

HB 2 INTRODUCED - DIVISION 1 SECTIONS

03/20/23

| Division Assignment | Section Number | Section Title | Page Number | Division Action, Date and Amendment # |
|---------------------|----------------|--|-------------|---------------------------------------|
| D1 | 1 | Department of Information Technology; Divisions Established. | 1 | Accepted 3-6-23 |
| D1 | 2 | Department of Information Technology; Unfunded Positions; Authorization. | 1 | Accepted 3-6-23 |
| D1 | 12 | New Paragraph; The Liquor Commission; Funds; Authority for Employee Incentive Program. | 4 | Accepted 3-6-23 |
| D1 | 13 | Department of Corrections; Transfer Authority. | 4 | Accepted 3-7-23 |
| D1 | 14 | Department of Corrections; Unclassified Positions Established. | 4 | Accepted 3-7-23 |
| D1 | 15 | Department of Corrections; Authorization to Transfer to Group II of the New Hampshire Retirement System. | 6 | Accepted 3-7-23 |
| D1 | 16 | Department of Corrections; Qualifications and Compensation of Certain Officials. | 6 | Accepted 3-7-23 |
| D1 | 17 | Department of Environmental Services; Commissioner; Assistant Commissioner; Directors; Chief Operations Officer; Compensation. | 6 | Accepted 3-8-23 |
| D1 | 18 | Department of Environmental Services; Office of the Commissioner. | 7 | Accepted 3-8-23 |
| D1 | 19 | Department of Justice; Attorney General; Deputy; Associates; Assistants. | 8 | Accepted 3-6-23 |
| D1 | 20 | Department of Environmental Services; Duties of Commissioner. | 10 | Accepted 3-8-23 |
| D1 | 21 | Department of Environmental Services; Wetlands Council. | 10 | Accepted 3-8-23 |
| D1 | 22 | Department of Environmental Services; Water Council. | 11 | Accepted 3-8-23 |
| D1 | 23 | Department of Environmental Services; Waste Management Council. | 11 | Accepted 3-8-23 |
| D1 | 24 | Department of Environmental Services; Air Resources Council. | 12 | Accepted 3-8-23 |
| D1 | 25 | Department of Environmental Services; Administrative Appeals. | 12 | Accepted 3-8-23 |
| D1 | 26 | Department of Environmental Services; Administrative Appeals. | 13 | Accepted 3-8-23 |
| D1 | 27 | Water Management and Protection; Water Pollution and Waste Disposal; Sewage Disposal Systems; Fees. | 13 | Accepted 3-8-23 |
| D1 | 28 | Repeal. RSA 6:12, I(b)(281), relative to the subsurface systems fund, is repealed. | 14 | Accepted 3-8-23 |
| D1 | 29 | Water Management and Protection; Fill and Dredge in Wetlands; Excavating and Dredging Permit; Certain Exemptions. | 14 | Accepted 3-8-23 |
| D1 | 30 | Water Management and Protection; Water Pollution and Waste Disposal; Wastewater Operator Certification; Application; Special Fund. | 14 | Accepted 3-8-23 |
| D1 | 31 | Water Management and Protection; Aid to Municipalities for Water Pollution Control; Application for Funding. | 14 | Accepted 3-8-23 |
| D1 | 32 | Appropriation; Department of Environmental Services; Municipal Water Pollution Control. \$27.9m in FY23 | 14 | Accepted 3-8-23 |
| D1 | 33 | Effective Date. Section 32 of this act shall take effect June 30, 2023. | 15 | Accepted 3-8-23 |
| D1 | 34 | Water Management and Protection; Water Pollution and Waste Disposal; Enforcement; Terrain Alteration. | 15 | Accepted 3-8-23 |

