherization and energy efficiency programs, as authorized for funding by the New Hampshire
9	legislature for programs approved by the public utilities commission and as administered by the
10	utility companies of New Hampshire, is essential for the growing number of elders caring for a third
11	generation while living on social security. The energy weatherization program serves us all as
12	citizens of New Hampshire. We build strength by standing together and, with these programs, we
13	will raise our next generation with the proper tools to maintain our way of life.
14	2 New Section; Commission to Study Energy Saving Weatherization Programs Established.
15	Amend RSA 12-P by inserting after section 7-b the following new section:
16	12-P:7-c Commission to Study Energy Saving Weatherization Programs Established.
17	I. The commission duties shall be as follows:
18	(a) The commission shall identify policy and funding opportunities to support
19	weatherization of buildings heated with fuels including, but not limited to, electricity, natural gas,
20	oil, propane, kerosene and wood, including, but not limited to, the following avenues:
21	(1) Policy direction to further prioritize weatherization within the existing NHSaves
22	programs;
23	(2) Research to explore expanding the fiscal participation of propane and oil users in
24	New Hampshire in the same manner as electric and natural gas; and
25	(3) Use of other funding sources such as grant funds.
26	(b) The commission shall also explore the fiscal feasibility of double or triple pane
27	replacement of windows, insulated doors, and water heaters in residential duplexes, quadplexes, and
28	multi-residential buildings with units falling under the definition of workforce housing in RSA
29	674:58, IV.
30	II.(a) The commission shall be comprised of the following members:

(1) One member of the senate, appointed by the senate president;

Floor Amendment to SB 269-FN - Page 2 -

1	(2) Three members of the house of representatives, appointed by the speaker of the
2	house of representatives;
3	(3) One representative each from an electric provider, a natural gas provider, a
4	propane supplier and an oil supplier, appointed by the governor;
5	(4) One representative from Clean Energy NH, appointed by such organization;
6	(5) One representative from the New Hampshire Home Builders Association,
7	appointed by such organization;
8	(6) One New Hampshire representative from the Association of Builders and
9	Contractors of New Hampshire and Vermont, appointed by such organization;
10	(7) The consumer advocate, or designee;
11	(8) One member of the New Hampshire Building Officials Association, appointed by
12	such organization;
13	(9) One member of the public employed in the weatherization and energy efficiency
14	field, appointed by the governor;
15	(10) One member of the public not employed in the construction nor weatherization
16	or energy efficiency fields, appointed by the governor; and
17	(11) Two members from the New Hampshire Community Action Partnerships, one of
18	whom shall be from the community action partnership with the largest population served, appointed
19	by the New Hampshire Community Action Association.
20	(b) Legislative members of the commission shall receive mileage at the legislative rate
21	when attending to the duties of the commission.
22	(c) The members of the commission shall elect a chairperson from among the members.
23	The first meeting of the commission shall be called by the first-named senate member. The first
24	meeting of the commission shall be held within 45 days of the effective date of this section. The
25	commission shall meet at least monthly. Eight members of the commission shall constitute a
26	quorum.
27	III. The minutes of each meeting shall be provided to the governor, president of the senate,
28	speaker of the house of representatives, and the commissioner of the department of energy within
29	the first week of every month.
30	IV. The commission shall provide any findings or solutions suitable for legislation no later
31	than December 15, 2022.
32	3 Prospective Repeal. RSA 12-P:7-c, relative to the commission to study energy saving
33	weatherization programs, is repealed.
34	4 Effective Date.
35	I. Section 3 of this act shall take effect December 16, 2022.

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

36

Floor Amendment to SB 269-FN - Page 3 -

 $2022\text{-}0750\mathrm{s}$

AMENDED ANALYSIS

This bill establishes a commission to study methods of participation for maintaining an energy saving weatherization program to assist in lowering the overall energy consumption for New Hampshire families.

