

**COMMITTEE OF CONFERENCE
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1	1	22	Repeal. 2017, 155:7 relative to budget adjustments and class 027 transfers to the department of information technology for fiscal year 2019	No Change		
2	2	22	Department of Administrative Services; Debarment of Vendors	No Change		
3	3	22	Department of Administrative Services; Debarment of Vendors; Statement	No Change		
4	4	22	Department of Administrative Services; Divisions	No Change		
5	5	23	Department of Administrative Services; Director of Plant and Property	No Change		
6	6	23	Director of Plant and Property; Salary; Funding; Effective Date	No Change		
7	7	23	Department of Administrative Services; Directors; Officers	No Change		
8	8	24	Department of Administrative Services; Office of the Commissioner	No Change		
9	9	24	Division of Financial Data Management	No Change		
N/A	10	25	New Section; Deputy Director of Risk and Benefits	Senate Only		
N/A	11	25	Deputy Director of Risk and Benefits; Salary; Funding; Offer to Seek Nomination and Effective Date	Senate Only		
10	12	26	Department of Administrative Services; Division of Risk and Benefits	No Change		
11	13	31	Department of Administrative Services; Reference Changed	No Change		
12	14	31	Department of Administrative Services; Reference Changed	No Change		
13	15	31	Department of Administrative Services; References Changed	No Change		
14	16	32	Department of Administrative Services; Reference Changed	No Change		
15	17	32	Department of Administrative Services; Reference Changed	No Change		
16	18	33	State Agency Insurance; Reference Changed	No Change		
17	19	33	Health and Human Services; Reference Changed	No Change		
18	20	33	Services for Youth and Families; Reference Changed	No Change		
19	21	34	Services for Youth and Families; References Changed	No Change		
20	22	34	University System; References Changed	No Change		
21	23	35	Community College System; References Changed	No Change		
22	24	35	Board of Claims; Reference Changed	No Change		
23	25	35	Salaries; Unclassified State Officers.	No Change		
24	26	36	Department of Administrative Services; Intent of Amendment of Risk Management Unit; Continuation of Operations	No Change		
25	27	36	Department of Administrative Services; Intent of Amendment of Title of the Manager of Risks; Continuation of Salary and Functions	No Change		

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27	29	37	Department of Administrative Services; Intent of Amendment of Financial Data Management Unit; Continuation of Operations	No Change		
28	30	37	Department of Administrative Services; Intent of Amendment of Title of the Financial Data Manager; Continuation of Salary and Functions	No Change		
29	31	37	Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating to Financial Data Management	No Change		
30	32	38	Department of Administrative Services; Consolidation of Human Resources and Payroll Functions	No Change		
31	33	40	Department of Administrative Services; State Employee Health Plan; Application	No Change		
32	34	40	Department of Administrative Services; Health Coverage Shared Responsibility	No Change		
33	35	41	All Agencies; Administrative Services; Electronic Mail	No Change		
34	36	41	Department of Administrative Services; Heating Systems Savings	No Change		
35	37	41	State Heating System Facilities	No Change		
36	38	42	Department of Administrative Services; Funding and Staffing Resource Limitations	No Change		
37	39	42	Department of Administrative Services; Establishment of Additional Surplus Fund	No Change		
38	40	43	Surplus Distribution Accounts	No Change		
39	41	43	Department of Administrative Services; Fund Restrictions	No Change		
40	42	43	New Section; Department of Administrative Services; Building Maintenance Fund	Amended		
41	43	44	New Subparagraph; Application of Receipts; Building Maintenance Fund	No Change		
N/A	44	44	Appropriation; Building Maintenance Fund	Senate Only		
N/A	45	45	Study of Building Maintenance Funding Sources for Patient Occupied Buildings Managed by the Department of Health and Human Services	Senate Only		
42	46	45	Judicial Appointments; Number Limited; Conversion Suspended	No Change		
43	47	45	Judicial Branch; Transfer Among Accounts and Classes	No Change		
44	48	45	Department of Corrections; Transfer Authority	No Change		
45	49	46	New Section; Cost of Care Reimbursement Account Established	No Change		
46	50	46	New Subparagraph; Application of Receipts	No Change		
47	51	46	Department of Corrections; Cost of Care Reimbursement Moneys	No Change		
48	52	46	Repeal. RSA 622:7-b, relative to victim's fund	No Change		

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50	54	47	Department of Corrections; Unclassified Position Established; Director of Nursing	No Change		
51	55	48	Department of Corrections; Unclassified Positions Established (Pharmacists)	No Change		
52	56	49	State Commission for Human Rights (Administratively Attached to Department of Justice)	No Change		
53	57	49	Boxing and Wrestling Commission (Administratively Attached to Department of State)	No Change		
54	58	49	Annual Grant for Leased Space; Charter Schools	No Change		
55	59	50	Meals and Room Tax; Distribution to Cities and Towns (Freeze on Distribution)	No Change		
56	N/A	50	Senior Volunteer Program; Suspension	House Only		
57	N/A	50	Congregate Housing; Suspension	House Only		
58	60	50	Department of Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels	No Change		
59	61	50	County Reimbursement of Funds; Limitations on Payments	Amended		
60	62	51	Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children; Definitions	No Change		
61	63	51	Prospective Repeal Regarding Eligibility for Services Extended	No Change		
62	64	52	Department of Health and Human Services; Suspension of Direct and Indirect Graduate Medical Education Payments	No Change		
63	N/A	52	Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women	House Only		
64	65	52	Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals	No Change		
65	66	52	Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended	No Change		
66	67	53	Department of Health and Human Services; Program Eligibility; Additional Revenues	No Change		
67	68	53	Appropriation; Department of Safety, Division of Fire Standards and Training and Emergency Medical Services	No Change		
68	69	53	Commissioner of Health and Human Services; Quarterly Reports	No Change		
69	70	53	Department of Health and Human Services; Unfunded Positions; Authorization	No Change		

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71	72	54	New Section; Department of Health and Human Services; Developmental Services; Establishing Certain Funds and Transfers of Certain Appropriations	No Change		
72	73	55	New Subparagraphs; Department of Health and Human Services; Developmental Services; Certain Accounts	No Change		
73	74	55	Department of Health and Human Services; Transfer of Certain Trust Funds (Laconia State School)	No Change		
74	75	55	Study Committee on Outdated Non-regulatory Boards, Commissions, Councils, and Advisory Bodies	No Change		
75	76	56	Department of Health and Human Services; Plan to Close the Cliff Effect for Individuals and Families who Receive Public Benefits	No Change		
76	N/A	58	Department of Health and Human Services; Plan for Patients Civilly Committed to the Secure Psychiatric Unit	House Only		
77	N/A	59	New Section; Advisory Council on Patients Civilly Committed to the Secure Psychiatric Unit	House Only		
78	N/A	61	Repeal. RSA 622:52-a, relative to the advisory council on patients civilly committed to the secure psychiatric unit	House Only		
79	77	61	Revenue Sharing; Suspension	No Change		
80	78	61	Liquor Commission; Processing of Merchant Cards	No Change		
81	79	61	Electric Utility Restructuring; Policy Principles; System Benefits Charge	Amended		
82	80	62	Department of Education; Acceptance of Gifts	No Change		
83	81	63	Repeal. RSA 78-A:26, I(b), relative to disposition of income from meals and rooms tax revenue	No Change		
84	82	63	Application of Receipts (Credited to the Division of Travel and Tourism)	No Change		
85	83	63	Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue	No Change		
86	84	63	Suspensions of Law; Travel and Tourism; Integrated Land Development	Amended		
87	85	64	State Aid Grants; Department of Environmental Services	Amended		
88	86	64	Judicial Branch; Reimbursement of Sheriff's Office for Court Security	No Change		
89	N/A	64	Department of Health and Human Services; Foster Grandparent Program (Suspended for biennium)	House Only		
90	87	64	Treasury Department; Revenue Information Management System Account	No Change		

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92	89	65	Department of Natural and Cultural Resources; Forest Lands (Forest Management and Protection Fund)	No Change		
93	90	66	Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Faith-Based Member	Amended		
94	N/A	67	Commission Member; Faith-Based Community	House Only		
95	91	67	New Chapter; Family and Medical Leave Insurance	No Change		
96	92	73	Advisory Council (Unemployment Compensation and Family and Medical Leave Insurance)	No Change		
97	93	73	New Subparagraph; State Treasurer; Application of Receipts (FMLI Fund)	No Change		
98	94	74	Repeal. RSA 6:12, I(b)(237), relative to the moneys deposited in the civil legal services fund	No Change		
99	95	74	Civil Legal Assistance	No Change		
100	N/A	74	Health Facilities Licensure; Applicability of Moratorium	House Only		
101	96	75	New Chapter; Sports Betting	Amended		
102	97	85	Bets Void (Lottery Commission Authorization)	No Change		
103	98	85	Education Trust Fund; Sports Betting Added	No Change		
104	99	85	New Subparagraph; Gambling; Exceptions	No Change		
105	100	85	New Chapter; Council for Responsible Gambling	No Change		
106	101	87	Operation of Keno Games; Fees for Research	No Change		
107	102	87	Tobacco Tax; Definitions	No Change		
108	103	88	New Paragraph; Electronic Cigarette; Definition	Amended		
N/A	104	88	Tobacco Tax; Tax Imposed on Tobacco Products Other Than Cigarettes	Senate Only		
N/A	105	89	Contingent Version; Tobacco Tax; Definitions	Senate Only		
N/A	106	89	Contingent Version; New Paragraph; Electronic Cigarette; Definition	Senate Only		
N/A	107	89	Contingent Version; Tobacco Tax; Tax Imposed on Tobacco Products Other Than Cigarettes	Senate Only		
N/A	108	90	Contingency; HB 595	Senate Only		
109	109	90	Youth Access to and Use of Tobacco Products; Definitions	Amended		
N/A	110	91	Youth Access to and Use of Tobacco Products; Contingent 2020 Version; Definition of E-Cigarette	Senate Only		