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03/20/23

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|---------------------|----------------|---|-------------|---|
| D1 | 35 | Water Management and Protection; Water Pollution and Waste Disposal; Winnepesaukee River Basin Control; Expenditures. | 15 | Increased the borrowing limit to \$30 million Amendment #2023-0896h |
| D1 | 36 | Water Management and Protection; Water Pollution and Waste Disposal; Winnepesaukee River Basin Control; Municipal Assessments. | 15 | Accepted 3-8-23 |
| D1 | 37 | New Chapter; PCB Assistance. | 15 | Reduced from \$6M to \$1M Amendment #2023-0968h |
| D1 | 38 | Appropriation; Department of Environmental Services; PCB Contamination. \$6m in FY23 | 16 | |
| D1 | 39 | Effective Date. Section 38 of this act shall take effect June 30, 2023. | 16 | |
| D1 | 40 | New Chapter; Office of Regulatory Review, Reduction, and Government Efficiency. | 16 | Delete Sections Amendment # 2023-0943h |
| D1 | 41 | Appropriation; Department of Business and Economic Affairs; Office of Regulatory Review, Reduction, and Government Efficiency. \$750k in FY24 & FY25 | 18 | |
| D1 | 42 | New Subdivision; Historic Housing Preservation Tax Credit. | 18 | HOLD 3-6-23 to discuss with W&M 3-10-23 |
| D1 | 43 | New Subdivision; InvestNH Program. | 19 | HOLD 3-10-23 (Rep. Sweeney) |
| D1 | 44 | New Subparagraph; Application of Receipts; InvestNH Program. | 19 | |
| D1 | 45 | Appropriation; InvestNH. \$30m in FY23 | 20 | |
| D1 | 46 | Effective Date. Section 45 of this act shall take effect June 30, 2023. | 20 | |
| D1 | 47 | Appropriation; Affordable Housing Fund. \$25m in FY23 | 20 | HOLD 3-10-23 (Rep. Sweeney) |
| D1 | 48 | Effective Date. Section 47 of this act shall take effect June 30, 2023 | 20 | |
| D1 | 66 | New Subdivision; Bridges House Special Account. | 30 | Accepted 3-6-23 |
| D1 | 67 | New Subparagraph; Application of Receipts; Bridges House Special Account. | 30 | |
| D1 | 68 | New Section; Department of Corrections; New Hampshire State Prison Fund Established. | 30 | Accepted 3-10-23 |
| D1 | 69 | New Subparagraph; Application of Receipts; New Hampshire State Prison Fund 2023. | 30 | Accepted 3-10-23 |
| D1 | 70 | Appropriation; Department of Corrections; New Hampshire State Prison Fund Established. \$10m in FY23 | 30 | Amended to remove "construction". Amendment #2023-0946h Handout: Additional information on design costs |
| D1 | 71 | Effective Date. Sections 68-70 of this act shall take effect June 30, 2023. | 31 | Accepted 3-10-23 |
| D1 | 72 | Appropriation; Department of Corrections; New Hampshire State Prison; 2024. \$40m in FY24 | 31 | Delete Section 3-10-23 Amendment #2023-0936h |

HB 2 INTRODUCED - DIVISION 1 SECTIONS

03/20/23

| Division Assignment | Section Number | Section Title | Page Number | Division Action, Date and Amendment # |
|---------------------|----------------|--|-------------|--|
| D1 | 73 | Appropriation; Department of Corrections; IT Infrastructure. \$1.34m in FY23 | 31 | Accepted 3-7-23 |
| D1 | 74 | Effective Date. Section 73 of this act shall take effect on June 30, 2023. | 31 | Accepted 3-7-23 |
| D1 | 75 | Appropriation; Department of Administrative Services. (Granite Place Purchase) \$21m in FY23 | 31 | HOLD |
| D1 | 76 | Effective Date. Section 75 of this act shall take effect on June 30, 2023. | 31 | |
| D1 | 79 | Appropriation; Department of Administrative Services. (Leg. Parking Garage) \$15m in FY23 | 31 | Delete Sections Amendment #2023-0821h |
| D1 | 80 | Effective Date. Section 79 of this act shall take effect on June 30, 2023. | 31 | |
| D1 | 83 | Department of Natural and Cultural Resources; Christa McAuliffe Memorial. | 32 | Accepted 3-17-23 |
| D1 | 84 | Appropriation; Christa McAuliffe Memorial. \$500k in FY23 | 32 | Delete Sections Amendment #2023-1069h |
| D1 | 85 | Effective Date. Sections 83 and 84 of this act shall take effect June 30, 2023. | 32 | |
| D1 | 97 | Appropriation; Department of Natural and Cultural Resources; State Library. \$1m in FY23 | 36 | Reduce appropriation to \$750k Amendment #2023-1084h |
| D1 | 98 | Effective Date. Section 97 of this act shall take effect June 30, 2023. | 36 | |
| D1 | 100 | Board of Tax and Land Appeals. (Attorney member) | 36 | Accepted 3-6-23 |
| D1 | 101 | Repeal. RSA 82-A, relative to the communications service tax, is repealed. | 36 | Accepted 3-10-23 |
| D1 | 102 | Returns for Communications Services Taxes; 2023. | 36 | |
| D1 | 103 | New Subparagraph; Department of Revenue Administration; Investigations. | 36 | |
| D1 | 104 | New Paragraph; Department of Revenue; Rulemaking Authority. | 37 | |
| D1 | 105 | Enhanced 911 System. | 37 | |
| D1 | 106 | Enhanced 911 System. | 37 | |
| D1 | 107 | Property Taxes; Public Utilities. | 37 | |
| D1 | 108 | Department of Revenue Administration; Substantial Understatement Penalty; Reference Removed. | 37 | |
| D1 | 109 | Tax Expenditure and Potential Liability Report; Reference Removed. | 37 | |
| D1 | 110 | State of Emergency Waivers for Out-of-state Businesses and Employees; Definition of Communications Services. | 38 | |
| D1 | 111 | Labor Commissioner; Civil Penalties. | 39 | Accepted 3-7-23 |
| D1 | 112 | Workers' Compensation; Liability of Employer Failing to Comply. | 39 | Accepted 3-7-23 |
| D1 | 113 | Occupational Health and Safety Administration Certification. | 39 | Accepted 3-7-23 |
| D1 | 114 | Penalty Appeal Board. | 39 | Accepted 3-7-23 |
| D1 | 115 | Workers' Compensation; Payment for Second Injuries From Special Fund. | 40 | Delete Section Amendment #2023-0989h |

