

**LEGISLATIVE HISTORY OF RSA 346
2022 - HB 2023**

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2022 HB 2023 - CHAPTERED LAW 346

General Court of NH - Bill Status System
Search Results

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★ Chaptered Law: **0346** ★

HB2023 -FN-A
Session Year 2022

Title: making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

Bill Text[HTML] [PDF]

G-Status: SIGNED BY GOVERNOR
House Status: PASSED/ADOPTED
Senate Status: PASSED/ADOPTED
Next/Last Comm: Senate No Committee Assignment
Next/Last Hearing: Time not specified

NH House

NH Senate

2022 HB 2023 DOCKET

General Court of New Hampshire - Bill Status System

Docket of HB2023

Docket Abbreviations

Bill Title: making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

Official Docket of **HB2023**.

Date	Body	Description
9/15/2022	H	Introduced and Adopted: MA DV 259-66 By Necessary Two-Thirds Vote 09/15/2022 HJ 15
9/15/2022	H	Ought to Pass: MA VV 09/15/2022 HJ 15
9/15/2022	S	Sen. Bradley Moved to suspend all rules necessary to permit the consideration of HB 2023 at the present time; 2/3 necessary, MA, VV; 09/15/2022; SJ 14
9/15/2022	S	Sen. Bradley Moved Introduction; MA, VV; 09/15/2022; SJ 14
9/15/2022	S	Sen. Bradley Moved Ought to Pass; 09/15/2022; SJ 14
9/15/2022	S	Sen. Soucy Moved to divide the Question on the Motion of Ought to Pass: The first vote on Sections 1 & 5 and then the second vote on the Remainder of the Bill; 09/15/2022; SJ 14
9/15/2022	S	The Chair ruled the Question Divisible; 09/15/2022; SJ 14
9/15/2022	S	Sen. Soucy Floor Amendment #2022-2134s, RC 10Y-13N, AF; 09/15/2022; SJ 14
9/15/2022	S	Ought to Pass: Sections 1 & 5, RC 13Y-10N; 09/15/2022; SJ 14
9/15/2022	S	Ought to Pass: Remainder of the Bill, RC 23Y-0N, MA; OT3rdg; Read a Third Time, and Final Passage in the early session, MA, VV; 09/15/2022; SJ 14
9/15/2022	S	Enrolled Adopted, VV, (In recess 09/15/2022); SJ 14
9/26/2022	H	Enrolled 09/15/2022 adopted HJ 15
9/19/2022	H	Signed by Governor Sununu 09/15/2022; Chapter 346; eff. 09/15/2022 HJ 15

NH House

NH Senate

2022 HB 2023 BILL STATUS

General Court of New Hampshire - Bill Status System

HB2023

Bill Title: making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

General Status:

LSR#: **3136** Body: **H** Local Govt: **N** Chapter#: **0346** Gen Status: **SIGNED BY GOVERNOR**

House Status

▶▶▶ This Bill Has a Roll Call!! ◀◀◀

Status	PASSED/ADOPTED
Status Date	
Current Committee	No Committee Assignment
Committee of Referral	No Committee Assignment
Date Introduced	9/15/2022
Due out of Committee	9/15/2022
Floor Date	9/15/2022

Senate Status

Status	PASSED/ADOPTED
Status Date	9/15/2022
Current Committee	NO COMMITTEE ASSIGNMENT
Committee of Referral	NO COMMITTEE ASSIGNMENT
Date Introduced	9/15/2022
Due out of Committee	
Floor Date	9/15/2022

Sponsors

Steven Smith (R)

Next/Last Hearing: SENATE NO COMMITTEE ASSIGNMENT

<i>Date:</i>	<i>Time:</i>	<i>Place:</i>	<i>Majority Report:</i>	<i>Minority Report:</i>
				None

2022 HB 2023 ROLL CALLS

- ▶ NH General Court
- ▶ New Query
- ▶ FAQs

General Court of New Hampshire - Bill Status System

	Result List	Bill Status	Bill Docket
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HB2023 Roll Calls

Bill Title: making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

LSR#: **3136** Body: **H** Local Govt: **N** Chapter#: **0346** Gen Status: **SIGNED BY GOVERNOR**

House Roll Calls:

No Rolls Calls Made by the House.

Senate Roll Calls:

	<u>Date</u>	<u>Vote #</u>	<u>Question/Motion</u>	<u>Yeas</u>	<u>nays</u>
All Votes	09/15/2022	160	Floor Amendment	10	13
All Votes	09/15/2022	161	Ought to Pass: Sections	13	10
All Votes	09/15/2022	162	Ought to Pass: Remainder	23	0

Disclaimer:

NH House

NH Senate

2022 HB 2023 HOUSE JOURNAL 15



State of
New Hampshire

HOUSE RECORD

Second Year of the 167th General Court Calendar and Journal of the 2022 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 44

Concord, N.H.