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110	112	91	Alcoholic Beverages; Definition of E-Cigarette and E-Liquid Added	Amended		
111	113	92	Definition of License	No Change		
112	114	92	Definition of Retailer	No Change		
113	115	92	Liquor Commission; Liquor Investigator	No Change		
114	116	92	Liquor Licenses and Fees; Licenses Required	No Change		
115	117	92	Licenses Authorized; Sale of Tobacco Products	No Change		
116	118	93	Combination License; Sale of Tobacco Products or E-Cigarettes	No Change		
117	119	93	Retail Wine License; Sale of Tobacco Products	No Change		
118	120	94	Retail Tobacco License; Sale of E-Cigarettes	No Change		
119	121	95	Beer Specialty License; Tobacco Products and E-Cigarette Sales	No Change		
120	122	95	Beer Specialty License; Sale of Tobacco Products and E-Cigarettes	No Change		
121	123	95	Board of Veterinary Medicine; Transfer to Office of Professional Licensure and Certification	No Change		
122	N/A	97	State School Organization; Professional Standards Board	House Only		
123	N/A	97	Council for Teacher Education; Commissioner Designee	House Only		
124	124	97	Department of Environmental Services; Qualifications for Director of Division of Water	No Change		
125	125	98	Department of Environmental Services; Certified Application Preparer Program	No Change		
126	126	99	Department of Environmental Services; Public Bathing Facilities	Amended		
127	127	101	New Subparagraph; Public Bathing Facility Fund	No Change		
128	128	101	New Section; Public Bathing Facility Compliance Self-Certification	Amended		
129	129	102	Public Bathing Facilities; Injunctions; Emergency Closures	No Change		
130	130	103	New Section; Public Bathing Facilities; Certified Operators Required	No Change		
131	131	104	Repeal (RSA 6:12, I(b)(295), RSA 482:55-a and RSA 482:89, VI relative to the dam maintenance revolving loan fund)	No Change		
132	132	104	Terrain Alteration; Modify Reporting Requirements	No Change		
133	133	104	State Treasurer and State Accounts; Application of Receipts; (Recreation Camp and Youth Skill Camp Fund)	No Change		
134	134	105	Child Day Care Licensing; Definitions	No Change		
135	135	105	New Subdivision; Recreation Camp Licensing	No Change		

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136	136	110	Water Pollution and Waste Disposal; Safety Regulations for Pools and Bathing Places	No Change		
137	137	111	Water Pollution and Waste Disposal; Injunction	No Change		
138	138	111	Repeal (RSA 485-A:6, IX, RSA 485-A:23, RSA 485-A:24, RSA 485-A:24-a, RSA 485-A:25, RSA 485-A:25-a-g rulemaking and safety regulations for camps, pools and bathing places)	No Change		
139	139	112	Cross Reference Changed; Safety Regulations for Camps	No Change		
140	140	112	Cross Reference Changed; Safety Regulations for Camps	No Change		
141	141	112	Department of Military Affairs and Veterans Services	No Change		
142	142	112	Department of Military Affairs and Veterans Services; The Militia	Amended		
143	143	113	The Adjutant General	No Change		
144	144	114	Deputy Adjutant General	No Change		
145	145	115	New Subdivision; Department of Military Affairs and Veterans Services; Veterans Services	No Change		
146	146	119	Aid for Veterans' Programs	No Change		
147	147	119	Replace Term. (Replace "office of veterans services" or "state office of veterans services" with "division of veterans services")	No Change		
148	148	120	Repeal. RSA 115, relative to the state office of veterans services	No Change		
149	149	120	Sale of Property; National Guard Armory in Berlin	No Change		
150	150	120	Department of Business and Economic Affairs; Rest Areas and Welcome Centers	Amended		
N/A	151	120	New Paragraphs; Department of Business and Economic Affairs; Rest Areas and Welcome Centers	Senate Only		
151	152	121	Labor; Workers' Compensation; Safety Provisions; Administrative Penalty	No Change		
152	153	121	Labor; Workers' Compensation; Definitions	No Change		
153	154	122	Repeal. RSA 6:12, I(b)(267), relative to moneys deposited in the workers' compensation fraud fund	No Change		
154	155	122	Administration of Transportation Laws; Certification of Current Workers' Compensation Coverage Require	No Change		
155	N/A	122	New Subdivision; Governor's Finish Line New Hampshire Scholarship Program	House Only		
156	N/A	123	Program Transferred (Governor's Scholarship Program transferred to Department of Education)	House Only		

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157	156	123	Governor's Scholarship Program and Fund (See Senate Section 157)	Amended		
N/A	157	127	Program Transferred (Governors Scholarship Program transferred to the College Tuition Savings Plan Advisory Commission; See House Section 156)	Senate Only		
158	158	127	Application of Receipts; Governor's Scholarship Fund	Amended		
159	N/A	128	Repeal; Governor's Scholarship Program. (Repeals program under Office of Strategic Initiatives RSA 4-C:31-35)	House Only		
N/A	159	128	College Tuition Savings Plan Advisory Commission; Administration of Governor's Scholarship Program	Senate Only		
N/A	160	128	Definitions; New Hampshire Excellence in Higher Education Endowment Fund	Senate Only		
N/A	161	129	New Hampshire Excellence in Higher Education Endowment Fund; Allocation of Receipts	Senate Only		
N/A	162	129	New Paragraph; New Hampshire Excellence in Higher Education Endowment Trust Fund; Dedicated Allocation and Use of Funds	Senate Only		
N/A	163	129	Rulemaking (annual scholarships through the trust fund in accordance with RSA 6:38)	Senate Only		
N/A	164	130	New Paragraph; Regenerative Manufacturing Workforce Development Program; Business Finance Authority Funding Requirement	Senate Only		
N/A	165	130	Business Finance Authority; Reduction of State Guarantee Capacity	Senate Only		
160	166	131	New Section; Department of Transportation; Bulk Disposal of Highway or Turnpike Funded Real Estate	No Change		
161	167	132	Number Plates; Official Cover Plates (Repeal of Maine-New Hampshire Interstate Bridge Authority)	No Change		
162	168	133	Repeal; Maine-New Hampshire Interstate Bridge Authority	No Change		
163	169	133	Executive Branch Code of Ethics; Complaints (Repeal Witness Fees)	No Change		
164	170	133	Insurance Holding Companies; Examination (Repeal Witness Fees)	No Change		
165	171	134	Payment of Witnesses in Criminal Cases (Repeal Witness Fees)	No Change		
166	172	134	Parole Revocation (Repeal Witness Fees)	No Change		
167	173	135	Arbitration of Disputes; Witnesses (Repeal Witness Fees)	No Change		
168	174	135	Midwifery; Powers and Duties of the Council (Repeal Witness Fees)	No Change		
169	175	136	Alcoholic Beverages; Hearings and Investigations (Repeal Witness Fees)	No Change		
170	176	136	Repeal (Witness Fees for Certain Boards, Agencies, and Commissions)	No Change		

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172	178	142	Department of Natural and Cultural Resources; Exemption from Transfer Restrictions	No Change		
173	179	142	Motor Vehicles; Waiver in Lieu of Court Appearance (Plea-by-Mail Revenue to the Highway Fund)	No Change		
174	180	143	Business Finance Authority Revenue Bonds; Additional State Guarantees	No Change		
175	181	144	Repeal. RSA 162-I:9-b, II, relative to the total amount of state guarantees issued by the business finance authority	No Change		
176	182	144	Business Finance Authority; Unified Contingent Credit Limit	No Change		
177	183	144	Repeal (RSA 12-G:33 relative to submission of a comprehensive development plan by the Pease development authority and RSA 12-G:35, relative to loans to Pease development authority to enable the authority to obtain matching funds)	No Change		
178	184	144	Office of Professional Licensure and Certification; Fees	No Change		
179	185	145	New Paragraphs; Department of Justice: Director of the Office of Victim/Witness Assistance	No Change		
180	186	145	Department of Justice; Office of Victim/Witness Assistance	No Change		
181	187	146	New Paragraph; Department of Justice; Officer-Involved Deadly Force Investigator Position Established	No Change		
182	188	146	Department of Justice; Position Reclassified and Established	No Change		
183	189	147	Department of Justice; Position Reclassified and Established	No Change		
184	190	147	Department of Administrative Services; Rehiring of Laid Off Classified State Employees	No Change		
185	191	148	Appropriation; State Treasurer; Municipal Aid	Amended		
186	192	149	New Section; Community Development Fund for New Hampshire Established	No Change		
187	193	150	New Subparagraph; Dedicated Funds or Accounts; Community Development Fund	No Change		
188	194	150	Appropriation; Community Development Finance Authority; Community Development Fund for New Hampshire	No Change		
189	195	150	State Aid Grant Program; Appropriation to Department of Environmental Services	Amended		
190	196	150	Department of Justice; Victim/Witness Specialist Positions Reclassified and Established	No Change		

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192	N/A	152	New Paragraph; Department of Justice; Elections Attorney Position Established	House Only		
193	198	152	Department of Natural and Cultural Resources; Curatorial Responsibilities Suspended	No Change		
194	199	152	Statewide Public Boat Access Fund; Appropriation to Department of Natural and Cultural Resources (Statewide Public Boat Access Fund)	No Change		
195	N/A	152	Appropriation; Department of Natural and Cultural Resources; Fort Stark Historic Site	House Only		
196	200	153	Department of State; Archives and Records Management; Appointment of Director	No Change		
197	201	153	Department and Secretary of State; Election Fund	No Change		
198	N/A	154	Appropriation; Department of State (HAVA match)	House Only		
N/A	202	154	Short Title (Sections 203-209 Granite State Jobs Act of 2019)	Senate Only		
N/A	203	155	Findings	Senate Only		
199	204	155	Unemployment Compensation; Contribution Rates	Amended		
200	205	156	Department of Employment Security; Job Training Program	Amended		
201	206	160	Commission to Review and Evaluate Workforce and Job Training Programs in New Hampshire	Amended		
202	207	160	Application of Receipts (Training Fund)	Amended		
203	208	161	New Hampshire Workforce Opportunity Fund	Amended		
204	N/A	161	Unemployment Compensation Rates	House Only		
205	209	161	Repeal (Job Training Program in Business and Economic Affairs RSA 12-O:30 through RSA 12-O:37 and RSA 282-A:138-a)	No Change		
206	210	162	Appropriation; Affordable Housing Fund	No Change		
207	211	162	New Section; Special Account (Agriculture Development Rights)	No Change		
208	212	162	Appropriation. Department of Agriculture, Markets and Food	No Change		
209	213	162	New Subparagraph; Application of Receipts (Special Account for Agriculture Development Rights)	No Change		
210	214	162	State Demographer (Suspension of Responsibilities)	No Change		
211	215	163	Board of Tax and Land Appeals; Staff	No Change		
212	216	163	Coos County Job Creation Tax Credit Extended	No Change		

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214	218	163	Business Enterprise Tax; Imposition of Tax; 2019	No Change		
215	219	164	Repeal of Prospective Amendments: 2017, 156:215, relative to the rate of the business profits tax in 2021; 2017, 156:216, relative to the rate of the business enterprise tax in 2021; 2017, 156:217, II, relative to the applicability of the 2021 rates changes)	No Change		
216	220	164	Applicability (Sections 217 and 218)	No Change		
217	221	164	Education Trust Fund (Purpose)	Amended		
218	222	164	New Section; The Budget; Transmission to the Legislature; Changes to Statutory Law	No Change		
219	223	165	Department of Safety; Deputy Director of Administration; Position Established	No Change		
220	224	165	New Section; Department of Safety; Deputy Director of Administration	No Change		
221	225	166	Assistant Director of Division of Fire Standards and Training and Emergency Medical Services; Membership in New Hampshire Retirement System	No Change		
222	226	166	Motor Vehicles; Copies of Certificates and Motor Vehicle Records (Fee)	No Change		
223	227	166	Motor Vehicles; Drivers' Licenses; Real ID Compliant; Fee	No Change		
224	228	167	Department of Transportation; Capital Corridor Rail Expansion	No Change		
225	229	167	Department of Transportation; Use of Toll Credits	No Change		
226	230	168	Department of Transportation; Appropriation (Demolition and Mitigation)	Amended		
227	231	168	Rulemaking Exception; Medicaid Rate of Reimbursement Methodology for Nursing Facilities	No Change		
228	232	168	Alcohol Abuse Prevention and Treatment Fund; Disbursements	No Change		
229	N/A	169	Appropriation; Department of Health and Human Services; Construction of Designated Receiving Facility Beds	House Only		
230	233	169	Appropriation; Department of Health and Human Services; Inpatient Psychiatric Treatment Facility for Children	Amended		
231	234	170	Appropriation; Department of Health and Human Services; New Hampshire Hospital Repurposing	Amended		
232	235	170	Appropriation; Department of Health and Human Services; Transitional Housing Beds	Amended		