HB 2 INTRODUCED - DIVISION 1 SECTIONS

03/20/23

| Division Assignment | Section Number | Section Title | Page Number | Division Action, Date and Amendment # |
|---------------------|----------------|--|-------------|---------------------------------------|
| D1 | 116 | Family and Medical Leave Insurance. | 42 | Accepted 3-7-23 |
| D1 | 117 | Boiler and Pressure Vessels; Exceptions. | 42 | Accepted 3-7-23 |
| D1 | 118 | Workers' Compensation; Appeals Board. | 42 | Accepted 3-7-23 |
| D1 | 131 | Unclaimed and Abandoned Property; Subsequent Claims. | 47 | Accepted 3-6-23 |
| D1 | 132 | Revenue Sharing; Suspension. | 47 | Accepted 3-10-23 |
| D1 | 133 | Electric Utility Restructuring; Implementation. | 47 | Accepted 3-6-23 |
| D1 | 134 | Disclosure of Electric Service Energy Sources and Environmental Characteristics. | 47 | Accepted 3-6-23 |
| D1 | 135 | Electric Renewable Portfolio Standard; Renewable Energy Fund. | 47 | Accepted 3-6-23 |
| D1 | 136 | Information Collection. | 48 | Accepted 3-6-23 |
| D1 | 137 | Phase-In for Existing Supply Contract Load. | 48 | Accepted 3-6-23 |
| D1 | 138 | Duties of Commissioner; Department of Energy. | 48 | Accepted 3-10-23 |
| D1 | 139 | Public Utilities Commission; Office of the Consumer Advocate. (Add Section regarding transfers) | 49 | Accepted 3-17-23 |
| D1 | 140 | New Paragraph; Public Utilities Commission; Office of the Consumer Advocate. | 49 | Accepted 3-17-23 |
| D1 | NEW | Office of the Consumer Advocate; Transfer Authority. | - | Amendment #2023-1077h |
| D1 | 141 | Public Utilities; Assessment. | 49 | Accepted 3-17-23 |
| D1 | 142 | Public Utilities; Certification of Assessment. | 49 | Accepted 3-17-23 |
| D1 | 143 | Expenses of Public Utilities Commission; Collections. | 50 | Accepted 3-17-23 |
| D1 | 144 | Expenses of Public Utilities Commission; Exemption from Assessment. | 50 | Accepted 3-17-23 |
| D1 | 145 | Appropriation; Department of Energy; Establishment of the Regional Energy Advocacy Fund. \$250k in FY23 | 50 | Accepted 3-17-23 |
| D1 | 146 | Effective Date. Section 145 of this act shall take effect June 30, 2023. | 51 | Accepted 3-17-23 |
| D1 | 147 | Department of Energy; Commissioner; Deputy Commissioner; Directors; General Counsel. | 51 | Accepted 3-17-23 |
| D1 | 179 | Budget and Appropriations; Transfers Authorized. | 69 | Accepted 3-13-23 |
| D1 | 180 | New Paragraph; Budget and Appropriations. | 69 | Accepted 3-13-23 |
| D1 | 181 | Medical and Surgical Benefits. | 69 | Accepted 3-13-23 |
| D1 | 182 | Salary Adjustment Fund. | 69 | Accepted 3-13-23 |
| D1 | 183 | Employee Benefit Adjustment Account. | 69 | Accepted 3-13-23 |
| D1 | 184 | Department of Administrative Services; State Budget Office. | 70 | Accepted 3-13-23 |
| D1 | 185 | Department of Administrative Services; Planning and Design Costs. | 70 | Accepted 3-13-23 |
| D1 | 186 | Appropriation; Department of Administrative Services; Technology Upgrades. \$7.8m in FY23 | 70 | Accepted 3-17-23 |
| D1 | 187 | Effective Date. Section 186 of this act shall take effect June 30, 2023. | 70 | |

