

Amendment to HB 2-FN-A-LOCAL

1 1 New Section; State Liquor Stores; Agency Store. Amend RSA 177 by inserting after section 9
2 the following new section:

3 177:9-a Agency Liquor Store; License Fee. The fee for an agency store license shall be as
4 determined in RSA 178:29, II(c).

5 2 Liquor Licenses; Off-Premises Fees. Amend the introductory paragraph of RSA 178:29, II to
6 read as follows:

7 II. Off-premises licenses shall pay **one of** the following applicable fees annually:

8 3 New Subparagraph; Liquor Licenses; Retail Tobacco. Amend RSA 178:29, II by inserting after
9 subparagraph (d) the following new subparagraph:

10 (e) Retail tobacco license:

11 (1) 1 register, \$216

12 (2) 2-3 registers, \$408

13 (3) 4 or more registers, \$648

14 4 Repeal; Liquor License Fee; Retail Tobacco. RSA 178:29, V-a(a), relative to the fee for a retail
15 tobacco license, is repealed.

16 5 Retail Tobacco License. Amend RSA 178:19-a to read as follows:

17 178:19-a Retail Tobacco License.

18 I. The commission may issue a retail tobacco license to a person engaged in the business of
19 retail sales and distribution of tobacco products **including e-cigarettes** in this state. Each retail
20 outlet shall have a separate license regardless of the fact that one or more outlets may be owned or
21 controlled by a single person.

22 ***I-a. The commission may issue a retail tobacco license to any business holding a***
23 ***license to sell alcoholic beverages under RSA 178 for an additional fee of \$6 per licensed***
24 ***location.***

25 II. A retail tobacco license shall be prominently displayed on the premises described in it.

26 III. The commission, when issuing or renewing a retail tobacco license, shall furnish a sign
27 which shall read or be substantially similar to the following: "State Law prohibits the sale of tobacco
28 products or e-cigarettes to persons under age 21. Warning: violators of these provisions may be
29 subject to a fine."

30 ***IV. All sales of tobacco, including e-cigarettes, shall be recorded on cash registers.***
31 ***No additional registers shall be added during the remainder of the year without prior***

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1 ***approval of the commission. No rebate shall be allowed for cash registers discontinued***
2 ***during the license year.***

3 ***V. The fee for a retail tobacco license shall be as determined in RSA 178:29, II(e).***

4 6 New Paragraph; On-Premises Cigar, Beverage, and Liquor License; Fee. Amend RSA 178:20-
5 a by inserting after paragraph IV the following new paragraph:

6 V. The fee for an on-premises cigar, beverage, and liquor license shall be as determined in
7 RSA 178:29, I.

8 7 New Paragraph; Combination License; Fee. Amend RSA 178:18 by inserting after paragraph
9 III the following new paragraph:

10 IV. The fee for a combination license shall be as determined in RSA 178:29, II(b).

11 8 New Paragraph; Retail Wine License; Fee. Amend RSA 178:19 by inserting after paragraph
12 IV the following new paragraph:

13 V. The fee for a retail wine license shall be as determined in RSA 178:29, II(a).

14 9 New Paragraph; Beer Specialty License; Fee. Amend RSA 178:19-d by inserting after
15 paragraph VI the following new paragraph:

16 VII. The fee for a beer specialty license shall be found in RSA 178:29, II(d).

17 10 Applicability. The provisions of sections 1-9 of this act shall be applicable on the first day of
18 the month following its effective date.

19 11 Effective Date. Sections 1-9 of this act shall take effect 60 days after its passage.

2021-0792h

AMENDED ANALYSIS

Add new: 1. Makes changes to liquor license fees for agency licenses and retail tobacco licenses and clarifies certain other liquor license fee provisions.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 40 with the following:

2

3 40 New Section; Department of Military Affairs and Veterans Services; Support for Veterans
4 Mental Health and Social Isolation. Amend RSA 110-B by inserting after section 73-c the following
5 new section:

6 110-B:73-d Support for Veterans Mental Health and Social Isolation. The department of
7 military affairs and veterans services shall coordinate access to mental health programs available
8 through the United States Department of Veterans Affairs (VA), including but not limited to the VA
9 Solid Start program, which contacts every veteran multiple times by phone in the first year after
10 they leave active duty to check in and help connect them to VA programs and benefits, the Buddy
11 Check program through which veterans reach out to each other to provide peer support, and the
12 proposed Green Alert Act, which will help to locate veterans when they go missing so they can
13 receive appropriate care, in a manner similar to the Silver Alert system for older Americans and the
14 Amber Alert system for children. The department will help veterans to find and enroll in the variety
15 of mental health programs offered by the VA.