Thursday, September 15, 2022

No. 15

HOUSE JOURNAL NO. 14 (Cont'd)

Thursday, May 26, 2022

Rep. Osborne moved that the House adjourn.
Motion was adopted.

HOUSE JOURNAL NO. 15

Thursday, September 15, 2022

The House assembled at 10:00 a.m., and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Bob Stewart, Pastor of St. Paul's United Methodist Church in Manchester.

O Loving and Gracious God. We know that life is a gift from You O Creator God. We are grateful and thankful that we were blessed to be in service with Representative Mary Griffin who You have called home in June at the age of ninety-six. Mary has served You and this great State of New Hampshire for many years. Mary served her constituents with honesty and integrity as she was the oldest active serving state legislator in the country at the time of her death. God, we ask that You be with those that mourn Mary's passing as she will be sorely missed by many in this chamber. Be with her family and friends and I pray that You walk with them in their grief. Let us pause for a moment of silence as we remember Mary this day. Thank you, Mary, for the countless hours of your service. O Compassionate God, we ask that You also be with our colleague, Gary Hopper. We are praying for Gary in his time of physical trial and ask that You surround those closest to him with Your love and compassion. We gather together today to tend to the business of our state and ask that You be with each member represented here today. Give each member the wisdom to make sound decisions that will benefit the people they represent. Let us as the body of the New Hampshire House of Representatives, regardless of our party affiliation, treat each other with respect and dignity and that we work towards the common good of all the people of our state. O God of Love, be with all the leaders of this House as they work diligently to conduct the business before us this day. I ask that You keep Your hand upon each member and keep them faithful, fruitful and steady as they complete the work set before them. We praise and glorify Your Holy Name Most High God as we work together today in peace and harmony with each other. Amen.

Representative Laura Pantelakos, Dean of the House, led the Pledge of Allegiance.

The National Anthem was sung by Michael T. Brown, II of New London.

LEAVES OF ABSENCE

Reps. Booras, Ellis, Hopper, Kittredge and Janice Schmidt, the day, illness.

Reps. Ayer, Bartlett, Bouldin, Buco, Comtois, Cote, Creighton, Gourgue, Infantine, Kaczynski, Kelsey, Mayville, McBeath, O'Hara, O'Hearne, Plett, Suzanne Smith, Warden, Weber, Weston and Yakubovich, the day, important business.

Rep. Elliott, the day, illness.

Rep. Snow, the day, death in the family.

INTRODUCTION OF GUESTS

Sophia Biondolillo, guest of Rep. Nutting-Wong. Bill Palmer, guest of Rep. Oxenham. Scott Lawrence, guest of Rep. Petrigno. Pam Dancey and Dan Kullas, wife and guest of Rep. Milz. Gabrielle Watson, guest of Rep. Knirk. Bobbi Boudmann, guest of Rep. Marsh. Susan Ammon, wife of Rep. Ammon. Heather Pearl, wife of Rep. Pearl. Susan Elberger, William Darby, Linda Ryan, Carry Spier, Danny Mills, Shelly Devine and Alecia Gregg, guests of Reps. Cohen, Vail, and Telerski. Sherry Gould, and Stephany Payeur, guests of Reps. Pimentel and Caplan. Christine Ordinetz, guest of Rep. Craig. Jessie Baldwin, and Dave and Jennifer Zamansky, guests of the Clerk.

COMMUNICATION

September 1, 2022
VIA EMAIL

Dear Mr. Speaker and esteemed colleagues,

I hereby resign from the New Hampshire House of Representatives, effective September 11th, 2022, due to the fact that I am moving out of state. It has been a pleasure and an honor to serve the town of Exeter in the New Hampshire House. My parting wish for the chamber is that those who labor within it may in future find new ways to remember what we all have in common, and spend less time concentrating on what divides us.

Best regards,
Lisa Bunker

MOTION TO SUSPEND HOUSE RULES

Reps. Osborne and Wallner moved that House Rules be so far suspended as to allow consideration at the present time of **HB 2023-FN-A**, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund, without the required referral to committee, public hearing and report from committee, and if passed, allow for immediate third reading.

Reps. Prout and Abramson spoke against.

Rep. Steven Smith spoke in favor.

On a division vote, with 259 members having voted in the affirmative, and 66 in the negative, the motion was adopted by the necessary two-thirds vote.

Rep. Foster declared a conflict of interest and did not participate.

RESOLUTION

Reps. Osborne and Wallner offered the following: RESOLVED, that suspension of rules adopted by two-thirds vote of the House and in accordance with the list in the possession of the Clerk, HB 2023-FN-A shall be by this resolution read a first and second time by the therein listed title.

Motion was adopted.