HB 2 INTRODUCED - DIVISION 1 SECTIONS

03/20/23

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|---------------------|----------------|---|-------------|---|
| D1 | 188 | New Paragraph; State Commission on Aging. | 70 | Accepted 3-13-23 |
| D1 | 189 | State Commission on Aging. (Terms) | 71 | Accepted 3-13-23 |
| D1 | 190 | State Commission on Aging. (Warrant language removed) | 71 | Accepted 3-13-23 |
| D1 | 191 | New Paragraph; State Commission on Aging. (Administrative attachment) | 71 | Accepted 3-13-23 |
| D1 | 192 | New Paragraph; Duties of the State Commission on Aging. (Acceptance of funds) | 71 | Accepted 3-13-23 |
| D1 | 193 | Corrections Officers' Salaries. | 71 | Accepted 3-7-23 |
| D1 | 194 | Parking; Concord. | 72 | Accepted 3-17-23 |
| D1 | 195 | Compensation for Certain State Officers; Unclassified State Employees; July 14, 2023. | 72 | Accepted 3-17-23 |
| D1 | 196 | Salary Wages for Councilors and Commissioners; July 14, 2023. | 72 | |
| D1 | 197 | Compensation for Certain State Officers; Unclassified State Employees; July 12, 2024 | 72 | |
| D1 | 198 | Salary Wages for Councilors and Commissioners; July 12, 2024. | 73 | |
| D1 | 199 | Department of Justice; Attorney Salaries; July 14, 2023. | 73 | |
| D1 | 200 | Legislative Employees; July 14, 2023. | 74 | |
| D1 | 201 | Legislative Employees; July 14, 2024. | 74 | |
| D1 | 202 | Judicial Salaries; July 14, 2023. | 74 | |
| D1 | 203 | Judicial Salaries; July 12, 2024. | 74 | |
| D1 | 204 | Judicial Employees; July 14, 2023. | 74 | |
| D1 | 205 | Judicial Employees; July 12, 2024. | 74 | |
| D1 | 206 | Salary Adjustment for Recruitment or Retention. | 74 | |
| D1 | 207 | Salary Adjustment for Recruitment or Retention. | 74 | |
| D1 | 208 | 208 Appropriations. (State Employee Pay Raise) \$44.9m in FY23 & \$54.778m in FY24 | 74 | |
| D1 | 209 | 209 Effective Date. | 75 | |
| D1 | 258 | Repeals; Department of Business and Economic Affairs. | 83 | Accepted 3-13-23 |
| D1 | 259 | Department of Business and Economic Affairs; Bureaus. | 83 | Accepted 3-13-23 |
| D1 | 260 | Workforce Development. | 83 | Hold for Policy and Rulemaking Committee 3-13-23 |
| D1 | 261 | Workforce Development Director. | 83 | |
| D1 | 262 | State Workforce Innovation Board; Duties Removed. | 84 | |
| D1 | 263 | Broadband Infrastructure Bonds. | 84 | Accepted 3-13-23 |
| D1 | 264 | Tax on Meals and Rooms; Population Figures. | 84 | Accepted 3-13-23 |
| D1 | 265 | Reference Deleted. Amend RSA 126-A:4, V(b)(1) (Removes Office of Planning & Development) | 84 | Accepted 3-13-23 |

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03/20/23

| Division Assignment | Section Number | Section Title | Page Number | Division Action, Date and Amendment # |
|---------------------|----------------|---|-------------|---|
| D1 | 266 | Appropriation; Department of Natural and Cultural Resources; State Historic Sites Fund. <i>\$450k in FY24 & \$459k in FY25</i> | 85 | Accepted 3-17-23 Change to: Delete the section and add in HB1 ?? |
| D1 | 267 | Agricultural Advisory Board. | 85 | Accepted 3-13-23 |
| D1 | 268 | Assistant Deputy Medical Examiners. | 85 | Accepted 3-7-23 |
| D1 | 269 | Department of Justice; Assistant Deputy Medical Examiners Established. | 86 | Accepted 3-7-23 |
| D1 | 270 | New Paragraphs; Department of Justice; Permanent Assistant Deputy Medical Examiners; Deputy Chief Forensic Investigator. | 86 | Accepted 3-7-23 |
| D1 | 271 | Department of Justice; Planning Analyst/Data Systems; Reclassified and Established; Deputy Chief Forensic Investigator. | 86 | Accepted 3-13-23 |
| D1 | 272 | Chief Medical Examiner; Reference Deleted. | 86 | Accepted 3-13-23 |
| D1 | 273 | Office of the Solicitor General. | 87 | Accepted 3-13-23 |
| D1 | 274 | Division of Legal Counsel. | 87 | Accepted 3-13-23 |
| D1 | 275 | Department of Justice; Name Change; Public Safety and Infrastructure Bureau. | 87 | Accepted 3-13-23 |
| D1 | 276 | Department of Justice; Positions Transferred. HB 1 Impact | 87 | Accepted 3-13-23 |
| D1 | 277 | New Section; Charitable Trusts. | 87 | Accepted 3-13-23 |
| D1 | 278 | Charitable Trusts; Investigations. | 88 | Accepted 3-13-23 |
| D1 | 279 | Victim Assistance Programs. | 88 | Hold - Handout from Justice on the Administrative costs 3-13-23 |
| D1 | 280 | New Hampshire Retirement System. Administration of Benefit Payments to Existing Beneficiaries; Appropriation. <i>\$40k in FY24</i> | 88 | Accepted 3-13-23 |
| D1 | 281 | Business Finance Authority; Unified Contingent Credit Limit Increased. | 89 | HOLD - Information BFA will be in Monday 3/20/23. E-mailed response from the State Treasurer. Amendment from Rep. |
| D1 | 285-534 | New Chapter; Office of Professional Licensure and Certification. | 90-217 | HOLD for Monday 3/20/23 |