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

Sen. Gray

Sen. Avard

Date: January 20, 2022

HEARINGS

	Tue	sday		(01/25/2022	2
	(D	ay)			(Date)	
Energy and	d Natural R	esources		State House	103	9:00 a.m.
(Name of C	committee)		,	(Place)		(Time)
9:00 a.m.	SB 256		establishing a evaluation co	a committee to study the ommittee.	e feasibility	of replacing the site
9:15 a.m.	SB 258-FN	-LOCAL	relative to the	e graves of African Ame slavement.	ricans alive	during the period of
9:30 a.m.	SB 261-FN		relative to ne	t metering participation	1.	`
9:45 a.m.	SB 269-FN	1	relative to the	e New Hampshire weatl	nerization p	rogram.
10:00 a.m.	SB 396-FN		relative to so	lid waste management.		
		EXE	CUTIVE SES	SSION MAY FOLLOW		
Sponsors: SB 256 Sen. Giuda Rep. Vose SB 258-FN-I Sen. Watters Sen. Cavanaugh Sen. Whitley Sen. Kahn SB 261-FN	LOCAL	Sen. Watters Rep. Harring Sen. D'Alless Sen. Carson Sen. Prentiss Rep. DiLoren	andro	Sen. Ward Sen. Gannon Sen. Bradley Sen. Hennessey Rep. Harriott-Gathright	Sen. S Sen. F	Leishman Sherman Rosenwald Perkins Kwoka

Sen. Giuda

SB 269-FN

Sen. AvardSen. BradleySen. CarsonSen. Perkins KwokaSen. WattersSen. RosenwaldSen. SoucySen. Prentiss

SB 396-FN

Sen. CavanaughSen. RosenwaldSen. WattersSen. HennesseySen. ShermanSen. SoucyRep. Amanda BouldinRep. Andrew Bouldin

Rep. Bixby Rep. Merner Rep. Egan

Daley Frenette 271-3042

Kevin A. Avard Chairman

Senate Energy and Natural Resources Committee

Daley Frenette 271-3042

SB 269-FN, relative to the New Hampshire weatherization program.

Hearing Date:

January 25, 2022

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

Perkins Kwoka

Members of the Committee Absent: None

Bill Analysis: This bill reduces the contractor pre-qualifications for contracts pertaining to the New Hampshire weatherization assistance program and calls for the weatherization of re-purposed buildings such as mill buildings.

Sponsors:

Sen. Avard

Sen. Bradley

Sen. Carson

Sen. Perkins Kwoka

Sen. Watters

Sen. Rosenwald

Sen. Soucy

Sen. Prentiss

Who supports the bill: Senator Kevin Avard, Senate District 12, Robert Clegg, Legislative Solutions, Senator Sharon Carson, Senate District 14, Ari Pollack, NH Homebuilders, Donna Soucy, Senate District 18, Senator Cindy Rosenwald, Senate District 13, Janet Lucas, Senator Jeb Bradley, Senate District 3, Karen Cambell, Michael Fraysse, Mark Lord, Kit Lord, Wiltrud, Mort-Smith

Who opposes the bill: None.

Who is neutral on the bill: Josh Elliot, Department of Energy, Donna Gamache, Eversource

Summary of testimony presented:

Senator Kevin Avard, Senate District 12

- Senator Avard clarified that there is an amendment for the bill, and it will be introduced at a later date.
- SB 269-FN reduces the contractor pre-qualifications for contracts pertaining to the NH weatherization assistance program and calls for the weatherization of re-purposed buildings such as mill buildings.

- Senator Perkins Kwoka asked Senator Avard to clarify which pre-qualifications for contractors the bill intends to address. Senator Avard deferred the question to other speakers.
- Senator Giuda asked if this bill is a state mandate siting line 27 of page 1 of the bill. Senator Avard clarified that it is a mandate.
- Senator Watters asked if the intent of the bill is meant to be directed at lowincome housing or could this lead to the state paying for the weatherization of large multi-million-dollar projects. Senator Avard clarified that the amendment should clarify that question.

Robert Clegg, Legislative Solutions

- Mr. Clegg clarified that the bill was written for the wrong section of the existing statute. He stated that they are meeting with the DOE, Eversource, and other actors. Mr. Clegg asked for time to meet with these actors so they may fix issues with the bill.
- Senator Giuda clarified that he is concerned that the bill is creating a state mandate. Mr. Clegg clarified that the bill is aimed to help low-income individuals. He does not believe the bill is mandating anything. The bill is saying they want to make the programs available and ensure they run efficiently. Senator Giuda is still concerned that the bill is a state mandate, however Mr. Clegg clarified that the amendment to the bill will clear up any confusion.