2021-0722h

AMENDED ANALYSIS

22. Directs the department of military affairs and veterans services to assist veterans in accessing mental health programs and services available through the VA.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Liquor Commission; Division of Enforcement and Licensing Renamed Division of Education
2 and Licensing. Amend RSA 176:8 to read as follows:

3 176:8 Divisions and Directors. The commission shall have 3 divisions under the direction of
4 unclassified division directors. The directors shall be nominated by the commissioner for
5 appointment by the governor with the consent of the council and shall serve for terms of 4 years
6 dependent upon maintaining good behavior and competence. There shall be a division of marketing,
7 merchandising, and warehousing, a division of administration, and a division of [~~enforcement~~]
8 **education** and licensing. The director of the division of enforcement and licensing shall be subject
9 to a background check by the state police prior to appointment.

10 2 Liquor Commission; Liquor Investigator Renamed Liquor Specialist. Amend RSA 176:9 to
11 read as follows:

12 176:9 Liquor [~~Investigator~~] **License Specialists**; Training.

13 I. The commission may, subject to rules adopted by the director of personnel, employ and
14 dismiss liquor [~~investigators~~] **license specialists**. Liquor [~~investigators~~] **license specialists** shall,
15 under the direction of the commission, investigate any or all matters arising under this title.

16 II. [~~Any new liquor investigator employed by the commission under this section after August~~
17 ~~13, 1985, shall, within 6 months of employment, satisfactorily complete a preparatory police training~~
18 ~~program as provided by RSA 106 L:6, unless he or she has already completed such a program.~~

19 —III.] The commissioner, deputy commissioner, assistant, or liquor[~~investigator~~] **license**
20 **specialist** may enter any place where liquor, beverages, tobacco products, e-cigarettes are sold or
21 manufactured, [~~at any time~~] **during business hours**, and may examine any license or permit issued
22 or purported to have been issued under the terms of this title. They shall make complaints for
23 violations of this title.

24 3 Closing of State Stores; Enforcement and Licensing Division Renamed. Amend RSA 177:2, II
25 to read as follows:

26 II. In order to properly reflect the operating expenses of each state store, the commission
27 shall prepare annually an indirect cost allocation plan for all indirect operating expenses of the
28 commission. All such expenses of the commission, with the exception of the [~~enforcement~~]
29 **education** and licensing division operating expenses, shall be included in the plan and allocated to
30 all state stores on a consistent, rational basis. No later than 30 days following the closure of any
31 state liquor store, the commission shall submit a revised indirect cost allocation plan to the fiscal
32 committee of the general court and the governor and council for approval.

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1 4 Liquor/Wine/Beverage Warehouse License; Division of Enforcement and Licensing Renamed.
2 Amend RSA 178:11, V to read as follows:

3 V. Liquor/wine/beverage warehouseurs shall submit a monthly report both to the liquor
4 commission [~~enforcement~~] **education** and licensing division and the marketing, merchandising, and
5 warehousing division of the commission by the tenth day of the following month indicating the
6 quantity, type, size, and brands of all product received, stored, or shipped on their premises.

7 5 On-Premises Cocktail Lounge Licenses; Enforcement and Licensing Division Renamed.
8 Amend RSA 178:22,V(h)(12) to read as follows:

9 (12) Violations of subparagraph (11) of this subparagraph shall be investigated by
10 the [~~enforcement~~] **education** division of the liquor commission and directed to the department of
11 justice for examination of issues unrelated to this title.