| NEW SECTIONS APPROVED BY DIVISION I | | | | |
|--|-----|--|--|-----------------------|
| D1 | NEW | New Section; Superior Court; Land Use Review Docket. Adds content of HB 347 effective July 1, 2023 | | Amendment #2023-0888h |
| D1 | NEW | Department of Corrections Position Reallocation; Appropriation | | Amendment #2023-0848h |

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03/20/23

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|---------------------|----------------|---|-------------|---------------------------------------|
| D1 | NEW | Department of Corrections Recruitment and Retention Program | | Amendment #2023-0863h |
| D1 | NEW | Department of Corrections Burial and Wake Expense | | Amendment #2023-0864h |
| D1 | NEW | Department of Agriculture, Markets and Food; Electronic processing systems. Adds content from HB 230. | | Amendment #2023-0889h |
| D1 | NEW | Adds content of HB 300 prohibiting disposal of certain food waste. Additional amendment requested by Representative Ebel. | | Amendment #2023-1070h |
| D1 | NEW | Department of Military Affairs & Veterans Services; National Guard Recruitment and Incentive Program. | | Amendment #2023-0895h |
| D1 | NEW | Position transferred from the Department of Environmental Services to the Department of Justice Civil Bureau. | | Amendment #2023-0890h |
| D1 | NEW | Add HB 462 to HB 2 food waste reduction and diversion. \$2m inFY23 | | Amendment #2023-0932h |
| D1 | NEW | NEW Section relative to the Liquor Commission - Rep Leishman | | Amendment #2023-0884h |
| D1 | NEW | New Section adding HB212 amended to use existing PFAS Remediation Fund - Rep Ebel | | Amendment #2023-1063h |
| D1 | NEW | Restore CST and move up repeal of I&D from 2027 to 2025 - Rep McGuire | | Amendment #2023-1070h |
| D1 | NEW | Add HB 50 to HB 2 - \$50 appropriation to UAAL - Rep. McGuire | | Amendment #2023-1075h |
| D1 | NEW | Add HB 436 with amendments to HB 2 - Rep. McGuire | | Amendment #2023-1083h |

Rep. Leishman, Hills. 33
March 9, 2023
2023-0896h
08/07

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 35 with the following:

2

3 35 Water Management and Protection; Water Pollution and Waste Disposal; Winnepesaukee
4 River Basin Control; Expenditures. Amend RSA 485-A:49, II to read as follows:

5 II. To provide funds for the municipal share of the costs involved pursuant to this
6 subdivision, the state treasurer is authorized to borrow upon the credit of the state not exceeding the
7 sum of [~~\$3,000,000~~] **\$30,000,000** and for said purposes may issue bonds and notes in the name and
8 on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

Rep. Leishman, Hills. 33
March 13, 2023
2023-0968h
06/05

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 38 with the following:

2

3 38 Appropriation; Department of Environmental Services; PCB Contamination. The sum of
4 \$1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the commissioner of the
5 department of environmental services for the purpose of assisting to fund studies, investigations and
6 remediation of PCB contamination. Such funds shall be nonlapsing to the commissioner of the
7 department of environmental services. The governor is authorized to draw a warrant for said sum
8 out of any money in the treasury not otherwise appropriated.

2023-0968h

AMENDED ANALYSIS

Analysis section 18 remains the same.

Rep. Leishman, Hills. 33
March 13, 2023
2023-0943h
02/08

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 41 and 42.

2023-0943h

AMENDED ANALYSIS

This bill deletes section 19 of the analysis.