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234	237	171	Transfer of Funds for Operation of the Sununu Youth Services Center	No Change		
235	238	172	Medicaid Managed Care Programs; Dental Benefits	Amended		
N/A	239	173	Department of Health and Human Services; Adult Dental Benefit; Development of Plan	Senate Only		
N/A	240	174	Reports (Monthly Update)	Senate Only		
N/A	241	175	Repeal. RSA 126-A:5, XIX(b), relative to relative to enrollment in the managed care program	Senate Only		
236	242	175	New Subdivision; Child Abuse Specialized Medical Evaluation Program	No Change		
237	N/A	176	Delinquent Children; Dispositional Hearing; Commitment of Minors	House Only		
238	N/A	177	Applicability (Section 237)	House Only		
239	243	178	Federal Family Planning Funding	No Change		
240	244	178	New Section; Commission to Study School Funding	Amended		
241	245	180	Appropriation (Commission to Study School Funding)	No Change		
242	N/A	180	Interest and Dividend Tax; Exemptions Increased; Capital Gain Income	House Only		
243	N/A	181	Taxation of Incomes; What Taxable	House Only		
244	N/A	181	Taxation of Incomes; Exclusion of Certain Income; Employee Benefit Plans	House Only		
245	N/A	182	Taxation of Incomes; Exclusion of Certain Income; Qualified Investment Companies, Mutual Funds, and Unit Investment Trusts	House Only		
246	N/A	182	Taxation of Incomes; Exclusion of Certain Income; College Tuition Savings Plans	House Only		
247	N/A	182	Taxation of Incomes; Excess Compensation	House Only		
248	N/A	182	Taxation of Incomes; ABLE Plans	House Only		
249	N/A	183	Exemptions Increased	House Only		
250	N/A	183	Taxation of Incomes; Married Taxpayers; Joint Returns	House Only		
251	N/A	183	Taxation of Incomes; Decedents Estates	House Only		
252	N/A	184	Taxation of Incomes; Income From Trusts	House Only		
253	N/A	184	Taxation of Incomes; Returns and Declaration	House Only		
254	N/A	184	Repeals (RSA 77:4-c sale or exchange of transferable shares not taxable and RSA 77:7 capital distribution)	House Only		
255	N/A	184	Applicability (Section 242-254)	House Only		

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256	N/A	184	Education Trust Fund; Revenue from Tax on Interest and Dividends	House Only		
257	246	185	School Money; Definitions	No Change		
258	247	185	Repeal. RSA 198:48-c, III, relative to distribution of a kindergarten grant based on Keno revenue,	No Change		
259	N/A	185	Cost of an Opportunity for an Adequate Education	House Only		
260	248	187	School Money; Fiscal Capacity Disparity Aid	Amended		
N/A	250	188	Chartered Public Schools; Funding	Senate Only		
261	N/A	188	School Money; Consumer Price Index Adjustment	House Only		
262	N/A	189	Determination of Adequate Education Grants	House Only		
263	N/A	189	Determination of Education Grants	House Only		
264	249	190	Determination of Education Grants	Amended		
265	N/A	191	Repeal. RSA 198:41, IV, relative to stabilization grants	House Only		
266	251	191	General Fund Surplus; Revenue Stabilization Reserve Account	No Change		
267	252	191	Appropriation; Internet Crimes Against Children Fund; Reductions	No Change		
N/A	253	191	Governor's Commission on Disability; Analysis and Report	Senate Only		
N/A	254	192	Department of Administrative Services; Study of Personnel System	Senate Only		
N/A	255	193	Appropriation; Department of Administrative Services (Scheduling Software)	Senate Only		
N/A	256	193	Joint Legislative Historical Committee; Annual Appropriation	Senate Only		
N/A	257	193	Legislative Branch; Special Account	Senate Only		
N/A	258	193	Office of Professional Licensure and Certification; Division Directors	Senate Only		
N/A	259	194	Division Directors; Salary; OPLC	Senate Only		
N/A	260	195	Board of Nursing (Membership)	Senate Only		
N/A	261	195	Controlled Drug Prescription Health and Safety Program; Definitions	Senate Only		
N/A	262	196	New Paragraph; Controlled Drug Prescription Health and Safety Program; Definitions	Senate Only		
N/A	263	196	Controlled Drug Prescription Health and Safety Program Established	Senate Only		
N/A	264	196	Controlled Drug Prescription Health and Safety Program Operation	Senate Only		
N/A	265	197	Controlled Drug Prescription Health and Safety Program; Confidentiality	Senate Only		
N/A	266	197	New Subparagraph; Controlled Drug Prescription Health and Safety Program; Providing Controlled Drug Prescription Health and Safety Information	Senate Only		
N/A	267	197	Controlled Drug Prescription Health and Safety Program; Information	Senate Only		

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N/A	269	198	Controlled Drug Prescription Health and Safety Program; Unlawful Act and Penalties	Senate Only		
N/A	270	198	Controlled Drug Prescription Health and Safety Program; Rulemaking	Senate Only		
N/A	271	198	Controlled Drug Prescription Health and Safety Program; Advisory Council	Senate Only		
N/A	272	201	Controlled Drug Prescription Health and Safety Program	Senate Only		
N/A	273	201	Repeal (RSA 318-B:31, I relative to definition of "board" and 2012, 196:3, III, relative to reporting requirement)	Senate Only		
N/A	274	201	Statement of Intent	Senate Only		
N/A	275	201	Right-to-Know; Violation	Senate Only		
N/A	276	202	New Sections; Citizens' Right-to-Know Appeals Commission; Office of the Ombudsman; Complaint Process; Appeals	Senate Only		
N/A	277	207	Right-to-Know; Violation	Senate Only		
N/A	278	208	Repeal. RSA 91-A:7-a through 91-A:7-e, relative to the citizen's right-to-know commission, office of the ombudsman, complaint process, appeal and enforcement, and rulemaking	Senate Only		
N/A	279	208	New Paragraph; Tax on Transfer of Real Property; Distribution of Funds	Senate Only		
N/A	280	208	Business Profits Tax; Apportionment; 2021	Senate Only		
N/A	281	209	Business Enterprise Tax; Apportionment of Dividends; 2021	Senate Only		
N/A	282	211	Business Profits Tax; Apportionment; 2022	Senate Only		
N/A	283	214	Business Profits Tax; Qualified Manufacturing Research and Development Expenditures	Senate Only		
N/A	284	214	Business Enterprise Tax; Application of Credit for Business Enterprise Tax Against Business Profits Tax	Senate Only		
N/A	285	215	New Paragraph; Business Profits Tax; Definition	Senate Only		
N/A	286	215	Applicability	Senate Only		
N/A	287	215	New Subparagraph; Business Profits Tax; Definition; Internal Revenue Code	Senate Only		
N/A	288	215	Business Profits Tax; Adjustments; Internal Revenue Code Provisions	Senate Only		
N/A	289	215	Communications Services Tax; Purpose; Basic Communications Services Deleted	Senate Only		
N/A	290	216	Definitions; Communications Services	Senate Only		

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N/A	292	217	New Paragraphs; Definitions; Prepaid Wireless Telecommunications Service; VoIP	Senate Only		
N/A	293	217	Imposition of Tax; Reference Added	Senate Only		
N/A	294	218	New Sections; Special Rules for VOIP Services and Prepaid Wireless Telecommunications Service	Senate Only		
N/A	295	219	Applicability	Senate Only		
N/A	296	220	Findings (Housing Appeals Board)	Senate Only		
N/A	297	221	New Chapter; Housing Appeals Board	Senate Only		
N/A	298	226	Salaries Established	Senate Only		
N/A	299	226	Appropriation; Housing Appeals Board	Senate Only		
N/A	300	227	Adequate Representation for Indigent Defendants in Criminal Cases; Repayment	Senate Only		
N/A	301	228	Adequate Representation for Indigent Defendants in Criminal Cases; Repayment	Senate Only		
N/A	302	229	Reference Change; Appointment of Counsel; Payment Obligation	Senate Only		
N/A	303	229	Department of Justice; Bureau of Civil Law; Authority to Hire Additional Staff for Campaign Finance, Election Law, Inaugural Committee Oversight, and Lobbying Matters	Senate Only		
N/A	304	230	New Paragraph; FRM Victims' Contribution Recovery Fund	Senate Only		
N/A	305	230	New Subparagraph; Uniform Securities Act; Administration of Chapter; Investor Education Fund	Senate Only		
N/A	306	230	Repeal (RSA 359-P:2-I-a relative to funds contributed pursuant to RSA 421-B:6-601(j) and RSA 421-B:6-601(j)), relative to moneys contributed to the FRM victims' contribution recovery fund.	Senate Only		
N/A	307	230	Off Highway Recreational Vehicles and Trails; Regulations of Political Subdivisions	Senate Only		
N/A	308	230	New Paragraph; Off Highway Recreational Vehicles and Trails; Regulations of Political Subdivisions	Senate Only		
N/A	309	230	Statement of Findings and Purpose (Outdoor Recreation Industry Development)	Senate Only		
N/A	310	231	New Section; Department of Business and Economic Affairs; Outdoor Recreation Industry Development; Office and Position Established	Senate Only		
N/A	311	232	New Paragraph; Community Recreation Service; Duties	Senate Only		