Donna Gamache, Eversource

- Eversource is willing to work with the stakeholders on the bill.
- Eversource's main concern is that the language of the bill conflicts with HB 549.
- Eversource and the other stakeholders will meet and discuss their concerns and return to the committee.

Josh Elliot, Department of Energy

- Mr. Elliot clarified that the DOE had met with Mr, Clegg and the other stakeholders and discovered that the intention of the bill was not to change the low-income weatherization program. The money for the program comes from the federal government and is disbursed through county CAP's.
- In statute, the weatherization program refers to the Federal Weatherization Program.
- The amendment for the bill will change the current fiscal note because it will not be impacting the program.

•	Senators Gray and Avard clarified that there will be another public hearing on
	SB 269-FN.

DF Date Hearing Report completed: January 28, 2022

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: February 8, 2022

HEARINGS

	Tuesday	02/15/20	22
	(Day)	(Date)	
Energy and	Natural Resources	State House 103	9:00 a.m.
(Name of Committee)		(Place)	(Time)
9:00 a.m. SB 380-FN		relative to solid waste rules and landfill contain	nment tests.
9:15 a.m.	SB 424-FN	relative to renewable energy and natural gas.	
9:30 a.m.	SB 269-FN	relative to the New Hampshire weatherization	n program.

(THE PREVIOUS HEARING FOR SB 269-FN WAS RECESSED ON JANUARY 25TH)

EXECUTIVE SESSION MAY FOLLOW

Sponsors:			
SB 380-FN			
Sen. Hennessey	Sen. Watters	Sen. Bradley	Sen. Prentiss
Sen. Sherman	Sen. Ricciardi	Sen. Birdsell	Sen. Gannon
Sen. Whitley	Rep. Egan	Rep. Suzanne Smith	Rep. Massimilla
Rep. Tucker	Rep. Merner	•	
SB 424-FN	•		
Sen. Bradley	Sen. Watters	Sen. Avard	Sen. Sherman
Sen. Giuda	Rep. Somssich	Rep. Vose	Rep. Deshaies
SB 269-FN	•	-	
Sen. Avard	Sen. Bradley	Sen. Carson	Sen. Perkins Kwoka
Sen. Watters	Sen. Rosenwald	Sen. Soucy	Sen. Prentiss

Daley Frenette 271-3042

<u>Kevin A. Avard</u> Chairman

Senate Energy and Natural Resources Committee

Daley Frenette 271-3042

SB 269-FN, relative to the New Hampshire weatherization program.

Hearing Date:

February 15, 2022

Members of the Committee Present: Senators Avard, Gray, Watters and Perkins

Kwoka

Members of the Committee Absent: Senator Giuda

Bill Analysis: This bill establishes a commission to study methods of participation for maintaining an energy saving weatherization program to assist in lowering the overall energy consumption for New Hampshire families.

Sponsors:

Sen. Avard

Sen. Bradley

Sen. Carson

Sen. Perkins Kwoka

Sen. Watters

Sen. Rosenwald

Sen. Soucy

Sen. Prentiss

Who supports the bill: Robert Clegg, Matt Mayberry, NH Homebuilders, Senator Carson, Senate District 14, Senator Watters, Senate District 4, Senator Perkins Kwoka, Senate District 21, Senator Rosenwald, Senate District 13, Chuck Rhoades, Janet Lucas, Mary Brosheck, Barbara Zaenglein, Eric Zaenglein, Kathleen Letellier, David Dinzeo, Marie Straiton, Patricia Martin, Dennis Jakubowski, Mary Wilke, Ruth Perencevich, Julia Thompson, Andrew Jones, Gary Devore, Elizabeth Corell, Margaret Gordon, Laurie Gordon, Cora Quisumbing-King, Annie Rettew, Laura Aronson, Phil Hatcher, Lyn Merlone, Jane Hershey, Anne Thomas, Susan Richman, Claudia Istel, Sally Hatch, Karen Campbell, Michael Fraysse, Marianne Tilli-Pauling, Nigel Tili-Pauling, Deborah Leavitt.