12 6 Alcohol Consultant; Enforcement and Licensing Division Renamed. Amend the introductory
13 paragraph of RSA 178:27-a, VI to read as follows:

14 VI. Alcohol consultants shall register each educational event with the liquor commission-
15 division of [~~enforcement~~] **education** and licensing. The commission shall adopt rules, pursuant to
16 RSA 541-A, relative to:

17 7 Fees; Expiration Dates; Enforcement and Licensing Division Renamed. Amend RSA 178:29,
18 VIII(b) to read as follows:

19 (b) After one year, a licensee may select the anniversary month in which to renew a
20 license. A licensee may change the anniversary renewal month of a license once by making a written
21 request to the director of [~~enforcement~~] **education** and licensing. A licensee who changes the
22 anniversary renewal month of a license shall not change the anniversary renewal month for a period
23 of 3 years from the selected month. Nothing in this paragraph shall be construed to be contrary to
24 the provisions of RSA 178:3 or commission rules.

25 8 Transportation of Beverages and Wine; Liquor Investigators Renamed. Amend RSA 179:15 to
26 read as follows:

27 179:15 Transportation of Beverages and Wine. A person may transport or deliver beverages and
28 wines in this state without a license, provided such beverages and wines were obtained as
29 authorized by this title and provided such beverages and wines are for consumption only and not for
30 resale purposes. Licensees may transport and deliver to their place of business beverages and wines
31 purchased as authorized under this title, and, except on-premises licensees, may transport and
32 deliver anywhere in the state such beverages and wines ordered from and sold by them in vehicles
33 operated under the control of themselves or of their employees or agents, provided that the owner of
34 such vehicles shall carry a copy of the license issued by the commission in the vehicle driven on
35 behalf of the licensee for whom they are transporting such beverages and wines. Every person
36 operating such a vehicle, when engaged in such transportation or delivery, shall carry a copy of the
37 license in the vehicle so operated, and shall carry such evidence as the commission by rule may

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1 prescribe showing the origin and destination of the beverages and wines being transported or
2 delivered. Upon demand of any [~~law enforcement officer, investigator~~] **liquor license specialist**, or
3 employee of the commission, the person operating such vehicle shall produce for inspection a copy of
4 the license and the evidence required by this section. Failure to produce such license or evidence
5 shall constitute prima facie evidence of unlawful transportation. Except as otherwise provided,
6 beverages and wines may be transported within the state only by a railroad or steamboat
7 corporation or by a person regularly and lawfully conducting a general express or trucking business,
8 and in each case holding a valid carrier's license issued by the commission. Nothing in this section
9 shall prohibit individual retail licensees from arranging for the delivery of wine products to a
10 location central for the parties involved.

11 9 Retention of Invoices and Sale and Delivery Slips; Liquor Investigators Renamed. Amend
12 RSA 179:35 to read as follows:

13 179:35 Retention of Invoices and Sale and Delivery Slips. All invoices, sales slips and delivery
14 slips, current and covering a period of 60 days prior to the current date pertaining to purchases of
15 beverages and liquor shall be retained by the licensee on the premises or be readily available for
16 examination by the commission or its liquor [~~investigators~~] **license specialists**.

17 10 Prosecutions; Effective January 1, 2022. RSA 179:59 is repealed and reenacted to read as
18 follows:

19 179:59 Prosecutions. Any person violating the provisions of any law under Title XIII may be
20 prosecuted by county or city attorneys, or by sheriffs or their deputies, or by police officials of towns.

21 11 Interference with Liquor Investigators; Renamed Liquor License Specialists. Amend RSA
22 179:60 to read as follows:

23 179:60 Interference With Liquor [~~Investigators~~] **License Specialists**. It shall be unlawful to
24 [~~resist or attempt to resist arrest by a liquor investigator~~], or to obstruct, or to intimidate or interfere
25 with a liquor [~~investigator~~] **license specialist** in the performance of his **or her** duty. Any person
26 who violates any of the provisions of this section shall be guilty of a misdemeanor.

27 12 Enforcement and Licensing Renamed. Amend RSA 21-J:14, V(d)(9) to read as follows:

28 (9) An officer or employee of the division of enforcement of the liquor commission,
29 pursuant to an agreement for exchange of information between the department and the division of
30 [~~enforcement~~] **education and licensing**, for the purposes of, and only to the extent necessary for,
31 the administration and enforcement of RSA 78:16. Officers or employees of the division of
32 [~~enforcement~~] **education and licensing** having any confidential and privileged department
33 information obtained from the department pursuant to the exchange agreement authorized under
34 this subparagraph shall be subject to the provisions of this section.