INTRODUCTION OF HOUSE BILLS

First and second reading

HB 2023-FN-A, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund. (Steven Smith, Sull. 11; No Committee Assignment)

Rep. Steven Smith moved Ought to Pass and spoke in favor.

Reps. McGhee, Marjorie Smith and Umberger spoke in favor.

Motion of Ought to Pass was adopted and the bill was ordered to third reading.

RESOLUTION

Rep. Osborne moved that **HB 2023-FN-A**, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund, be read by title only and that it be read a third time by this resolution, and that is title be the same as adopted, and that it be passed at the present time.

Motion was adopted.

Third Reading and Final Passage

HB 2023-FN-A, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

GOVERNOR'S VETO MESSAGE ON HB 52

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 27, 2022, I have vetoed House Bill 52 and Senate Bill 200, apportioning congressional districts. The citizens of New Hampshire will not accept Senate Bill 200, which moves both members of Congress into the same district. Also, by moving Manchester into Congressional District 2 we would be creating a single district dominated by our largest urban areas. House Bill 52 is not in the best interest of New Hampshire. Granite Staters' expect districts that hold our incumbents accountable so that no one elected official is immune from challengers or constituent services. Appropriately apportioned congressional districts are vital to a representative government. For the reasons stated above, I have vetoed House Bill 52 and Senate Bill 200.

Respectfully submitted, Christopher T. Sununu, Governor

STRAFFORD

Ankarberg, Aidan Groen, Fenton Harrington, Michael Newton, Clifford
and the veto was overridden by the necessary two-thirds vote.
Rep. McConkey declared a conflict of interest and did not participate.

**SENATE MESSAGES
CONCURRENCE**

HB 2023-FN-A, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

GOVERNOR'S VETO MESSAGE ON HB 1625

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on May 27, 2022, I have vetoed House Bill 1625, repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility. In the eight years since this law was originally enacted, we know of no instance where an individual or group has been harmed by it. As a result, I am not looking to make any changes at this time. For the reasons stated above, I have vetoed House Bill 1625.

Respectfully submitted, Christopher T. Sununu, Governor

The question being, notwithstanding the Governor's veto, shall **HB 1625**, repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility., become law? Reps. Abramson and Wuelper spoke in favor.
Rep. Marjorie Smith spoke against.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 145 - NAYS 175

YEAS - 145

BELKNAP

Bean, Harry Harvey-Bolia, Juliet Johnson, Dawn Lang, Timothy
Littlefield, Richard Mackie, Jonathan Ploszaj, Tom Sylvia, Michael
Terry, Paul

CARROLL

Avellani, Lino Nelson, Bill Cordelli, Glenn Smith, Jonathan
McConkey, Mark

CHESHIRE

Hunt, John Qualey, James Santonastaso, Matthew

COOS

Craig, Kevin Davis, Arnold

GRAFTON

Alliegro, Mark Berezchny, Lex Binford, David Folsom, Beth
Sanborn, Gail Greeson, Jeffrey Ham, Bonnie Ladd, Rick
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia Ammon, Keith Boyd, Bill King, Bill
Berry, Ross Blasek, Melissa Boehm, Ralph Burt, John
Cushman, Leah Kelley, Diane Smith, Denise Erf, Keith
Fedolfi, Jim Foster, William Griffin, Gerald Gagne, Larry
Gorski, Ted Gould, Linda Healey, Robert Homola, Susan
Kofalt, Jim Sanborn, Laurie Lanzara, Tom Lascelles, Richard
Lewicke, John Marston, Dick McLean, Mark Mooney, Maureen
Notter, Jeanine Pauer, Diane Post, Lisa Prout, Andrew
Renzullo, Andrew Sheehan, Vanessa Somero, Paul Lekas, Tony
Ulery, Jordan

MERRIMACK

Andrus, Louise Cambrils, Jose Cross, Kenna Hill, Gregory
Kennedy, Margaret McGuire, Carol Moffett, Michael Pearl, Howard
Pitaro, Matthew Boyd, Stephen Seaworth, Brian Testerman, Dave
Walsh, Thomas Wells, Natalie