Who opposes the bill: None.

Who is neutral on the bill: Josh Elliot, DOE, Henry Veilleux, CAP.

Summary of testimony presented:

Senator Avard, Senate District 12

 Senator Avard reintroduced SB 269. The bill was recessed in a previous public hearing. • Senator Avard introduced an amendment to the bill that acts as a replace all and establishes a commission to study energy saving weatherization programs.

Robert Clegg

- While the original bill needed to be amended because it was directed at the wrong section of statute, this ended up working out because it got all the stakeholders to work together. After meeting with Eversource, the DOE, and other stakeholders, they decided that creating a commission to address this issue was appropriate. We want the commission to be diverse and we want it to be able to continue even if some members are facing election issues.
- The purpose of the bill is to see how we can best afford to continue the state weatherization program. The cost of energy has gone up significantly. In some cases, a barrel of oil can cost 100 dollars. Every building or home that is not weatherized is costing more money. We need to continue helping people while conserving the products that we have by weatherization.
- Oil and propane do not contribute at all to the weatherization fund and yet they are a big user of the funding. Natural gas has a fee, but everyone needs to participate.
- Senator Watters asked a question regarding line 19. It says weatherization of buildings heated by delivered fuel such as oil, propane, kerosene, and wood, but it does not include electricity. Mr. Clegg agreed that electricity needs to be included. They also agreed that natural gas should be included as well.
- Senator Avard asked if it would be a problem changing the number of Senators on the commission from 2 to 1. Mr. Clegg had no issue with the change.

Matt Mayberry, NH Homebuilders

- The NH Homebuilders support the bill and the amendment.
- They want to expand how we help our Granite State Neighbors, especially those who are low-income. This bill allows us to do so.

Karen Soucy, CAP

• Mrs. Soucy spoke in place of Henry Veilleux. They asked that the Consumer Community Action Programs be included in the bill.

Josh Elliot, DOE

• Mr. Elliot clarified that the bills fiscal note no longer applies because it is a study commission.

- Adding the community action programs to the bill is a good idea given that they are subgrantees for all the federal weatherization funding that goes to the state.
- Senator Watters asked who should make the appointment of the community action program official. Mr. Elliot noted that each CAP has their own weatherization official. They agreed that appointing the Governor would be best.

DF Date Hearing Report completed: February 22, 2022

Speakers

Senate Energy & Natural Resources Committee SIGN-IN SHEET

Date: 1/25/2022

Time: 9:45 a.m.

SB 269-FN

AN ACT relative to the New Hampshire weatherization program.

Name/Representing (please print neatly)					
Joshua Elliott IN Dept. of Energy	Support	Oppose	Speaking?	Yes	No
Toshua Elliott MM Dept of Energy Robert Clegg Legislative Solution Doma Gamache Eversource	Support	Oppose	Speaking?	Yes	No
Doma Gamache Eversonne	Support	Oppose	Speaking?	Yes	No □
,	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support 🔲	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	\Box	No
	Support	Oppose	Speaking?	Yes	\Box
	Support	Oppose	Speaking?	Yes	
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
1	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill SB269 on 2022-01 Support: 11 Oppose: 0

<u>Name</u>	<u>Title</u>	Representing	Position
Carson, Senator Sharon	An Elected Official	Myself	Support
Pollack, Ari	A Lobbyist	NH Homebuilders	Support
Soucy, Donna	An Elected Official	SD 18	Support
Rosenwald, Cindy	An Elected Official	SD 13	Support
Lucas, Janet	A Member of the Public	Myself	Support
Bradley, Senator Jeb	An Elected Official	SD3	Support
Campbell, Karen	A Member of the Public	Myself	Support
Fraysse, Michael	A Member of the Public	Myself	Support
Lord, Mark	A Member of the Public	Myself	Support
Lord, Kit	A Member of the Public	Myself	Support
Mott-Smith, Wiltrud	A Member of the Public	Myself	Support

Senate Energy & Natural Resources Committee SIGN-IN SHEET

Date: 2/15/2022

Time: 9:30 a.m.