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N/A	313	232	Fill and Dredge in Wetlands; Excavating and Dredging Permits	Senate Only		
N/A	314	233	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Use of Fees	Senate Only		
N/A	315	234	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certain Fees	Senate Only		
N/A	316	234	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Review of Applications	Senate Only		
N/A	317	234	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Review of Applications	Senate Only		
N/A	318	235	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Permit Duration and Extensions	Senate Only		
N/A	319	236	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Utilities	Senate Only		
N/A	320	236	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Utilities	Senate Only		
N/A	321	236	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certified Culvert Maintainers	Senate Only		
N/A	322	237	Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certified Application Preparer Program	Senate Only		
N/A	323	238	Aquatic Resources Fund	Senate Only		
N/A	324	238	Shoreland Water Quality Protection; Permit Application Fees	Senate Only		
N/A	325	238	Shoreland Water Quality Protection; Permit Application Fees	Senate Only		
N/A	326	239	Shoreland Water Quality Protection; Other Required Permits and Approvals	Senate Only		
N/A	327	239	Terrain Alteration; Permit Application Fees	Senate Only		
N/A	328	240	Wetlands and Shorelands Review Fund Renamed	Senate Only		
N/A	329	240	Repeal. (2008, 5:27, I, relative to repealing permit application fees; RSA 6:12, I(b)(256), relative to the terrain alteration fund; RSA 482-A:3, XV(e), relative to the additional fee for amendments to the notification for maintenance to existing utility services; RSA 485-A:17, II-a, relative to the terrain alteration fund)	Senate Only		
N/A	330	240	Appropriation; Department of Environmental Services; Ossipee Lake Dam Reconstruction	Senate Only		
N/A	331	240	New Paragraph; Pease Development Authority; Real Estate Transfer Tax Exemption for Leases	Senate Only		

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N/A	333	241	New Section; Deposits to Drinking Water and Groundwater Trust Fund	Senate Only		
N/A	334	241	New Paragraph; Recovered Costs; Deposited in Drinking Water and Groundwater Trust Fund	Senate Only		
N/A	335	241	Contingency; Drinking Water and Groundwater Trust Fund; SB 169	Senate Only		
N/A	336	242	Repeal. RSA 176:16-a, relative to liquor commission revenue shortfalls	Senate Only		
N/A	337	242	Definition of Pet Vendor	Senate Only		
N/A	338	242	Exemptions; Commercial Kennel Deleted	Senate Only		
N/A	339	242	New Paragraph; Health Certificates for Dogs, Cats, and Ferrets	Senate Only		
N/A	340	243	New Chapter; Cost of Care Fund	Senate Only		
N/A	341	244	Department of Agriculture, Markets, and Food; Cost of Care Fund	Senate Only		
N/A	342	244	Repeal. RSA 437:1, II, relative to the definition of commercial kennel	Senate Only		
N/A	343	244	New Paragraph; Cemetery Operations	Senate Only		
N/A	344	244	New Subparagraph; Application of Receipts; Sunny Day Fund	Senate Only		
N/A	345	245	General Fund Surplus Account; Transfer to Sunny Day Fund	Senate Only		
N/A	346	245	New Section; Department of Business and Economic Affairs; Sunny Day Fund	Senate Only		
N/A	347	246	Appropriation; Department of Environmental Services; Report Required (Perfluorinated Chemicals)	Senate Only		
N/A	348	247	New Paragraph; Organization of Executive Branch; Purpose	Senate Only		
N/A	349	247	Organization of Executive Branch; Definitions	Senate Only		
N/A	350	248	Structure of Executive Branch	Senate Only		
N/A	351	248	Repeal. RSA 21-G:6, II(d), relative to division into subsections	Senate Only		
N/A	352	248	New Section; Organization of Executive Branch	Senate Only		
N/A	353	250	New Subdivision; Component Units of State Government	Senate Only		
N/A	354	251	General Fund Transfer to Highway Fund (In House HB 1 back of budget Section 9)	Senate Only		
N/A	355	251	Administration of Motor Vehicle Laws; Road Tolls; Exception	Senate Only		
N/A	356	252	Administration of Motor Vehicle Laws; Road Tolls; Credit Provided			
N/A	357	252	Department of Safety Appropriations; Revenue from Motor Vehicle Fines; Exemption	Senate Only		
N/A	358	252	Department of Safety; Fund Transfer; Authorization (House HB 1 Footnote)	Senate Only		
N/A	359	252	Substance Abuse Enforcement Program; Appropriations	Senate Only		

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N/A	360	253	Department of Safety; Appropriation (State Building Code Review Board)	Senate Only		
N/A	361	253	Public School Infrastructure Fund	Senate Only		
N/A	362	254	Public School Infrastructure Fund	Senate Only		
N/A	363	254	Department of Education; Vocational Rehabilitation Programs or Services	Senate Only		
N/A	364	254	School Boards; Food and Nutrition Programs	Senate Only		
N/A	365	255	School Boards; Food and Nutrition Programs	Senate Only		
N/A	366	255	New Section; Department of Education; New Position; School Nurse Coordinator	Senate Only		
N/A	367	256	New Subdivision; Family and Medical Leave Coverage	Senate Only		
N/A	368	256	Heat and Hot Water System Purchase and Replacement; Appropriation	Senate Only		
N/A	369	257	Appropriation; Community College System of New Hampshire (House HB 1 Section 1)	Senate Only		
N/A	370	257	Department of Transportation; Appropriation (Tilton)	Senate Only		
N/A	371	257	Appropriation; Department of Education (IMPACCT)	Senate Only		
N/A	372	257	Department of Safety; Appropriation (Trooper Reallocation)	Senate Only		
N/A	373	258	Statement of Findings (System of Care for Children's Mental Health)	Senate Only		
N/A	374	259	System of Care for Children's Mental Health	Senate Only		
N/A	375	259	New Paragraph; System of Care for Children's Mental Health; Duties of the Department of Health and Human Services; Care Management Entities	Senate Only		
N/A	376	260	New Sections; Family Support Clearinghouse; System of Care Advisory Committee	Senate Only		
N/A	377	261	Home and Community-Based Behavioral Health Services for Children; Mobile Crisis Response and Stabilization Services Included	Senate Only		
N/A	378	262	Delinquent Children; Arraignment	Senate Only		
N/A	379	262	New Paragraph; Delinquent Children; Court Referrals; Referral to Care Management Entity	Senate Only		
N/A	380	262	New Subparagraph; Delinquent Children; Disposition; Referral to Care Management Entity	Senate Only		
N/A	381	263	New Paragraph; Delinquent Children; Dispositional Hearing	Senate Only		
N/A	382	263	Children in Need of Services; Initial Appearance	Senate Only		
N/A	383	263	New Paragraph; Children in Need of Services; Initial Appearance; Referral to Case Management Entity	Senate Only		

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N/A	385	264	New Paragraph; Children in Need of Services; Dispositional Hearing; Referral to Care Management Entity	Senate Only		
N/A	386	264	New Paragraph; Services for Children Youth and Families; Definition of Evidence-Based Practice	Senate Only		
N/A	387	265	New Paragraph; Services for Children, Youth, and Families; Duties of the Department of Health and Human Services	Senate Only		
N/A	388	265	New Sections; Services for Children Youth and Families	Senate Only		
N/A	389	268	Establishment of Resource Center for Children's Behavioral Health; RFP Required	Senate Only		
N/A	390	268	New Paragraph; Release and Discharge from the Youth Services Center	Senate Only		
N/A	391	269	Appropriation; Department of Health and Human Services; Child Welfare Behavioral Health Services	Senate Only		
N/A	392	269	Department of Health and Human Services; Medicaid Rate Increases	Senate Only		
N/A	393	270	Department of Health and Human Services; Appropriation	Senate Only		
N/A	394	270	New Hampshire Granite Advantage Health Care Program	Senate Only		
N/A	395	271	New Hampshire Granite Advantage Health Care Program; Trust Fund	Senate Only		
N/A	396	272	Appropriation; Department of Health and Human Services; Safe Stations	Senate Only		
N/A	397	273	Supported Housing	Senate Only		
N/A	398	273	Department of Health and Human Services; Appropriation (Enhancing Provider Rates for Mental Health and Substance Use Disorder Inpatient and Outpatient Services)	Senate Only		
N/A	399	273	Repeal. 2019, 41:1, relative to an appropriation to the department of health and human services for increasing diagnosis-related group (DRG) rates for designated receiving facilities (DRF) beds	Senate Only		
N/A	400	274	Department of Health and Human Services; Designated Receiving Facilities Beds	Senate Only		
N/A	401	275	Appropriation; Secure Psychiatric Unit Facility	Senate Only		
N/A	402	275	Repeal; RSA 84-D ICF quality assessment and RSA 151-E:15-a relative to expenditure of funds from ICF quality assessment	Senate Only		
N/A	403	275	Department of Health and Human Services; State Plan Amendment; Medicaid for Older Employed Adults with Disabilities (MOAD) Work Incentive Program	Senate Only		

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N/A	405	276	New Section; MOAD Work Incentive Program	Senate Only		
N/A	406	277	New Paragraph; Rulemaking; MOAD Program	Senate Only		
N/A	407	278	Applicability; MOAD	Senate Only		
N/A	408	278	Appropriation; Department of Health and Human Services; Child Protective Service Workers.	Senate Only		
N/A	409	278	Appropriation; Department of Health and Human Services; Child Protective Service Supervisors	Senate Only		
N/A	410	279	Contingent Applicability; (Section 408 and 409)	Senate Only		
N/A	411	279	Statement of Purpose (Dementia Training)	Senate Only		
N/A	412	279	New Subdivision; Dementia Training for Direct Care Staff in Residential Facilities and Community-Based Services	Senate Only		
N/A	413	282	Applicability; Dementia Training	Senate Only		
N/A	414	282	Repeal. 2017, 156:211, prohibiting reproductive health facilities from using state funds to provide abortion services	Senate Only		
N/A	415	283	County Nursing Homes; Proportionate Share Payments	Senate Only		
N/A	416	283	Aid to Assisted Persons; Liability for Support and Reimbursement from the State; Suspension.	Senate Only		
N/A	417	283	New Paragraph; Services for Children, Youth and Families; Department of Health and Human Services Funding for Juvenile Diversion Programs	Senate Only		
N/A	418	284	Appropriation; Department of Health and Human Services; Juvenile Diversion Programs	Senate Only		
N/A	419	284	Department of Health and Human Services; Appropriation (Existing Supervised Visitation Programs)	Senate Only		
N/A	420	284	Department of Health and Human Services; Rural Health and Primary Care Section; Positions Established	Senate Only		
N/A	421	285	Appropriations; Department of Health and Human Services; Rural Health and Primary Care Section	Senate Only		
N/A	422	285	Appropriation; Department of Business and Economic Affairs (Business Technology Incubators)	Senate Only		
N/A	423	286	New Subdivision; Lead Paint Hazard Remediation Fund	Senate Only		

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N/A	424	287	New Subparagraph; Application of Receipts	Senate Only		
N/A	425	287	Repeal. Loans for Lead Hazard Remediation Projects. RSA 130-A:15-a, relative to loans for lead hazard remediation projects	Senate Only		
N/A	426	288	Appropriation; Lead Paint Hazard Remediation Fund	Senate Only		
N/A	427	288	Appropriation; Division of Public Health Services (Pediatric Cancer Study)	Senate Only		
N/A	428	288	New Hampshire Veterans' Home; Transfer Among Accounts and Classes	Senate Only		
N/A	429	288	Committee Established (Disparity in Pay Between Independent Case Managers and Medicaid Program Case Managers)	Senate Only		
N/A	430	290	Statement of Purpose (Sections 431 and 432)	Senate Only		
N/A	431	290	New Subdivision; Department of Health and Human Services; New Hampshire Pharmaceutical Assistance Pilot Program for Seniors	Senate Only		
N/A	432	291	Appropriation; Department of Health and Human Services (Prescription Drug Assistance Pilot Program for Seniors)	Senate Only		
N/A	433	291	Appropriation; (Substance Use Disorder Treatment and Housing)	Senate Only		
268	434	292	Effective Date	Amended		