UNAPPROVED

Rep. Leishman, Hills. 33
March 13, 2023
2023-0946h
02/05

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 70 with the following:

2

3 70 Appropriation; Department of Corrections; New Hampshire State Prison Fund Established
4 2023. There is hereby appropriated to the department of corrections the sum of \$10,000,000 for the
5 fiscal year ending June 30, 2023 for deposit in the state prison fund under RSA 21-H:17, for the
6 purpose of designing a new state prison. The sum appropriated shall not lapse. The governor is
7 authorized to draw a warrant for said sum out of any money in the treasury not otherwise
8 appropriated.

UNAPPROVED

Rep. Leishman, Hills. 33
March 13, 2023
2023-0936h
02/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 72.
- 2
- 3
- 4 2023-0936h

AMENDED ANALYSIS

no analysis change

UNAPPROVED

Rep. Leishman, Hills. 33
March 7, 2023
2023-0821h
07/05

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 79 and 80.

UNAPPROVED

Rep. Leishman, Hills. 33
March 17, 2023
2023-1069h
10/05

Amendment to HB 2-FN-A-LOCAL

- 1 Delete sections 84 and 85, the state appropriation for the Christa McAuliffe Memorial.

UNAPPROVED

Rep. Leishman, Hills. 33
March 19, 2023
2023-1084h
02/05

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 97 with the following:

2

3 97 Appropriation; Department of Natural and Cultural Resources; State Library. There is
4 hereby appropriated to the department of natural and cultural resources the sum of \$750,000 for the
5 fiscal year ending June 30, 2023 to begin executing a process to assess the books and material
6 currently in the state library and begin the removal and safe storage of the books and materials.
7 The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said
8 sum out of any money in the treasury not otherwise appropriated.

Rep. Leishman, Hills. 33
March 14, 2023
2023-0989h
08/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 115, subsequent injury special fund payments.

2023-0989h

AMENDED ANALYSIS

no analysis change

UNAPPROVED

Rep. Leishman, Hills. 33
March 19, 2023
2023-1077h
06/07

Amendment to HB 2-FN-A-LOCAL

1 Insert the following new section:

2

3 1 Office of the Consumer Advocate; Transfer Authority. The following expenditure classes
4 within the Office of the Consumer Advocates shall be exempt from the transfer restrictions in RSA
5 9:17-a and 9:17-c; and class 10- personal services-perm classified and class 60-benefits. The Office of
6 the Consumer Advocate is authorized to transfer funding attributable to vacant positions from these
7 classes into class 046 consultants and class 233 litigation provided that any such transfers shall be
8 limited to \$75,000 in each fiscal year. The provisions in this paragraph shall remain in effect for the
9 biennium ending June 30, 2025.

2023-1077h

AMENDED ANALYSIS

Insert:

1. Gives the office of the consumer advocate the authority to transfer funds for vacant positions.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following sections:

2

3 1 New Section; Superior Court; Land Use Review Docket. Amend RSA 491 by inserting after
4 section 7-a the following new section:

5 491:7-b Land Use Review Docket.

6 I. Without limiting the jurisdiction vested in any court in the state, and subject to the
7 appointment of a presiding justice by the governor with the consent of the executive council as
8 provided in this section, the supreme court may establish by court order not inconsistent with this
9 section, a land use review docket in the superior court which shall have jurisdiction to hear appeals
10 from decisions of local land use boards, including, but not limited to decisions of municipal planning
11 boards, zoning boards, historic district commissions, and conservation commissions. The jurisdiction
12 of this docket shall not include appeals of decisions by state agencies.

13 II. The governor with the consent of the executive council may appoint the first presiding
14 justice of the land use review docket, who shall be qualified by reason of such person's knowledge
15 and experience in land use and real property law. The first presiding justice of the land use review
16 docket shall be an additional justice of the superior court, which shall increase by one the number of
17 authorized justices of the superior court as provided in RSA 491:1. The chief justice of the superior
18 court, following the appointment or designation of the initial presiding justice, may designate such
19 additional justices to preside over cases assigned to the land use review docket, as necessary, based
20 upon caseload, disqualification of the presiding justice, or efficient allocation of judicial resources.

21 III. The presiding justice of the land use review docket shall be an associate justice of the
22 superior court and shall be entitled to the compensation and benefits provided to all such justices
23 under applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

24 IV. The workload of the presiding justice of the land use review docket shall be the matters
25 before that docket. The presiding justice may be assigned to any other matter within the jurisdiction
26 of the superior court or sit by designation on any other court in the same manner as any other
27 associate justice of the superior court, as determined to be necessary by the chief justices of the
28 superior and supreme courts.