Avord

OTIPH

SB 269-FN. AN ACT relative to the New Hampshire weatherization program.

Name/Representing (please print neatly)					
Josh Ellioth NH Dept of Energy	Support	Oppose	Speaking?	Yes	No
Robert Clegg	Support	Oppose	Speaking?	Yes	N₀ □
MATT MAYberry / NH Hume Builders	Support	Oppose	Speaking?	Yes	No
Bonk)	Support	Oppose	Speaking?	Yes	No □
Henry Veillex	Support	$ \qquad \qquad \Box$	Speaking?	Yes X	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	$ \qquad \qquad \square$	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No □
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No □
	Support	Oppose	Speaking?	Yes	No
	Support		Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
,	Support	Oppose	Speaking?	Yes	No
,	Support	Oppose	Speaking?	Yes	No

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill SB269 on 2022-02 Support: 37 Oppose: 0

<u>Name</u>	<u>Title</u>	Representing	<u>Position</u>
Carson, Senator	An Elected Official	Myself	Support
Watters, Senator David	An Elected Official	Myself	Support
Perkins Kwoka, Senator Rebecca	An Elected Official	Myself	Support
Rosenwald, Cindy	An Elected Official	SD 13	Support
Rhoades, Chuck	A Member of the Public	Myself	Support
Lucas, Janet	A Member of the Public	Myself	Support
Broshek, Mary	A Member of the Public	Myself	Support
Zaenglein, Barbara	A Member of the Public	Myself	Support
Zaenglein, Eric	A Member of the Public	Myself	Support
Letellier, Kathleen	A Member of the Public	Myself	Support
Dinzeo, David	A Member of the Public	Myself	Support
Straiton, Marie	A Member of the Public	Myself	Support
Martin, Patricía A	A Member of the Public	Myself	Support
Jakubowski, Dennis	A Member of the Public	Myself	Support
Wilke, Mary	A Member of the Public	Myself	Support
perencevich, ruth	A Member of the Public	Myself	Support
thompson, julia	A Member of the Public	Myself	Support
Jones, Andrew	A Member of the Public	Myself	Support
Devore, Gary	A Member of the Public	Myself	Support
Corell, Elizabeth	A Member of the Public	Myself	Support
Gordon, Margaret	A Member of the Public	Myself	Support
Gordon, Laurie	A Member of the Public	Myself .	Support
QUISUMBING-KING, Cora	A Member of the Public	Myself	Support
Rettew, Annie	A Member of the Public	Myself	Support
Aronson, Laura	A Member of the Public	Myself	Support
Hatcher, Phil	A Member of the Public	Myself	Support
Merlone, Lynn	A Member of the Public	Myself	Support
Hershey, Jane	A Member of the Public	Myself	Support
Thomas, Anne	A Member of the Public	Myself	Support
Richman, Susan	A Member of the Public	Myself	Support
Istel, Claudia	A Member of the Public	Myself	Support
hatch, sally	A Member of the Public	Myself	Support
Campbell, Karen	A Member of the Public	Myself	Support
Fraysse, Michael	A Member of the Public	Myself	Support
Tilli-Pauling, Marianne	A Member of the Public	Myself	Support
Tilli-Pauling, Nigel	A Member of the Public	Myself	Support
Leavitt, Deborah	A Member of the Public	Myself	Support

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Hearing Dat	e: 2/15 and 1/	25 065	Bill # S	8269	-
	ession Date: 2/15		<i>5)</i>		
Motion of:_	Conrulte	CreMent	Vote	3-0	
	Committee Member Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka	Present	Made by	Second Yes	No .
Motion of:_	ATTA		Vote	:_3-0_	
	Committee Member Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka	Present	Made by	Second Yes	No
			-		
Motion of:_			Vote	: <u> </u>	
Motion of:_	Committee Member Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka	Present	Made by	Second Yes	No .
Motion of:_	Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters			Second Yes	No .
	Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka Committee Member Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka		Made by	Second Yes	No No
	Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka Committee Member Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka		Made by	Second Yes	
Motion of:_	Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka Committee Member Sen. Avard, Chair Sen. Giuda, Vice Chair Sen. Gray Sen. Watters Sen. Perkins Kwoka	Present	Made by Vote Made by	Second Yes	