6/13/19

HB 2 – HOUSE PASSED

HB 2 – SENATE PASSED

<p>1 Repeal. 2017, 155:7 relative to budget adjustments and class 027 transfers to the department of information technology for fiscal year 2019, is repealed.</p>	<p>1 Repeal. 2017, 155:7 relative to budget adjustments and class 027 transfers to the department of information technology for fiscal year 2019, is repealed.</p>
<p>2 Department of Administrative Services; Debarment of Vendors. Amend the introductory paragraph of RSA 21-I:11-c, I to read as follows:</p> <p>I.(a) No individual or business entity shall make a bid, proposal, or quotation in response to a request for be awarded a bid, proposal, or quotation issued by the division of procurement and support services if that individual or entity, or any of its subsidiaries, affiliates, or principal officers:</p>	<p>2 Department of Administrative Services; Debarment of Vendors. Amend the introductory paragraph of RSA 21-I:11-c, I to read as follows:</p> <p>I.(a) No individual or business entity shall make a bid, proposal, or quotation in response to a request for be awarded a bid, proposal, or quotation issued by the division of procurement and support services if that individual or entity, or any of its subsidiaries, affiliates, or principal officers:</p>
<p>3 Department of Administrative Services; Debarment of Vendors; Statement. Amend RSA 21-I:11-c, I(b) to read as follows:</p> <p>(b) All individuals or business entities submitting a bid, proposal, or quotation in response to a request for a bid, proposal, or quotation issued by the division of procurement and support services shall, as part of their response, provide an affidavit signed under oath before a duly authorized notary public a statement signed under penalty of unsworn falsification as set forth in RSA 641:3 that all conditions listed in subparagraphs (a)(1)-(10) have been met. Failure to submit such an affidavit or, should the affidavit be false or signed a statement, the filing of a false statement, or the signing of the statement by an unauthorized person, shall be reason for the bid, proposal, or quotation shall to be automatically rejected and the resulting contract, if any, shall be deemed to be in breach. The commissioner of the department of administrative services shall adopt rules under RSA 541-A relative to the affidavit statement required under this subparagraph.</p>	<p>3 Department of Administrative Services; Debarment of Vendors; Statement. Amend RSA 21-I:11-c, I(b) to read as follows:</p> <p>(b) All individuals or business entities submitting a bid, proposal, or quotation in response to a request for a bid, proposal, or quotation issued by the division of procurement and support services shall, as part of their response, provide an affidavit signed under oath before a duly authorized notary public a statement signed under penalty of unsworn falsification as set forth in RSA 641:3 that all conditions listed in subparagraphs (a)(1)-(10) have been met. Failure to submit such an affidavit or, should the affidavit be false or signed a statement, the filing of a false statement, or the signing of the statement by an unauthorized person, shall be reason for the bid, proposal, or quotation shall to be automatically rejected and the resulting contract, if any, shall be deemed to be in breach. The commissioner of the department of administrative services shall adopt rules under RSA 541-A relative to the affidavit statement required under this subparagraph.</p>
<p>4 Department of Administrative Services; Divisions. Amend the section heading of RSA 21-I:11 to read as follows:</p> <p>21-I:11 Division Divisions of Procurement and Support Services, Public Works Design and Construction, and Plant and Property Management.</p>	<p>4 Department of Administrative Services; Divisions. Amend the section heading of RSA 21-I:11 to read as follows:</p> <p>21-I:11 Division Divisions of Procurement and Support Services, Public Works Design and Construction, and Plant and Property Management.</p>

<p>5 Department of Administrative Services; Director of Plant and Property. Amend the introductory paragraph of RSA 21-I:11, I(c) to read as follows:</p> <p>(c) The division of plant and property, which shall be under the supervision of [a classified administrator who] <i>an unclassified director of plant and property who shall be qualified to hold that position by reason of education and experience and shall perform such duties as the commissioner from time to time may authorize. The director of plant and property</i> shall be responsible for the following functions, in accordance with applicable law:</p>	<p>5 Department of Administrative Services; Director of Plant and Property. Amend the introductory paragraph of RSA 21-I:11, I(c) to read as follows:</p> <p>(c) The division of plant and property, which shall be under the supervision of [a classified administrator who] <i>an unclassified director of plant and property who shall be qualified to hold that position by reason of education and experience and shall perform such duties as the commissioner from time to time may authorize. The director of plant and property</i> shall be responsible for the following functions, in accordance with applicable law:</p>
<p>6 Director of Plant and Property; Salary; Funding; Effective Date.</p> <p>I. The salary of the director of plant and property shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the director of plant and property, position number 10082 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of director of plant and property. Funding shall be transferred into a new expenditure class number 11, within accounting unit 01-14-14-141510-1440. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner’s nomination for the unclassified position of director of plant and property.</p> <p>II. The amendment to RSA 21-I:11, I(c) by section 5 of this act shall take effect upon the abolition of position number 10082 under paragraph I, as certified by the commissioner of administrative services to the secretary of state and the director of legislative services.</p>	<p>6 Director of Plant and Property; Salary; Funding; Effective Date.</p> <p>I. The salary of the director of plant and property shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the director of plant and property, position number 10082 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of director of plant and property. Funding shall be transferred into a new expenditure class number 11, within accounting unit 01-14-14-141510-1440. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner’s nomination for the unclassified position of director of plant and property.</p> <p>II. The amendment to RSA 21-I:11, I(c) by section 5 of this act shall take effect upon the abolition of position number 10082 under paragraph I, as certified by the commissioner of administrative services to the secretary of state and the director of legislative services.</p>
<p>7 Department of Administrative Services; Directors; Officers. Amend RSA 21-I:2, II to read as follows:</p> <p>II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each unclassified division director, the assistant commissioner, the deputy commissioner,</p>	<p>7 Department of Administrative Services; Directors; Officers. Amend RSA 21-I:2, II to read as follows:</p> <p>II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each unclassified division director, the assistant commissioner, the deputy commissioner,</p>

<p>the internal auditor, the <i>director of</i> financial data [manager] <i>management</i>, the [manager] <i>director</i> of [risks] <i>risk</i> and benefits, and the senior operational analyst. The unclassified division directors, the assistant commissioner, the deputy commissioner, the internal auditor, the <i>director of</i> financial data [manager] <i>management</i>, the [manager] <i>director</i> of [risks] <i>risk</i> and benefits, and the senior operational analyst shall each serve for a term of 4 years.</p>	<p>the internal auditor, the <i>director of</i> financial data [manager] <i>management</i>, the [manager] <i>director</i> of [risks] <i>risk</i> and benefits, and the senior operational analyst. The unclassified division directors, the assistant commissioner, the deputy commissioner, the internal auditor, the <i>director of</i> financial data [manager] <i>management</i>, the [manager] <i>director</i> of [risks] <i>risk</i> and benefits, and the senior operational analyst shall each serve for a term of 4 years.</p>
<p>8 Department of Administrative Services; Office of the Commissioner. RSA 21-I:4 is repealed and reenacted to read as follows:</p> <p>21-I:4 Office Established. There is hereby established an office of the commissioner consisting of the following units:</p> <ul style="list-style-type: none"> I. State budget. II. Internal audit. III. Operational analysis. IV. Cost containment. 	<p>8 Department of Administrative Services; Office of the Commissioner. RSA 21-I:4 is repealed and reenacted to read as follows:</p> <p>21-I:4 Office Established. There is hereby established an office of the commissioner consisting of the following units:</p> <ul style="list-style-type: none"> I. State budget. II. Internal audit. III. Operational analysis. IV. Cost containment.
<p>9 Division of Financial Data Management. Amend RSA 21-I:5 to read as follows:</p> <p>21-I:5 <i>Division of</i> Financial Data Management [Unit]. There is hereby established within the [office of the commissioner] <i>department a division of</i> financial data management [unit] under the supervision of an unclassified <i>director of</i> financial data [manager] <i>management</i> who shall be responsible for the following functions in accordance with applicable laws:</p> <ul style="list-style-type: none"> I. Providing coordination of all internal department financial information in order to assure the compatibility, continuity and integrity of such information. II. Assisting the commissioner with the planning, management and operation of all internal department financial information systems. III. Carrying on a continuing analytical research and planning program in the field of governmental financial management in order to provide for the most effective and efficient information management systems possible. 	<p>9 Division of Financial Data Management. Amend RSA 21-I:5 to read as follows:</p> <p>21-I:5 <i>Division of</i> Financial Data Management [Unit]. There is hereby established within the [office of the commissioner] <i>department a division of</i> financial data management [unit] under the supervision of an unclassified <i>director of</i> financial data [manager] <i>management</i> who shall be responsible for the following functions in accordance with applicable laws:</p> <ul style="list-style-type: none"> I. Providing coordination of all internal department financial information in order to assure the compatibility, continuity and integrity of such information. II. Assisting the commissioner with the planning, management and operation of all internal department financial information systems. III. Carrying on a continuing analytical research and planning program in the field of governmental financial management in order to provide for the most effective and efficient information management systems possible.