then we might disagree, but we worked hand in hand together. 80% of the legislation in this House, we all come together. But yet some attack each other personally or they want to throw stones at you and call you everything in the book and that's me. I've been called everything in the book, okay? I've been attacked over and over and over and for no reason because you really didn't know me, because you looked at me and said wow, he's an ass, okay? But really, I'm an old Marine and the Marine Corps mentality take the hill, but make sure you teach the team, everyone else, so they survive. That's what we did up here. We came together at many, many issues and I'm hoping that in the future, we come back together the way it was, okay? I've got to admit, you know, my good friend over here, the former Speaker and yes, we are friends and we are also brethren together. We are also fellow veterans. He did a great job. We worked hand in hand. If you notice, many times when I was the floor leader, I got up because I recognized his voice being weak. He was in the Army, so I understand. I got up and I brought him Halls to help him out with his voice. Am I right? All right. The Speaker here, the same thing. We've been together a long time. The Speaker has done a great job. He's treated Republicans and Democrats. He did everything he can to bring us together, but because of Covid, it caused us all problems. We were separated. We weren't doing like we used to do over the years there. So we really didn't get to know each other, okay? We have some representatives here who are always on attack mode. Always on attack mode and if a Republican looked the wrong way, he was an idiot. He was attacked. If a Democrat looked the wrong way, she was attacked or he was attacked. There was people sitting in this House who was twittering on every word we said, twittering out. It's a shame and it's got to stop. That's got to stop. We got to work hand in hand. We all have families. We are all volunteers. My family, my kids used to say, "Dad, why do you do this? They attack you all the time. Why?" And I told them I do it for love of country, love of state, love of elderly people that I worked hand in hand with. My good friend Katherine Rogers. God bless her. Her and I worked hand in hand on an elderly protection bill. My good friend Renny Cushing. We worked hand in hand on another bill. This is the way it should be, you know? But for many years, I was called names and this and that, but you really didn't know it. It was just stupidity or ignorance that did that. That's all it was. But I'm asking you to please, once and for all, bring this House back together the way it was and that way there, we will prosper. I'm going to be watching from afar, okay? As I work on my tan there and as you know, and I'm hoping my good friend John Burt don't make any remarks because what you all don't know is you attack John Burt, but I have 5% African blood in me. Did you know that? Okay, so when you called me a racist over the years, half my family is African American, okay? But I'm a racist. See what I'm saying? So think before you attack somebody because you are wrong, okay? We are all a family trying to do the right thing. We are just coming from different directions. Thank you.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled **House Bill numbered 2023**.
Rep. Osborne, Sen. Avard for the Committee

UNANIMOUS CONSENT

Rep. Cali-Pitts requested Unanimous Consent of the House regarding goodbye and addressed the House.

MOTION TO PRINT REMARKS

Rep. Notter moved that the remarks made by Rep. Cali-Pitts during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Rep. Cali-Pitts: Thank you to those who have endured. I don't say much all the time and if I do, I'll cry. All I can say is thank you to everyone who has been kind and brought me along over 26 years. I was going to stay one term. To the Clerks, to the maintenance people, to the security people, to everybody else behind us, to the committee assistants who really had the knowledge and you could run to and say help me. To my family. To Burt, I'm going to miss the odd ducks. Thank you. Thank you so much. We are family. We are sometimes dysfunctional and like a family. We argue. I can't remember when I first came in here. I'm brash because I was a Marine wife, not Al's. I come from New York City and if you are quiet in New York City, you'll get lost under a subway. So, thank you again. That's all I want to say and it has been a great ride over 26 years. Thank you all.

UNANIMOUS CONSENT

Rep. Schultz requested Unanimous Consent of the House regarding Rep. Wazir and addressed the House.

UNANIMOUS CONSENT

Reps. Espitia and Perez requested Unanimous Consent of the House regarding Hispanic Heritage Week and addressed the House.

UNANIMOUS CONSENT

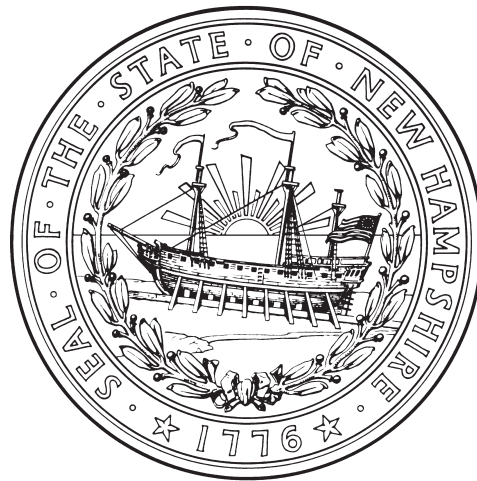
Rep. Burt requested Unanimous Consent of the House regarding goodbye and addressed the House.

2022 HB 2023 SENATE JOURNAL 14

September 15, 2022
Nos. 13-14

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



**Second Year of the 167th Session of the
New Hampshire General Court**

Legislative Proceedings

SENATE JOURNAL

**ADJOURNMENT – MAY 26, 2022 SESSION
COMMENCEMENT – SEPTEMBER 15, 2022 SESSION**

The question is not withstanding the Governor's Veto, shall SB 200 become law?

A roll call is required.

The following Senators voted Yes: Giuda, Bradley, Watters, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

Roll Call, Yeas: 14 - Nays: 9. Veto sustained lacking necessary 2/3 vote.