35 13 Enforcement and Licensing Division Renamed. Amend RSA 94:1-a, I(a) GG to read as
36 follows:

37 GG Liquor commission director of [~~enforcement~~] **education** and licensing

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1 14 Enforcement and Licensing Division Renamed. Amend RSA 179:13, V to read as follows:

2 V. Each wholesale distributor, brew pub licensee, nano brewery, or beverage manufacturer
3 shall notify any retailer reported to the commission pursuant to RSA 179:13, I who is delinquent in
4 making payment of accounts. Notification shall be delivered in writing to the licensee by a
5 representative of the wholesaler, brew pub licensee, nano brewery, or beverage manufacturer. Proof
6 of notification shall be forwarded to the commission, whose [~~enforcement~~] **education and licensing**
7 division shall issue an administrative notice for a violation of the provisions of RSA 179:13, I and
8 shall forward a report of violation for administrative action. Any license issued to any business
9 violating the provisions of RSA 179:13, I may be suspended by the commission for nonpayment of
10 accounts which are delinquent more than 15 days from the date of the wholesale distributor's, brew
11 pub licensee's, nano brewery's, or beverage manufacturer's notification, providing the requirements
12 of this section have been met.

13 15 Repeal. RSA 176:10, relative to preferences for war veterans, is repealed.

14 16 Effective Date.

15 I. Section 10 of this act shall take effect January 1, 2022.

16 II. The remainder of this act shall take effect July 1, 2021.

2021-0844h

AMENDED ANALYSIS

1. Renames the enforcement and licensing division in the liquor commission as education and licensing and renames liquor investigators as liquor license specialists.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 76 with the following:

2

3 76 FRM Victims' Contribution Recovery Fund; Transfer of Funds. Amend RSA 359-P:2, I and II
4 to read as follows:

5 I. There is hereby established the FRM victims' contribution recovery fund. The fund shall
6 be nonlapsing and continually appropriated to the director. ~~[The fund shall be capped at~~
7 ~~\$10,000,000 and shall consist of gifts and contributions of any kind.]~~ ***For the fiscal year ending***
8 ***June 30, 2022, \$1,000,000 shall be transferred to the fund from the bureau of securities***
9 ***regulation investors education fund established in RSA 421-B:6-601(h) and \$4,000,000 shall***
10 ***be transferred to the fund from the department of justice consumer protection escrow***
11 ***account established in RSA 7:6-f. For the fiscal year ending June 30, 2023, \$1,000,000 shall***
12 ***be transferred to the fund from the bureau of securities regulation investors education***
13 ***fund established in RSA 421-B:6-601(h) and \$4,000,000 shall be transferred to the fund from***
14 ***the department of justice consumer protection escrow account established in RSA 7:6-f. In***
15 ***the event funds are not available in any of the aforementioned fiscal years to achieve a***
16 ***balance of \$10,000,000 for the fiscal year ending June 30, 2023, transfers to the fund shall***
17 ***continue on an annual basis from those sources in the same annual amounts or as***
18 ***available, until the \$10,000,000 fund balance is achieved.***

19 II. The fund shall be used for awarding recovery assistance pursuant to this chapter ***and to***
20 ***fund the position established in RSA 359-P:4.***

21 77 Attorney/Administrator. Amend RSA 359-P:4 to read as follows:

22 359-P:4 Attorney/Administrator. The director shall ~~[hire/appoint a private]~~ ***hire an*** attorney or
23 administrator who shall ~~[collect gifts and contributions,]~~ review applications for assistance
24 submitted pursuant to this chapter, make awards of assistance in accordance with the procedures of
25 this chapter, and report annually to the director commencing on February 1, ~~[2017]~~ ***2022*** and each
26 February 1 thereafter. The director shall negotiate the attorney's or administrator's ~~[compensation~~
27 ~~which in any calendar year shall be no more than 10 percent of any private sector contributions~~
28 ~~received in that calendar year]~~ ***salary and benefit level in accordance with similar levels***
29 ***within the department.***

30 78 Disposition of Consumer Protection Settlement Funds. Amend RSA 7:6-f to read as follows:

31 7:6-f Disposition of Consumer Protection Settlement Funds. Any funds received by the attorney
32 general on behalf of the state or its citizens as a result of any civil judgment or settlement of a claim,

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1 suit, petition, or other action under RSA 358-A or related consumer protection statutes shall be
2 deposited in a consumer protection escrow account. The consumer protection escrow account shall at
3 no time exceed \$5 million, with any amount in excess of \$5 million deposited into the general fund,
4 except as otherwise provided in RSA 126-A:83 **and RSA 359-P:2**. The attorney general shall not
5 include language in any consumer protection settlement that restricts any payments to the state for
6 attorneys' fees, investigation and litigation costs, consumer education, or consumer protection
7 enforcement to the consumer protection escrow account or any other account or fund.

8 79 Bureau of Securities Regulation Investors Education Fund. Amend RSA 421-B:6-601(h) to
9 read as follows:

10 (h) Investor education fund. All moneys collected as an administrative penalty under
11 this chapter and all moneys collected pursuant to RSA 421-B:6-614(a)(4), and (5), shall be credited to
12 an investor education fund to be maintained by the state treasurer. Funds in excess of \$725,000 at
13 the end of each fiscal year shall be credited to the general fund, **except as otherwise provided in**
14 **RSA 359-P:2**. The secretary of state, after deducting administrative costs, shall use moneys
15 credited to that fund to provide information to residents of this state about investments in securities,
16 to help investors and potential investors evaluate their investment decisions, protect themselves
17 from unfair, inequitable, or fraudulent offerings, choose their broker-dealers, agents, or investment
18 advisers more carefully, be alert for false or misleading advertising or other harmful practices, and
19 know their rights as investors. The state treasurer shall pay the expenses of investor education out
20 of the investor education fund consisting of the funds. The investor education fund shall be
21 nonlapsing and continually appropriated for the purpose of paying the expenses of investor
22 education, except that the fund shall at no time exceed \$725,000, **and except as otherwise**
23 **provided in RSA 359-P:2**.

24 80 Repeal of the Prospective Repeal of FRM Fund. 2016, 293:6, relative to the July 1, 2023
25 repeal of the FRM victims' contribution recovery fund in RSA 359-P:2, is repealed.

2021-0811h

AMENDED ANALYSIS

41. Transfers funds from the investors education fund and the department of justice consumer protection escrow account to the FRM victims recovery fund and removes the prospective repeal of the fund.

UNAPPROVED

Rep. L. Ober, Hills. 37
March 15, 2021
2021-0836h
06/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 148.

UNAPPROVED

2021-0836h

AMENDED ANALYSIS

replace 62. Establishes a body-worn and dashboard camera fund; establishes a commission to develop recommendations for legislation to establish a single, neutral, and independent statewide entity to receive complaints alleging misconduct regarding all sworn and elected law enforcement officers; and makes an appropriation to the fund.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 162-H:3, I as inserted by section 227 of the bill by replacing it with the following:

2

3 227 Site Evaluation Committee; Membership; Administrative Attachment. Amend RSA 162-
4 H:3, I-IV to read as follows:

5 I. There is hereby established a committee to be known as the New Hampshire site
6 evaluation committee consisting of 9 members, as follows:

7 (a) The commissioners of the public utilities commission, the chairperson of which shall
8 be the chairperson of the committee;

9 (b) The commissioner of the department of environmental services, who shall be the
10 vice-chairperson of the committee;

11 (c) The commissioner of the department of business and economic affairs or designee;

12 (d) The commissioner of the department of transportation;

13 (e) The commissioner of the department of natural and cultural resources, the director of
14 the division of historical resources, or designee; ~~and~~

15 (f) ~~[Two members]~~ **One member** of the public, appointed by the governor, with the
16 consent of the council, in accordance with RSA 162-H:4-b, III[-]; **and**

17 (g) **The commissioner of the department of energy.**

Rep. L. Ober, Hills. 37
March 15, 2021
2021-0818h
04/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 114-115.

UNAPPROVED

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2021-0818h

AMENDED ANALYSIS

Delete:

49. Allows bonds issued by the business finance authority to be used for financing a redevelopment district and for manufacturing or industrial projects in the biotechnology sector.

UNAPPROVED