<p>IV. Accomplishing data entry and control of information for all internal department financial systems, and preparing and distributing reports generated from those systems.</p> <p>V. Assisting department division directors by:</p> <p>(a) Establishing and operating a financial information resource center for their use.</p> <p>(b) Jointly monitoring state and federal fiscal legislation with the directors in order to assure timely awareness of and compliance with new legislation.</p> <p>VI. Assisting users of information and financial systems which are the responsibility of the <i>division of</i> financial data management [unit].</p>	<p>IV. Accomplishing data entry and control of information for all internal department financial systems, and preparing and distributing reports generated from those systems.</p> <p>V. Assisting department division directors by:</p> <p>(a) Establishing and operating a financial information resource center for their use.</p> <p>(b) Jointly monitoring state and federal fiscal legislation with the directors in order to assure timely awareness of and compliance with new legislation.</p> <p>VI. Assisting users of information and financial systems which are the responsibility of the <i>division of</i> financial data management [unit].</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>10 New Section; Deputy Director of Risk and Benefits. Amend RSA 21-I by inserting after section 7-c the following new section:</p> <p>21-I:7-d Deputy Director of Risk and Benefits; Position Established.</p> <p>I. There is established within the department of administrative services the unclassified position of deputy director of risk and benefits. The deputy director of risk and benefits shall be qualified to hold that position by reason of education and experience and shall perform such duties and exercise such powers as the commissioner, in consultation with the director of risk and benefits, may authorize. The deputy director of risk and benefits shall assume the duties of the director of risk and benefits in the event that the director is unable for any reason to perform such duties.</p> <p>II. The commissioner shall, after consultation with the director of risk and benefits, appoint the unclassified deputy director of risk and benefits. The deputy director of risk and benefits shall serve at the pleasure of the commissioner.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>11 Deputy Director of Risk and Benefits; Salary; Funding; Offer to Seek Nomination and Effective Date.</p> <p>I. The salary of the unclassified deputy director of risk and benefits shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion</p>

	<p>of this action, and appointment of the deputy director of risk and benefits, position number 19203 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of deputy director of risk and benefits. Funding shall be transferred into a new expenditure class number 12 within accounting unit 01-14-14-143510-2901. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner’s appointment to the unclassified position of deputy director of risk and benefits.</p> <p>II. The establishment of the position of deputy director of risk and benefits by section 10 of this act shall take effect upon the abolition of position number 19203 under paragraph I, as certified by the commissioner of administrative services to the secretary of state and the director of legislative services.</p>
<p>10 Department of Administrative Services; Division of Risk and Benefits. Amend RSA 21-I:7-c to read as follows:</p> <p>21-I:7-c Risk [Management] and Benefits. There is established within the [office of the commissioner of administrative services a] department a division of risk [management unit] and benefits, under the supervision of an unclassified [manager of risks] director of risk and benefits, who shall be qualified to hold that position by reason of education and experience, and who shall perform such duties as the commissioner from time to time may authorize. The functions of the division of risk [management unit] and benefits shall be divided across the following bureaus:</p> <p>I. The bureau of health and benefits, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:</p> <p>(a) Overseeing and administering the state employee and retiree group insurance programs authorized by RSA 21-I:26 through RSA 21-I:36, in accordance with administrative rules adopted pursuant to RSA 21-I:14, XIII.</p> <p>(b) Coordinating the employee and retiree benefit programs administered through the division of risk [management unit] and benefits with the benefits and programs offered through the New Hampshire retirement system and the state's deferred compensation commission</p>	<p>12 Department of Administrative Services; Division of Risk and Benefits. Amend RSA 21-I:7-c to read as follows:</p> <p>21-I:7-c Risk [Management] and Benefits. There is established within the [office of the commissioner of administrative services a] department a division of risk [management unit] and benefits, under the supervision of an unclassified [manager of risks] director of risk and benefits, who shall be qualified to hold that position by reason of education and experience, and who shall perform such duties as the commissioner from time to time may authorize. The functions of the division of risk [management unit] and benefits shall be divided across the following bureaus:</p> <p>I. The bureau of health and benefits, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:</p> <p>(a) Overseeing and administering the state employee and retiree group insurance programs authorized by RSA 21-I:26 through RSA 21-I:36, in accordance with administrative rules adopted pursuant to RSA 21-I:14, XIII.</p> <p>(b) Coordinating the employee and retiree benefit programs administered through the division of risk [management unit] and benefits with the benefits and programs offered through the New Hampshire retirement system and the state's deferred compensation commission</p>

established in RSA 101-B.

(c) Overseeing and administering all additional employee or retiree benefit programs offered by the state, other than those related to the New Hampshire retirement system or the state's deferred compensation commission established in RSA 101-B.

(d) Conducting ongoing studies of alternative financing methods and benefit offerings.

(e) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains procedures related to the bureau's functions, including but not limited to procedures relating to employee and retiree benefits.

(f) Developing and monitoring insurance and third party administrator contracts related to the state employee and retiree group insurance program in accordance with applicable law, by:

(1) Developing bid specifications for insurance and third party administrator contracts and ensuring bid specifications are in compliance with applicable collective bargaining agreements.

(2) Negotiating final contract terms with the vendors awarded contracts through the procurement process.

(3) Formalizing contract agreements.

(4) Monitoring contracts on an ongoing basis to ensure timely procurement, renewals, amendments, updates, statutory compliance, and extensions.

(5) Ensuring that vendors comply with the requirements of contract agreements by:

(A) Implementing, monitoring, and enforcing performance guarantees.

(B) Receiving and analyzing state employee and retiree group insurance utilization data and statistics.

(C) Monitoring Medicare issues to ensure compliance with federal law and programs.

(g) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk**

established in RSA 101-B.

(c) Overseeing and administering all additional employee or retiree benefit programs offered by the state, other than those related to the New Hampshire retirement system or the state's deferred compensation commission established in RSA 101-B.

(d) Conducting ongoing studies of alternative financing methods and benefit offerings.

(e) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains procedures related to the bureau's functions, including but not limited to procedures relating to employee and retiree benefits.

(f) Developing and monitoring insurance and third party administrator contracts related to the state employee and retiree group insurance program in accordance with applicable law, by:

(1) Developing bid specifications for insurance and third party administrator contracts and ensuring bid specifications are in compliance with applicable collective bargaining agreements.

(2) Negotiating final contract terms with the vendors awarded contracts through the procurement process.

(3) Formalizing contract agreements.

(4) Monitoring contracts on an ongoing basis to ensure timely procurement, renewals, amendments, updates, statutory compliance, and extensions.

(5) Ensuring that vendors comply with the requirements of contract agreements by:

(A) Implementing, monitoring, and enforcing performance guarantees.

(B) Receiving and analyzing state employee and retiree group insurance utilization data and statistics.

(C) Monitoring Medicare issues to ensure compliance with federal law and programs.

(g) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk**

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and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(h) Implementing, overseeing, and administering employee wellness initiatives.

(i) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the commissioner, the governor and executive council, the general court, the state retiree health plan commission established in RSA 100-A:56, the joint legislative fiscal committee established in RSA 14:30-a, and other entities regarding employee and retiree benefits program.

(j) Ensuring that the bureau's programs are compliant with applicable state and federal law.

(k) Monitoring agencies' activities for compliance with benefit program requirements.

II. The bureau of property, casualty, and workers' compensation, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:

(a) Overseeing and administering the state's workers' compensation program under RSA 21-I:24 and RSA 21-I:25-a or other applicable law.

(b) Identifying loss exposure for all state real and personal property and for personal injury, except as otherwise provided by law, on a continuing basis.

(c) Identifying cost-effective means for protecting against various types of losses, including self-funding, commercial insurance purchases, and risk assumption, and recommending to the ~~[manager of risks]~~ **director of risk** and benefits actions to be taken through the budget process, or other processes, to implement such means.

(d) After consultation with, and approval by the ~~[manager of risks]~~ **director of risk** and benefits, purchasing liability insurance under a fleet policy covering the operation of state-owned vehicles and motorboats, and such other insurance and surety bonds as any state department, agency, or official may be legally authorized to secure, or required to furnish; provided that approval shall not be granted for any such insurance or surety bonds unless the same have been marketed and procured through a resident agent of an insurance company registered and licensed to do

and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(h) Implementing, overseeing, and administering employee wellness initiatives.

(i) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the commissioner, the governor and executive council, the general court, the state retiree health plan commission established in RSA 100-A:56, the joint legislative fiscal committee established in RSA 14:30-a, and other entities regarding employee and retiree benefits program.

(j) Ensuring that the bureau's programs are compliant with applicable state and federal law.

(k) Monitoring agencies' activities for compliance with benefit program requirements.

II. The bureau of property, casualty, and workers' compensation, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:

(a) Overseeing and administering the state's workers' compensation program under RSA 21-I:24 and RSA 21-I:25-a or other applicable law.

(b) Identifying loss exposure for all state real and personal property and for personal injury, except as otherwise provided by law, on a continuing basis.

(c) Identifying cost-effective means for protecting against various types of losses, including self-funding, commercial insurance purchases, and risk assumption, and recommending to the ~~[manager of risks]~~ **director of risk** and benefits actions to be taken through the budget process, or other processes, to implement such means.

(d) After consultation with, and approval by the ~~[manager of risks]~~ **director of risk** and benefits, purchasing liability insurance under a fleet policy covering the operation of state-owned vehicles and motorboats, and such other insurance and surety bonds as any state department, agency, or official may be legally authorized to secure, or required to furnish; provided that approval shall not be granted for any such insurance or surety bonds unless the same have been marketed and procured through a resident agent of an insurance company registered and licensed to do

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business in this state. With the exception of any risk located outside the state, no such insurance company or resident agent, personally or by another, shall allow, give, or pay, directly or indirectly, to any nonresident agent or nonresident broker any part of the commission on the sale of such insurance or surety bonds. The insurance commissioner may suspend or revoke the license of any resident agent or insurance company violating the provisions hereof.

(e) Conducting ongoing studies of alternative financing methods and benefit offerings.

(f) Overseeing the state employee workers' compensation and commercial insurance programs, by:

(1) Preparing bid specifications for commercial insurance and third party administrator contracts related to workers' compensation and commercial insurance in accordance with applicable law, and ensuring bid specifications are in compliance with collective bargaining agreements.

(2) Negotiating final contract terms with the vendors awarded contracts through the procurement process, formalizing contract agreements, and monitoring contracts on an ongoing basis to ensure timely procurement, renewals, amendments, updates, statutory compliance, and extensions.

(3) Managing claims payments and statistical data related to workers' compensation and commercial insurance and ensuring vendors comply with the requirements of contract agreements.

(4) Coordinating and developing processes and procedures related to the workers' compensation and commercial insurance programs.

(5) Monitoring agencies' workers' compensation and commercial insurance activities for compliance with requirements.

(g) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual or manuals that clearly explains procedures related to the bureau's functions.

business in this state. With the exception of any risk located outside the state, no such insurance company or resident agent, personally or by another, shall allow, give, or pay, directly or indirectly, to any nonresident agent or nonresident broker any part of the commission on the sale of such insurance or surety bonds. The insurance commissioner may suspend or revoke the license of any resident agent or insurance company violating the provisions hereof.

(e) Conducting ongoing studies of alternative financing methods and benefit offerings.

(f) Overseeing the state employee workers' compensation and commercial insurance programs, by:

(1) Preparing bid specifications for commercial insurance and third party administrator contracts related to workers' compensation and commercial insurance in accordance with applicable law, and ensuring bid specifications are in compliance with collective bargaining agreements.

(2) Negotiating final contract terms with the vendors awarded contracts through the procurement process, formalizing contract agreements, and monitoring contracts on an ongoing basis to ensure timely procurement, renewals, amendments, updates, statutory compliance, and extensions.

(3) Managing claims payments and statistical data related to workers' compensation and commercial insurance and ensuring vendors comply with the requirements of contract agreements.

(4) Coordinating and developing processes and procedures related to the workers' compensation and commercial insurance programs.

(5) Monitoring agencies' workers' compensation and commercial insurance activities for compliance with requirements.

(g) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual or manuals that clearly explains procedures related to the bureau's functions.

(h) Evaluating risks facing the state and developing and operating health, safety, loss control, and risk reduction programs, in accordance with loss prevention guidelines adopted pursuant to RSA 21-I:14, II.

(i) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk** and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(j) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the commissioner, the governor and executive council, the general court, and other entities regarding the bureau's programs.