MOTION OF RECONSIDERATION

Senator Bradley, having voted on the prevailing side, moved to reconsider the following action taken by the body on SB 200, apportioning congressional districts. The Governor's Veto. Adopted.

The question is not withstanding the Governor's Veto, shall SB 200 become law?

A roll call is required.

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

Roll Call, Yeas: 13 - Nays: 10. Veto sustained lacking necessary 2/3 vote.

Recess. Out of recess.

HOUSE MESSAGE

The House of Representatives has passed Bills with the following titles, in the passage of which it asks the concurrence of the Senate:

HB 2023-FN-A, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

SUSPENSION OF THE RULES

Senator Bradley moved that the Senate suspend all rules necessary to permit consideration at the present time of **HB 2023-FN-A**. Adopted by the necessary 2/3 vote.

INTRODUCTION OF LEGISLATION

Senator Bradley offered the following Resolution:

RESOLVED, That in accordance with the list in the possession of the Senate Clerk, the following legislation shall be by this resolution read a first and second time by the therein listed title. Adopted.

First and Second Reading

HB 2023-FN-A, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund. (No Committee Assignment)

Senator Bradley moved Ought to Pass.

Senator Soucy moved to divide the question on the motion of Ought to Pass: The first vote on Sections 1 and 5, and then, the second vote on the remainder of the bill.

The Chair ruled the question divisible.

Senator Soucy offered a Floor Amendment.

Sen. Soucy, Dist 18

Sen. Cavanaugh, Dist 16

Sen. D'Allesandro, Dist 20

Sen. Kahn, Dist 10

Sen. Perkins Kwoka, Dist 21

Sen. Prentiss, Dist 5
Sen. Rosenwald, Dist 13
Sen. Sherman, Dist 24
Sen. Watters, Dist 4
Sen. Whitley, Dist 15
September 15, 2022
2022-2134s
10/07

Floor Amendment to HB 2023-FN-A

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

AN ACT making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, relative to the electric low-income program fund, and relative to net energy metering limits for individual and business customers.

Amend the bill by deleting section 1 and renumbering the original sections 2-5 to read as 1-4, respectively.

Amend the bill by replacing section 4 with the following:

4 Definition; Customer-generator. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns, operates, or purchases power from an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a ~~[total peak generating]~~ **nameplate or maximum rated** capacity of ~~[up to and including one megawatt,]~~ **less than 5 megawatts and** that is located behind a retail meter on the customer's premises, is interconnected and operates in parallel with the electric grid, and is used to offset the customer's own electricity requirements **in the first instance**. Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility.

5 Net Energy Metering; Net Effects. Amend RSA 362-A:9, VII to read as follows:

VII.(a) A distribution utility may perform an annual calculation to determine the net effect this section had on its default service and distribution revenues and expenses in the prior calendar year. The method of performing the calculation and applying the results, as well as a reconciliation mechanism to collect or credit any such net effects with appropriate carrying charges and credits applied, shall be determined by the commission

(b) For the purposes of accounting for any exports to the distribution grid by customer-generators, such exports shall be treated as reductions to the customer-generator's electricity supplier's wholesale load obligation for energy supply as a load serving entity, net of any applicable line loss adjustments as approved by the commission.

(c) A generator that first becomes operational on or after July 1, 2019 shall only be eligible to participate in net metering as a customer-generator if it does not register as a generator with ISO England, is not considered a "Network Resource" or "Asset" by ISO New England, and does not participate in any other sale of electricity in interstate commerce.

(d) A generator that first became operational before July 1, 2019 and that has outstanding capacity commitments in the forward capacity market administered by ISO New England, is registered as a generator with ISO New England, or is considered a "Network Resource" or "Asset" by ISO New England, may elect to become a customer-generator and participate in net metering upon retirement from all wholesale electric markets administered by ISO New England. A generator in the process of retiring from FERC regulated electric markets may prospectively register as a group host pursuant to paragraph XIV provided that net metering tariffs under this section shall not be effective until such retirement is effective.

(e) Any provisions of settlement agreements or orders that have been approved or issued by the commission that relate to a distribution utility's treatment of the output from qualifying facilities or independent power producers shall not apply to the output from an eligible customer-generator participating in net metering.

6 Net Energy Metering; Transition of Tariffs. Amend RSA 362-A:9, XV to read as follows:

XV. Standard tariffs that are available to eligible customer-generators under this section shall terminate on December 31, 2040 and such customer-generators shall transition to tariffs that are in effect at that time. ***Alternative tariffs shall be applicable and have such grandfathering provisions as may be approved or adopted by the commission under this section. Customer-generators with a nameplate or maximum rated capacity of more than one megawatt and less than 5 megawatts that are eligible for net metering before the commission adopts tariffs specifically for customer-generators with a generating capacity of more than one megawatt shall:***

(a) Be eligible to receive the export credit rate approved by the commission in Order No. 26,029 (DE 16-576) for one megawatt sized customer-generators on default service, namely, the applicable default energy service rate.