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, February 15, 2022

THE COMMITTEE ON Energy and Natural Resources

to which was referred SB 269-FN

AN ACT

relative to the New Hampshire weatherization program.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF:

3-0

AMENDMENT # 0720s

Senator Kevin Avard For the Committee

Daley Frenette 271-3042

ENERGY AND NATURAL RESOURCES

SB 269-FN, relative to the New Hampshire weatherization program. Ought to Pass with Amendment, Vote 3-0. Senator Kevin Avard for the committee.

General Court of New Hampshire - Bill Status System

Docket of SB269

Docket Abbreviations

Bill Title: (New Title) establishing a commission to study energy saving weatherization programs.

Official Docket of SB269.:

Date	Body	Description
12/14/2021	S	To Be Introduced 01/05/2022 and Referred to Energy and Natural Resources; SJ 1
1/20/2022	S,	==RECESSED== Hearing: 01/25/2022, Room 103, SH, 09:45 am; SC 4
2/8/2022	S	==RECONVENE== Hearing: 02/15/2022, Room 103, SH, 09:30 am; SC 4
2/15/2022	S	Committee Report: Ought to Pass with Amendment #2022-0720s, 02/24/2022; SC 8
2/24/2022	S	Committee Amendment #2022-0720s, AF, VV; 02/24/2022; SJ 4
2/24/2022	S	Sen. D'Allesandro Floor Amendment #2022-0750s , AA, VV; 02/24/2022; SJ 4
2/24/2022	S	Ought to Pass with Amendment 2022-0750s, MA, VV; OT3rdg; 02/24/2022; SJ 4
3/23/2022	Н	Introduced 03/17/2022 and referred to Science, Technology and Energy
3/30/2022	Н	Public Hearing: 04/11/2022 10:00 am LOB 306-308
4/15/2022	Н	Executive Session: 04/11/2022 10:00 am LOB 306-308
4/15/2022	Н	Majority Committee Report: Refer for Interim Study (Vote 12-9; RC)
4/15/2022	н	Minority Committee Report: Ought to Pass
5/5/2022	Н	Refer for Interim Study: MA RC 182-152 05/05/2022 HJ 12
5/11/2022	Н	Interim Study Work Session Work Session: 05/24/2022 10:00 am LOB 306-308

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 269-FN Senate Committee	e: Bress)
Please include all documents in the order listed below and indicate the documents included with an "X" beside	cuments which have been
Final docket found on Bill Status	,
Bill Hearing Documents: {Legislative Aides}	
Bill version as it came to the committee	
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
Prepared testimony, presentations, & other submissions handed in Hearing Report 2× Revised/Amended Fiscal Notes provided by the Senate Clerk's Offi	
Revised/Amended Fiscal Notes provided by the Senate Clerk's Offi	ce
Committee Action Documents: {Legislative Aides}	•
All amendments considered in committee (including those not adopted):	
- amendment # $\frac{\checkmark}{}$	
$\underline{\sim}$ - amendment # $\underline{0258}$ $\underline{\sim}$ - amendment # $\underline{0656}$	
Executive Session Sheet	
Committee Report	
Floor Action Documents: {Clerk's Office}	
All floor amendments considered by the body during session (only if they a	re offered to the senate):
2 - amendment # <u>0750</u> 5 amendment #	
amendment# amendment#	
Post Floor Action: (if applicable) {Clerk's Office}	
Committee of Conference Report (if signed off by all members. Include the committee of conference):	ude any new language proposed
Enrolled Bill Amendment(s)	
Governor's Veto Message	
All available versions of the bill: {Clerk's Office}	
\times as amended by the senate as amended	by the house
final version	•
Completed Committee Report File Delivered to the Senate Clerk's	Office By:
Deel 61	124/22
Committee Aide	Date
Senate Clerk's Office	