(k) Ensuring that the bureau's programs are compliant with applicable state and federal law.

III. The bureau of finance, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:

(a) Managing claims payments, vendor payments, statistical data, and financial reporting related to the risk management unit's responsibilities.

(b) Conducting ongoing studies of alternative financing methods and benefit offerings.

(c) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains procedures related to the bureau's functions.

(d) Establishing working rate tables for application to self-insured health benefit programs, including by coordinating and reviewing actuarial projections, considering rate alternatives and modeling, and developing full working rate tables.

(e) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk** and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(f) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the

(h) Evaluating risks facing the state and developing and operating health, safety, loss control, and risk reduction programs, in accordance with loss prevention guidelines adopted pursuant to RSA 21-I:14, II.

(i) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk** and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(j) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the commissioner, the governor and executive council, the general court, and other entities regarding the bureau's programs.

(k) Ensuring that the bureau's programs are compliant with applicable state and federal law.

III. The bureau of finance, under the supervision of a classified administrator, who shall be responsible for the following functions, in accordance with applicable law:

(a) Managing claims payments, vendor payments, statistical data, and financial reporting related to the risk management unit's responsibilities.

(b) Conducting ongoing studies of alternative financing methods and benefit offerings.

(c) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and benefits, creating for potential incorporation into the department of administrative services manual of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains procedures related to the bureau's functions.

(d) Establishing working rate tables for application to self-insured health benefit programs, including by coordinating and reviewing actuarial projections, considering rate alternatives and modeling, and developing full working rate tables.

(e) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk** and benefits that are intended to ensure the proper operation and long term sustainability of the bureau's programs.

(f) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the

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<p>commissioner, the governor and executive council, the general court, and other entities regarding the bureau's programs.</p> <p>(g) Ensuring that the bureau's programs are compliant with applicable state and federal law.</p> <p>(h) Monitoring agencies' financial activities for compliance with financial requirements of the state's health benefit program.</p>	<p>commissioner, the governor and executive council, the general court, and other entities regarding the bureau's programs.</p> <p>(g) Ensuring that the bureau's programs are compliant with applicable state and federal law.</p> <p>(h) Monitoring agencies' financial activities for compliance with financial requirements of the state's health benefit program.</p>
<p>11 Department of Administrative Services; Reference Changed. Amend RSA 21-I:24, I to read as follows:</p> <p>I. The commissioner of administrative services, through the department's division of risk [management unit] and benefits, is hereby authorized to pay such sum or sums as may be awarded under the provisions of RSA 281-A, and the expense of insurance and third party administrator services providing managed care programs authorized by RSA 281-A:23-a and similar services directly related to the provision and monitoring of workers' compensation benefits payable to state employees.</p>	<p>13 Department of Administrative Services; Reference Changed. Amend RSA 21-I:24, I to read as follows:</p> <p>I. The commissioner of administrative services, through the department's division of risk [management unit] and benefits, is hereby authorized to pay such sum or sums as may be awarded under the provisions of RSA 281-A, and the expense of insurance and third party administrator services providing managed care programs authorized by RSA 281-A:23-a and similar services directly related to the provision and monitoring of workers' compensation benefits payable to state employees.</p>
<p>12 Department of Administrative Services; Reference Changed. Amend RSA 21-I:25-a, to read as follows:</p> <p>21-I:25-a Procurement of Managed Care and Other Risk-Shifting Services. By following the procedures of RSA 21-I:28, the commissioner of administrative services, through the department's division of risk [management unit] and benefits, and after consultation with the governor and council, may contract for or purchase insurance or third party administrator services providing managed care program services and similar services directly related to the provision and monitoring of workers' compensation benefits payable to state employees.</p>	<p>14 Department of Administrative Services; Reference Changed. Amend RSA 21-I:25-a, to read as follows:</p> <p>21-I:25-a Procurement of Managed Care and Other Risk-Shifting Services. By following the procedures of RSA 21-I:28, the commissioner of administrative services, through the department's division of risk [management unit] and benefits, and after consultation with the governor and council, may contract for or purchase insurance or third party administrator services providing managed care program services and similar services directly related to the provision and monitoring of workers' compensation benefits payable to state employees.</p>
<p>13 Department of Administrative Services; References Changed. Amend RSA 21-I:30-f to read as follows:</p>	<p>15 Department of Administrative Services; References Changed. Amend RSA 21-I:30-f to read as follows:</p>

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<p>21-I:30-f Administrative Cost of Certain Programs Administered by the <i>Division of Risk</i> [Management Unit] and Benefits; Obligation of Employee. The <i>division of risk</i> [management unit] and benefits may use moneys in the employee benefit adjustment account, established under RSA 9:17-c, for the purposes of paying the administrative fees for the dependent care assistance program established under RSA 21-I:44-a and the medical and related expenses program established under RSA 21-I:44-b. The <i>division of risk</i> [management unit] and benefits may also use such moneys in the event money must be paid to the contracting party in advance to cover the employee's medical expenses, when the employee has not contributed all of such costs from payroll deductions, provided that the employee benefit adjustment account shall be repaid when the employee fulfills his or her obligation.</p>	<p>21-I:30-f Administrative Cost of Certain Programs Administered by the <i>Division of Risk</i> [Management Unit] and Benefits; Obligation of Employee. The <i>division of risk</i> [management unit] and benefits may use moneys in the employee benefit adjustment account, established under RSA 9:17-c, for the purposes of paying the administrative fees for the dependent care assistance program established under RSA 21-I:44-a and the medical and related expenses program established under RSA 21-I:44-b. The <i>division of risk</i> [management unit] and benefits may also use such moneys in the event money must be paid to the contracting party in advance to cover the employee's medical expenses, when the employee has not contributed all of such costs from payroll deductions, provided that the employee benefit adjustment account shall be repaid when the employee fulfills his or her obligation.</p>
<p>14 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-a, to read as follows:</p> <p>21-I:44-a Dependent Care Assistance Program Established. There is established a dependent care assistance program to be administered by the <i>division of risk</i> [management unit] and benefits of the department of administrative services with the assistance of the division of accounting services of the department of administrative services and the treasury department. Under this program, an employee may have a certain amount of his or her salary withheld, before taxes, for the purpose of day care expenses.</p>	<p>16 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-a, to read as follows:</p> <p>21-I:44-a Dependent Care Assistance Program Established. There is established a dependent care assistance program to be administered by the <i>division of risk</i> [management unit] and benefits of the department of administrative services with the assistance of the division of accounting services of the department of administrative services and the treasury department. Under this program, an employee may have a certain amount of his or her salary withheld, before taxes, for the purpose of day care expenses.</p>
<p>15 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-b, to read as follows:</p> <p>21-I:44-b Medical and Related Expenses Program Established. There is established a medical related expenses program to be administered by the <i>division of risk</i> [management unit] and benefits of the department of administrative services with the assistance of the division of accounting services of the department of administrative services and the treasury department. Under this program, an employee may have a certain amount of his or her salary withheld, before</p>	<p>17 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-b, to read as follows:</p> <p>21-I:44-b Medical and Related Expenses Program Established. There is established a medical related expenses program to be administered by the <i>division of risk</i> [management unit] and benefits of the department of administrative services with the assistance of the division of accounting services of the department of administrative services and the treasury department. Under this program, an employee may have a certain amount of his or her salary withheld, before</p>

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taxes, for the purpose of medical expenses.	taxes, for the purpose of medical expenses.
<p>16 State Agency Insurance; Reference Changed. Amend RSA 9:27 to read as follows:</p> <p>9:27 Insurance.</p> <p>[I] Any agency or department of the state may, with the approval of the governor and council and within the limits of its appropriation, secure casualty or liability insurance on any property owned by the state or in connection with any program or activity of the state; provided, however, that all such purchases shall first be reviewed and approved by the division of risk [management unit] and benefits of the department of administrative services and that any insurance specifically required by law shall be carried.</p> <p>[II. All casualty or liability insurance secured by an agency or department and in effect on July 1, 2017, shall be reported to the risk management unit by September 1, 2017.]</p>	<p>18 State Agency Insurance; Reference Changed. Amend RSA 9:27 to read as follows:</p> <p>9:27 Insurance.</p> <p>[I] Any agency or department of the state may, with the approval of the governor and council and within the limits of its appropriation, secure casualty or liability insurance on any property owned by the state or in connection with any program or activity of the state; provided, however, that all such purchases shall first be reviewed and approved by the division of risk [management unit] and benefits of the department of administrative services and that any insurance specifically required by law shall be carried.</p> <p>[II. All casualty or liability insurance secured by an agency or department and in effect on July 1, 2017, shall be reported to the risk management unit by September 1, 2017.]</p>
<p>17 Health and Human Services; Reference Changed. Amend RSA 161:4, III to read as follows:</p> <p>III. Liability Insurance. The commissioner of the department of health and human services or designee shall have the authority, after consultation with the insurance department and the division of risk [management unit] and benefits, and in accordance with the procedures established by the commissioner of administrative services under RSA 21-I:7-c, V, to purchase personal liability coverage for individuals providing care to adults receiving assistance from the department of health and human services who reside in certified residential care facilities. The amount and nature of this insurance coverage may vary in the discretion of the commissioner of administrative services.</p>	<p>19 Health and Human Services; Reference Changed. Amend RSA 161:4, III to read as follows:</p> <p>III. Liability Insurance. The commissioner of the department of health and human services or designee shall have the authority, after consultation with the insurance department and the division of risk [management unit] and benefits, and in accordance with the procedures established by the commissioner of administrative services under RSA 21-I:7-c, V, to purchase personal liability coverage for individuals providing care to adults receiving assistance from the department of health and human services who reside in certified residential care facilities. The amount and nature of this insurance coverage may vary in the discretion of the commissioner of administrative services.</p>
<p>18 Services for Youth and Families; Reference Changed. Amend RSA 170-G:3, VI to read as follows:</p> <p>VI. The commissioner shall have authority, after consultation with the insurance department and the division of risk [management unit] and benefits, and in accordance with the</p>	<p>20 Services for Youth and Families; Reference Changed. Amend RSA 170-G:3, VI to read as follows:</p> <p>VI. The commissioner shall have authority, after consultation with the insurance department and the division of risk [management unit] and benefits, and in accordance with the</p>