(b) Be grandfathered by the terms of currently applicable tariffs for customer-generators with a total peak generating capacity of one megawatt if the customer-generator's electrical generating facility first becomes operational on or after July 1, 2019.

(c) Transition to such new tariffs as are specifically approved by the commission for customer-generators with a nameplate or maximum rated capacity of more than one megawatt if the customer-generator's electrical generating facility first became operational before July 1, 2019.

7 New Subparagraph; Restructuring Policy Principles; System Benefits Charge. Amend RSA 374-F:3, VI-a by inserting after subparagraph (d) the following new subparagraph:

(e) To the portion of energy efficiency funds reserved for low-income energy efficiency programs as approved by the commission via Order No. 26,621 dated April 29, 2022, there shall be added the sum of \$10 million for the Home Energy Assistance program approved at page 30 of Order No. 26,621. Such sum is hereby appropriated to the department of energy for the fiscal year ending June 30, 2023. The governor is authorized to draw his warrant for such sum out of any money in the treasury not otherwise appropriated. These additional funds shall provide additional support of home weatherization for income-eligible customers. Notwithstanding any commission order to the contrary, the maximum amount to be expended on any individual project by the Home Energy Assistance program shall be \$20,000 unless that amount is increased by the commission. Any funds authorized by this subparagraph, if unspent during the current planning cycle, shall not lapse and shall carry forward to subsequent planning cycles.

8 Effective Date. This act shall take effect upon its passage.

2022-2134s

AMENDED ANALYSIS

This bill establishes a state emergency fuel assistance program and a supplemental electric benefit to be administered by the department of energy for the fiscal year ending June 30, 2023, and makes appropriations to the department of energy to fund the programs. The bill makes an appropriation to the department for the electric low-income program fund. This bill also increases the electric generating capacity of customer generators who may participate in net energy metering, modifies the transition of tariffs applicable to certain customer-generators, and appropriates additional moneys for low-income energy efficiency programs.

The question is on the adoption of the Floor Amendment.

A roll call was requested by Senator Soucy, seconded by Senator Birdsell.

The following Senators voted Yes: Watters, Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

Roll Call, Yeas: 10 - Nays: 13. Failed.

The question is on the adoption of the motion of Ought to Pass: Sections 1 and 5.

A roll call was requested by Senator Soucy, seconded by Senator Birdsell.

The following Senators voted Yes: Giuda, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

The following Senators voted No: Watters, Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

Roll Call, Yeas: 13 - Nays: 10. Adopted.

The question is on the adoption of the motion of Ought to Pass: The remainder of the bill.

A roll call was requested by Senator Soucy, seconded by Senator Avard.

The following Senators voted Yes: Giuda, Bradley, Watters, Prentiss, Gray, French, Ward, Ricciardi, Kahn, Daniels, Avard, Rosenwald, Carson, Whitley, Cavanaugh, Reagan, Soucy, Birdsell, D'Allesandro, Perkins Kwoka, Gannon, Sherman, Morse.

The following Senators voted No: (None)

Roll Call, Yeas: 23 - Nays: 0. Adopted, bill ordered to Third Reading.

EARLY SESSION

THIRD READING AND FINAL PASSAGE

Senator Bradley moved that, **HB 2023-FN-A**, having been ordered to third reading, be, by this resolution, read a third time, its title be the same as adopted, and be ordered by the Senate to be passed at the present time in the early session. Adopted.

MOTION TO REMOVE FROM THE TABLE

Senator Soucy moved to remove SB 436-FN from the Table.

JUDICIARY

SB 436-FN, relative to access to abortion care.

Recess. Out of recess.

The question is on the adoption of the motion to remove SB 436-FN from the Table.

A roll call was requested by Senator Avard, seconded by Senator Giuda.

The following Senators voted Yes: Watters, Prentiss, Kahn, Rosenwald, Whitley, Cavanaugh, Soucy, D'Allesandro, Perkins Kwoka, Sherman.

The following Senators voted No: Giuda, Bradley, Gray, French, Ward, Ricciardi, Daniels, Avard, Carson, Reagan, Birdsell, Gannon, Morse.

Roll Call, Yeas: 10 - Nays: 13. Failed.

Recess. Out of recess.

Without objection, the Clerk is instructed to enter all House Messages into the Senate Journal. Adopted.

HOUSE MESSAGE

The House of Representatives has voted to sustain the Governor's veto on the following entitled Bill(s):

HB 52, apportioning congressional districts.

HB 275, (New Title) relative to the declaration of a state of emergency.

HB 319, requiring students in the university and community college systems of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test.

HB 1022, (New Title) permitting pharmacists to dispense the drug Ivermectin by means of a standing order and establishing a commission to study the use of Ivermectin to treat Covid-19.