29 V. Subject to the provisions of this section, all appeals to superior court filed pursuant to
30 RSA 677 and all proceedings for such appeals, shall be assigned to the land use review docket,
31 including motion practice, discovery, injunctive relief, alternative dispute resolution, and hearing on

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 the merits. Nothing in this section shall affect the concurrent jurisdiction of the housing appeals
2 board to hear appeals within its jurisdiction brought pursuant to RSA 679.

3 VI. The court shall hold a structuring conference within 30 days of its receipt of the notice of
4 appeal. At the structuring conference the court shall set a deadline for the filing with the court of
5 the certified record and shall schedule a hearing on the merits to be held within 60 days of receipt of
6 the certified record. The court shall issue a decision on the merits within 60 days of the hearing.
7 The court may extend any of the deadlines established in this paragraph upon agreement of the
8 parties or for other good cause shown, but if the extension is based upon good cause, the court shall
9 articulate in its order granting the extension the specific facts and circumstances that warrant the
10 extension.

11 2 Superior Court; Justices. Amend RSA 491:1 to read as follows:

12 491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and
13 council to a 5-year term, and [21] 22 associate justices. Said justices shall be appointed and
14 commissioned as prescribed by the constitution and shall exercise the powers of the court unless
15 otherwise provided. The chief justice shall be appointed from among the associate justices. In the
16 event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-
17 year term, he or she may return to the position of associate justice, whether or not an associate
18 justice vacancy then exists.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting after section 16 the following new section:

2

3 17 Department of Corrections; Position Reallocation; Appropriation.

4 I. The department of administrative services is hereby authorized to conduct a reallocation
5 of all the certified corrections officer and internal affairs investigators from the rank of corrections
6 officer trainee through the rank of major at the NH department of corrections. The department of
7 administrative services shall conduct an assessment review of the reallocation request pursuant to
8 personnel rule Per 303.

9 II. The governor is authorized to draw a warrant for said sums in this section out of any
10 money in the treasury not otherwise appropriated to fund the outcome of the reallocation. Such
11 funds shall not lapse until June 30, 2025.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 Department of Corrections; Division of Personnel and Information; Personnel Management;
4 Recruitment and Retention Program. RSA 21-H:4, V(a) is repealed and reenacted to read as follows:

5 (a) Personnel management, recruitment, and retention. The department shall develop a
6 program for the recruitment, selection, placement, and retention of qualified applicants for the New
7 Hampshire department of corrections.

8 (1) The program may include expenditures for recruitment and retention activities
9 and incentives, including but not limited to:

10 (A) National Corrections Professionals Week recognition activities at all
11 departmental sites to support employee retention, which may include a paid meal for the site during
12 the week, physical awards and gift cards with a value of less than \$25 as performance incentives
13 based on departmental policies for employee recognition, and items issued to employees that are
14 within the financial scope of the department's current expense appropriations in expenditure class
15 020.

16 (B) Referral fees or bonuses for active employees or newly hired applicants who
17 have not been employed by the state through a policy approved by the commissioner.

18 (2) Any recruitment or retention incentives received by an employee pursuant to this
19 subparagraph shall not be considered gifts under RSA 15-B.

20 (3) Referral of applicants by current department employees for the purpose of
21 receiving a referral fee pursuant to this subparagraph shall not be considered a misuse of position
22 under RSA 21-G:23, provided that any rules adopted by the commissioner and any directives issued
23 by the director regarding the referral program shall require that the benefits of the program shall be
24 equally available to all department employees, except as specified in subparagraph (1)(B), and
25 subject to uniform criteria established by the director.

26 (4) Any expenditures made for recruitment or retention incentives pursuant to this
27 subparagraph shall be considered a matter of legislatively-enacted public policy designed to benefit
28 employees and the state, and that is confined exclusively to the public employer by statute as
29 provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this
30 paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered
31 into by the state.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new section:

2

3 1 New Paragraph; Department of Corrections; Powers and Duties of Commissioner. Amend
4 RSA 21-H:8 by inserting after paragraph XII the following new paragraph:

5 XIII. The commissioner shall have discretionary authority to pay burial and wake expenses
6 in an amount not to exceed \$10,000 for an employee whose death occurs while on duty with the
7 department of corrections and when the deceased employee's next of kin demonstrates an inability to
8 afford the burial or wake expenses.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following:

2

3 1 New Section; Electronic Licensing, Certification, and Registration System; Department of
4 Agriculture, Markets, and Food. Amend RSA 425 by inserting after section 12 the following new
5 section:

6 425:12-a Electronic Licensing, Certification, and Registration System. The department of
7 agriculture, markets, and food shall design, establish, and contract with a third party for the
8 implementation and operation of an electronic system to facilitate the handling of all departmental
9 licensing, certification, and registration duties. Such system shall be capable of receiving
10 electronically transmitted product registrations, license applications, certificate applications, and
11 related materials. Authorized users shall be capable of working in offline mode when an Internet
12 connection is not available. The commissioner shall adopt rules under RSA 541-A to govern methods
13 of obtaining, compiling, and maintaining such information it deems necessary to manage such
14 database. The commissioner shall also ensure that the database is secure from unauthorized access
15 or use.