HB 1131, relative to facial covering policies for schools.

HB 1625, repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility.

HOUSE MESSAGE

The House of Representatives has voted to override the Governor's veto on the following entitled Bill(s):

HB 1454-FN, relative to permits for the siting of new landfills.

PRESIDENT MORSE: Enough. Besides my wife Susan and Emma, some pretty special women are in this room. Kristy Merrill, Shannon Girard, Deb Vanderbeek, and I did get presented with a photo this morning and Tammy wasn't smiling, but Tammy Wright. I said I want to leave this with what I told you. I believe in the honor of this institution. It has been an honor to serve with you, so thank you.

Without objection, all Personal Privileges and Unanimous Consent shall be entered into the permanent *Journal of the Senate*. (Rule 2-16 and Rule 2-17). Adopted.

LATE SESSION

Third Reading and Final Passage

HB 2023-FN-A, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

MOTION TO ADJOURN TO CALL OF THE CHAIR

Senator Bradley moved that the business of the day being completed, that the Senate recess for the purposes of sending and receiving messages, processing enrolled bill reports and amendments, upon completion, the Senate will stand adjourned to the Call of the Chair.

Adopted. The Senate Adjourned to the Call of the Chair.

SENATE CLERK'S NOTE

The information below reflects the work that was processed in recess September 15, 2022.

REPORT OF COMMITTEE ON ENROLLED BILLS

The committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bills:

HB 2023-FN-A, making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

Senator Avard moved adoption of the Report of Committee on Enrolled Bills. Adopted in recess.

The Senate is adjourned to the Call of the Chair.

SENATE CLERK'S NOTE

The below list of bills was inadvertently left out of the original Daily Journal and has been entered below.

OUTSTANDING BILLS

Pursuant to Senate Rule 3-23, all bills or resolutions remaining on the table upon adjournment of the first-year and at the end of session shall be made Inexpedient to Legislate at that time.

SB 70-FN, relative to insurance coverage for emergency behavioral health services for children and young adults.

SB 253, apportioning state senate districts.

SB 280, relative to meetings of the state health assessment and health improvement plan advisory council and the therapeutic cannabis medical oversight board.

SB 315-LOCAL, directing that a portion of revenue distributions from the meals and rooms municipal revenue fund be used by municipalities to reduce the local property tax rate.

SB 320, relative to health care provider contract standards.

SB 322, relative to remote meetings under the right-to-know law.

SB 341-LOCAL, relative to treatment of PFAS contaminants in the drinking water of the Merrimack Village Water District.

SB 384-FN, requiring notice of the hands-free law at the point of sale for cell phones.

SB 415-FN-A, making an appropriation to the department of health and human services for the purpose of increasing rates paid to homeless shelters.

SB 436-FN, relative to access to abortion care.

HB 238, prohibiting provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in manslaughter cases.

HB 412, making an appropriation to the department of environmental services for the purpose of funding public water system projects.

HB 1020, relative to additional lights on emergency vehicles.

HB 1170, limiting the authority of New Hampshire delegates to policymaking conventions.

2022 HB 2023 FINAL BILL

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2022 SESSION

22-3136
10/07

HOUSE BILL

2023 -FN-A

AN ACT making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

SPONSORS: Rep. Steven Smith, Sull. 11

COMMITTEE: [committee]

ANALYSIS

This bill establishes a state emergency fuel assistance program and a supplemental electric benefit to be administered by the department of energy for the fiscal year ending June 30, 2023, and makes appropriations to the department of energy to fund the programs. The bill also makes an appropriation to the department for the electric low-income program fund.

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.

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22-3136
10/07

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT making appropriations to the department of energy for a state emergency fuel assistance program and a supplemental electric benefit, and relative to the electric low-income program fund.

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

1 346:1 Legislative Findings and Purpose. The general court finds that:

2 I. Heating costs in the state of New Hampshire are predicted to rise to unprecedented and
3 potentially catastrophic levels during the 2022-2023 winter season and electric costs have approximately
4 doubled for many Granite Staters.

5 II. In addition to these fuel and electric costs, Granite Staters are also facing price inflation on
6 everyday items and high gasoline prices, which affect household budgets. There are programs in New
7 Hampshire delivering monetary aid to households having up to 60 percent of the median income in New
8 Hampshire, and it is reasonable to assume that inflation will extend the potential need for aid to
9 households with income above that limit.

10 III. Price inflation is largely driven by federal policies, federal spending, the Federal Reserve, and
11 worldwide events over which we have no control. Inflation reduces spending power. Due to reduced
12 spending power, households with New Hampshire residents who earn between 60 percent and 75 percent
13 of the state median income may also need relief.

14 IV. The fiscally responsible leadership of the 2021-2022 general court has created a favorable
15 economic environment that has helped businesses outperform initial estimates thereby creating a budget
16 surplus. This budget surplus can be used to supplement electric and home heating expenses for
17 households within the 60 percent to 75 percent median income bracket without raising the future tax
18 burden of the state.

19 V. It is prudent to enact a one-time relief package for these extraordinary circumstances and not
20 a permanent program. Relief payments will not be paid to applicants, but rather directly to their utility
21 companies.

22 VI. Providing direct aid via these surplus funds may reduce the burden on local municipalities'
23 welfare programs thereby offsetting a potential increased tax burden that would otherwise be passed
24 along to property owners at the local level.

25 346:2 Department of Energy; State Emergency Fuel Assistance Program; Supplemental Electric
26 Assistance Program; Appropriation; Report.

27 I.(a) The department of energy, division of policy and programs, shall administer a state
28 emergency fuel assistance program for the fiscal year ending June 30, 2023. To the extent of funds
29 specifically appropriated for the program, the program shall provide assistance in the amount of \$450. To
30 be eligible, a household shall have an annual income greater than 60 percent of the state median income
31 to at or below 75 percent of the state median income. The program shall provide assistance with regard

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1 to the same fuels and shall be administered in the same manner as LIHEAP is managed in New
2 Hampshire on the effective date of this act. Applications for this program shall be accepted through April
3 30, 2023.

4 (b) The sum of \$25,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated
5 to the department of energy for the purpose of implementing the state emergency fuel assistance program
6 under subparagraph (a), including administrative and advertising costs related to this program. These
7 funds shall be accounted for separately from federal LIHEAP funds and other funds held by the
8 department of energy. The governor is authorized to draw a warrant for said sum out of any money in the
9 treasury not otherwise appropriated. Any unexpended funds remaining on June 30, 2023 shall be lapsed
10 to the general fund.

11 II.(a) The department of energy, division of policy and programs, shall administer a program to
12 provide a supplemental electric benefit for the fiscal year ending June 30, 2023. To the extent of funds
13 specifically appropriated for the program, the program shall provide a household single credit in the
14 amount of \$200. To be eligible, a household shall have an annual income greater than 60 percent of the
15 state median income to at or below 75 percent of the state median income and have an electric account in
16 their name with any electric distribution utility providing service in the state, including municipal electric
17 distribution utilities. Applications for this program shall be taken in conjunction with the emergency fuel
18 assistance program.

19 (b) There is hereby appropriated the sum of \$ 10,000,000 for fiscal year ending June 30,
20 2023, to the commissioner of the department of energy for the purpose of administering a supplemental
21 electric benefit for the fiscal year ending June 30, 2023, including administrative and advertising costs
22 related to this program. These funds shall be accounted for separately from all other funds held by the
23 department of energy. The governor is authorized to draw a warrant for said sum out of any money in the
24 treasury not otherwise appropriated. Any sum not expended by the department of energy by June 30,
25 2023, shall lapse to the general fund.

26 III. The administration of the state emergency fuel assistance program in paragraph I and the
27 supplemental electric benefit in paragraph II by the department of energy shall be exempt from the
28 provisions of RSA 541-A.

29 IV. On or before 60 days after the close of the fiscal year ending June 30, 2023, the department
30 shall report to the fiscal committee of the general court and governor and executive council, the amount of
31 moneys paid under this act for the fiscal year ending June 30, 2023.

32 346:3 Electric Low-Income Program Fund. Amend RSA 374-F:4, VIII(c) to read as follows:

33 (c) The portion of the system benefits charge due to programs for low-income customers
34 shall not exceed 1.5 mills per kilowatt hour. If the commission determines that the low-income program
35 fund has accumulated an excess of \$1,000,000 and that the excess is not likely to be substantially
36 reduced over the next 12 months, it shall suspend collection of some or all of this portion of the system
37 benefits charge for a period of time it deems reasonable. *The commission shall take no action to*
38 *determine the accumulation of any excess in the low-income program fund or otherwise suspend the*

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1 *collection of some or all of the system benefits charge related to the low-income program fund before*
2 *June 30, 2024.*

3 346:4 Appropriation; Electric Low-Income Program Fund. There is hereby appropriated the sum of
4 \$7,000,000 to the department of energy, which shall be continually appropriated to the department and
5 shall be nonlapsing, to supplement the dedicated fund described in RSA 6:12, I(b)(71), which, like other
6 moneys in that fund, shall be maintained pursuant to the provisions of RSA 6:12-b and managed in
7 accordance with the electric assistance program benefit levels and procedures established by the public
8 utilities commission. The governor is authorized to draw a warrant for said sum out of any money in the
9 treasury not otherwise appropriated.

10 346:5 Effective Date. This act shall take effect upon its passage.

Approved: September 15, 2022
Effective Date: September 15, 2022