16 2 Appropriation; Department of Agriculture, Markets, and Food; Electronic Licensing,
17 Certification, and Registration System. For the purpose of developing an electronic licensing,
18 certification, and registration system under RSA 425:12-a, there is hereby appropriated the sum of
19 \$360,000, for the fiscal year ending June 30, 2024, to the commissioner of the department of
20 agriculture, markets, and food. The governor is authorized to draw a warrant for said sum out of
21 any money in the treasury not otherwise appropriated.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following sections:

2

3 1 Department of Military Affairs and Veterans Services; Execution of Sentences. Amend RSA
4 110-B:55, I to read as follows:

5 I. Fines may be paid to a military court or to an officer executing its process. The amount of
6 any fine imposed may be noted upon any state roll or account for pay of the delinquent and deducted
7 from any pay or allowance due or thereafter to become due them, until said fine is liquidated; or the
8 same may be collected with lawful costs of collection, as in the case of executions issued in action
9 founded upon torts. ***Fines collected shall be paid over to the state treasurer and credited to***
10 ***the New Hampshire national guard enlistment incentive fund under RSA 110-B:60.***

11 2 Department of Military Affairs and Veterans Services; New Hampshire National Guard
12 Enlistment Incentive Program Established. Amend RSA 110-B:60 to read as follows:

13 110-B:60 New Hampshire National Guard Enlistment Incentive Program Established. For the
14 purpose of encouraging enlistment in the national guard there is hereby established a New
15 Hampshire national guard enlistment incentive program. This program authorizes a cash incentive
16 up to ~~[\$500]~~ ***\$1,000*** to current members of the New Hampshire national guard in the pay grades of
17 E-1 to O-3 or any former member of the New Hampshire national guard for each new or prior service
18 recruit that they bring into the New Hampshire national guard.

19 3 Department of Military Affairs and Veterans Services; Revenue for Enlistment Incentive
20 Program. Amend RSA 110-B:61, I to read as follows:

21 I. There is hereby established a fund to be known as national guard enlistment incentive
22 program fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and
23 any interest earned on the fund shall be used for the purpose of encouraging enlistment in the
24 national guard and shall not be used for any other purpose. The adjutant general shall oversee
25 expenditures from the fund. The moneys in the fund shall be ***continually appropriated and***
26 ***nonlapsing.***

27 4 Department of Military Affairs and Veterans Services; National Guard Enlistment Incentive
28 Program; Oversight and Administration. Amend RSA 110-B:62 to read as follows:

29 110-B:62 Oversight and Administration. The adjutant general shall ~~[adopt rules pursuant to~~
30 ~~RSA 541-A relative to]~~ ***establish procedures necessary for*** the administration of the enlistment
31 incentive program and relative to its execution by the New Hampshire Army and Air National

Rep. Leishman, Hills. 33
March 9, 2023
2023-0890h
02/05

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new section:

2

3 1 Department of Environmental Services; Position Transferred. The department of
4 environmental services shall transfer position # 19491 legal aide to the department of justice to
5 provide necessary support for enhanced hearings officer responsibilities effective as of July 1, 2023.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following sections:

2

3 1 Purpose and Use; Solid Waste Management Fund. Amend RSA 149-R:4, III to read as follows:

4 III. The department is authorized to solicit funds from ~~[the United States Environmental~~
5 ~~Protection Agency or other agencies that are targeted for making grants consistent with this section]~~
6 *any source, including the United States Environmental Protection Agency and other*
7 *federal agencies, gifts, donations of money, grants, legislative appropriations, or any*
8 *matching funds and incentives.* ~~[Such funds, when received, may be deposited into the fund, and~~
9 ~~shall be used for the purposes described in this chapter.]~~ *Notwithstanding RSA 4:8 and RSA*
10 *14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste*
11 *management fund to be used for the purpose described in RSA 149-R:4.*

12 2 Appropriation; Solid Waste Management Fund. The sum of \$2,000,000 for the fiscal year
13 ending June 30, 2023, is hereby appropriated to the solid waste management fund established under
14 RSA 149-R:3. Of this appropriation, 50 percent shall be used to give priority to projects associated
15 with the reduction and diversion of food, food waste, and other organic wastes until June 30, 2027.
16 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
17 otherwise appropriated.

18 3 Effective Date. Section 2 of this act shall take effect June 30, 2023.