<p>procedures established by the commissioner of administrative services under RSA 21-I:7-c, V, to purchase insurance coverage for the benefit of individuals providing foster care to children within the jurisdiction of the department. The amount and nature of this insurance coverage may vary in the discretion of the commissioner of administrative services.</p>	<p>procedures established by the commissioner of administrative services under RSA 21-I:7-c, V, to purchase insurance coverage for the benefit of individuals providing foster care to children within the jurisdiction of the department. The amount and nature of this insurance coverage may vary in the discretion of the commissioner of administrative services.</p>
<p>19 Services for Youth and Families; References Changed. Amend RSA 170-G:3, VII(b) and (c) to read as follows:</p> <p>(b) No payment shall be made under subparagraph (a)(1) or (2) unless the department investigates the claim and the commissioner, or the commissioner's designee, recommends to the division of risk [management unit] and benefits that the claim, or some portion of the claim, be paid. If the division of risk [management unit] and benefits determines that the claim meets the requirements of this paragraph and is reasonable in amount, the commissioner of administrative services, or the commissioner's designee, shall authorize such payment.</p> <p>(c) No payment shall be made under subparagraph (a)(3) unless the department investigates the claim and the commissioner, or the commissioner's designee determines the foster parent did not act intentionally, willfully or recklessly, and recommends to the division of risk [management unit] and benefits that the claim, or some portion of the claim, be paid. If the division of risk [management unit] and benefits determines that the claim meets the requirements of this subparagraph, the attorney general shall be notified and shall select a qualified attorney to provide legal representation and defense to the claimant subject to the dollar limitations of subparagraph (a)(3), the recommendations of the division of risk [management unit] and benefits, and the attorney general's own experience and expertise. The commissioner of administrative services, or the commissioner's designee, shall authorize payment of such amounts as are approved by the attorney general.</p>	<p>21 Services for Youth and Families; References Changed. Amend RSA 170-G:3, VII(b) and (c) to read as follows:</p> <p>(b) No payment shall be made under subparagraph (a)(1) or (2) unless the department investigates the claim and the commissioner, or the commissioner's designee, recommends to the division of risk [management unit] and benefits that the claim, or some portion of the claim, be paid. If the division of risk [management unit] and benefits determines that the claim meets the requirements of this paragraph and is reasonable in amount, the commissioner of administrative services, or the commissioner's designee, shall authorize such payment.</p> <p>(c) No payment shall be made under subparagraph (a)(3) unless the department investigates the claim and the commissioner, or the commissioner's designee determines the foster parent did not act intentionally, willfully or recklessly, and recommends to the division of risk [management unit] and benefits that the claim, or some portion of the claim, be paid. If the division of risk [management unit] and benefits determines that the claim meets the requirements of this subparagraph, the attorney general shall be notified and shall select a qualified attorney to provide legal representation and defense to the claimant subject to the dollar limitations of subparagraph (a)(3), the recommendations of the division of risk [management unit] and benefits, and the attorney general's own experience and expertise. The commissioner of administrative services, or the commissioner's designee, shall authorize payment of such amounts as are approved by the attorney general.</p>
<p>20 University System; References Changed. Amend RSA 187-A:43, VI-VII, to read as follows:</p> <p>VI. Cost analysis, including costs associated with the division of risk [management unit]</p>	<p>22 University System; References Changed. Amend RSA 187-A:43, VI-VII, to read as follows:</p> <p>VI. Cost analysis, including costs associated with the division of risk [management unit]</p>

<p><i>and benefits</i> staff, shall be paid for by the university system. The university system shall pay all associated costs of transferring data into the state group health insurance plan and all costs associated with data collection, data manipulation associated with transferring from one plan to another, and costs of university system changes, including staff costs.</p> <p>VII. The university system shall provide to the <i>division of risk</i> [management unit] <i>and benefits</i> a file of medical and pharmaceutical claims for the previous 2 years which shall not contain any personally identifiable information.</p>	<p><i>and benefits</i> staff, shall be paid for by the university system. The university system shall pay all associated costs of transferring data into the state group health insurance plan and all costs associated with data collection, data manipulation associated with transferring from one plan to another, and costs of university system changes, including staff costs.</p> <p>VII. The university system shall provide to the <i>division of risk</i> [management unit] <i>and benefits</i> a file of medical and pharmaceutical claims for the previous 2 years which shall not contain any personally identifiable information.</p>
<p>21 Community College System; References Changed. Amend RSA 188-F:68, VI-VII, to read as follows:</p> <p>VI. Cost analysis, including costs associated with the <i>division of risk</i> [management unit] <i>and benefits</i> staff, shall be paid for by the community college system. The community college system shall pay all associated costs of transferring data into the state group health insurance plan and all costs associated with data collection, data manipulation associated with transferring from one plan to another, and costs of system changes, including staff costs.</p> <p>VII. The community college system shall provide to the <i>division of risk</i> [management unit] <i>and benefits</i> a file of medical and pharmaceutical claims for the previous 2 years which shall not contain any personally identifiable information.</p>	<p>23 Community College System; References Changed. Amend RSA 188-F:68, VI-VII, to read as follows:</p> <p>VI. Cost analysis, including costs associated with the <i>division of risk</i> [management unit] <i>and benefits</i> staff, shall be paid for by the community college system. The community college system shall pay all associated costs of transferring data into the state group health insurance plan and all costs associated with data collection, data manipulation associated with transferring from one plan to another, and costs of system changes, including staff costs.</p> <p>VII. The community college system shall provide to the <i>division of risk</i> [management unit] <i>and benefits</i> a file of medical and pharmaceutical claims for the previous 2 years which shall not contain any personally identifiable information.</p>
<p>22 Board of Claims; Reference Changed. Amend RSA 541-B:11-A to read as follows:</p> <p>541-B:11-a Annual Report. The secretary of state shall provide annually to the <i>division of risk</i> [management unit] <i>and benefits</i> a copy of the annual report for the board.</p>	<p>24 Board of Claims; Reference Changed. Amend RSA 541-B:11-A to read as follows:</p> <p>541-B:11-a Annual Report. The secretary of state shall provide annually to the <i>division of risk</i> [management unit] <i>and benefits</i> a copy of the annual report for the board.</p>
<p>23 Salaries; Unclassified State Officers. Amend the following positions in RSA 94:1-a, I(b), salary grade HH, to read as follows:</p> <p>HH Department of administrative services [manager of risks] <i>director of risk</i> and benefits</p> <p>HH Department of administrative services <i>director of</i> financial data [manager] <i>management</i></p>	<p>25 Salaries; Unclassified State Officers. Amend the following positions in RSA 94:1-a, I(b), salary grade HH, to read as follows:</p> <p>HH Department of administrative services [manager of risks] <i>director of risk</i> and benefits</p> <p>HH Department of administrative services <i>director of</i> financial data [manager] <i>management</i></p>

<p>24 Department of Administrative Services; Intent of Amendment of Risk Management Unit; Continuation of Operations. The amendment to the title of the risk management unit to the division of risk and benefits is not intended to alter the underlying functions, authorities, or personnel of the existing unit or its manager, or the compensation of any existing employee. The division of risk and benefits shall perform all duties previously performed by the risk management unit and the director of the division of risk and benefits shall perform all duties and functions previously performed by the manager of risks. Any and all documents entered into by the risk management unit or any of its subunits, including but not limited to contracts, agreements, requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall be construed to apply to, and shall be deemed to be the action of, the division of risk and benefits.</p>	<p>26 Department of Administrative Services; Intent of Amendment of Risk Management Unit; Continuation of Operations. The amendment to the title of the risk management unit to the division of risk and benefits is not intended to alter the underlying functions, authorities, or personnel of the existing unit or its manager, or the compensation of any existing employee. The division of risk and benefits shall perform all duties previously performed by the risk management unit and the director of the division of risk and benefits shall perform all duties and functions previously performed by the manager of risks. Any and all documents entered into by the risk management unit or any of its subunits, including but not limited to contracts, agreements, requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall be construed to apply to, and shall be deemed to be the action of, the division of risk and benefits.</p>
<p>25 Department of Administrative Services; Intent of Amendment of Title of the Manager of Risks; Continuation of Salary and Functions. The unclassified employee serving as the manager of risks prior to the effective date of this section shall, barring resignation or removal from office, be deemed the director of the division of risk and benefits for the remainder of his or her existing term as the manager of risks and benefits. The salary of the director of the division of risk and benefits shall be that allocated in RSA 94:1-a, I(b) to the manager of risks and benefits.</p>	<p>27 Department of Administrative Services; Intent of Amendment of Title of the Manager of Risks; Continuation of Salary and Functions. The unclassified employee serving as the manager of risks prior to the effective date of this section shall, barring resignation or removal from office, be deemed the director of the division of risk and benefits for the remainder of his or her existing term as the manager of risks and benefits. The salary of the director of the division of risk and benefits shall be that allocated in RSA 94:1-a, I(b) to the manager of risks and benefits.</p>
<p>26 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating to Risk Management. All provisions of law that remain in effect and refer to the department of administrative services' risk management unit shall be construed so as to apply to the division of risk and benefits. All powers, duties, and obligations of the risk management unit, and all bureaus or other subunits within the unit, shall be transferred to the division of risk and benefits and its subunits without interruption or delay on the effective date of this section. The transfer shall include, but not be limited to, all personnel, equipment, and funding of the former risk management unit and its subunits. The department of administrative services may make such changes to the</p>	<p>28 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating to Risk Management. All provisions of law that remain in effect and refer to the department of administrative services' risk management unit shall be construed so as to apply to the division of risk and benefits. All powers, duties, and obligations of the risk management unit, and all bureaus or other subunits within the unit, shall be transferred to the division of risk and benefits and its subunits without interruption or delay on the effective date of this section. The transfer shall include, but not be limited to, all personnel, equipment, and funding of the former risk management unit and its subunits. The department of administrative services may make such changes to the</p>

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<p>accounting structure and budgetary allocations for the biennium ending June 30, 2021 as it concludes are necessary or appropriate to effectuate and accommodate the changes made to the department by this act.</p>	<p>accounting structure and budgetary allocations for the biennium ending June 30, 2021 as it concludes are necessary or appropriate to effectuate and accommodate the changes made to the department by this act.</p>
<p>27 Department of Administrative Services; Intent of Amendment of Financial Data Management Unit; Continuation of Operations. The alteration of the title of the financial data management unit to the division of financial data management is not intended to alter the underlying functions, authorities, or personnel of the existing unit or its manager, or the compensation of any existing employee. The division of financial data management shall perform all duties previously performed by the financial data management unit and the director of the division of financial data management shall perform all duties and function previously performed by the financial data manager. Any and all documents entered into by the financial data management unit or any of its subunits, including but not limited to contracts, agreements, requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall be construed to apply to, and be deemed to be the action of, the division of financial data management.</p>	<p>29 Department of Administrative Services; Intent of Amendment of Financial Data Management Unit; Continuation of Operations. The alteration of the title of the financial data management unit to the division of financial data management is not intended to alter the underlying functions, authorities, or personnel of the existing unit or its manager, or the compensation of any existing employee. The division of financial data management shall perform all duties previously performed by the financial data management unit and the director of the division of financial data management shall perform all duties and function previously performed by the financial data manager. Any and all documents entered into by the financial data management unit or any of its subunits, including but not limited to contracts, agreements, requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall be construed to apply to, and be deemed to be the action of, the division of financial data management.</p>
<p>28 Department of Administrative Services; Intent of Amendment of Title of the Financial Data Manager; Continuation of Salary and Functions. The unclassified employee serving as the financial data manager as of the effective date of this section shall, barring resignation or removal from office, be deemed the director of the division of financial data management for the remainder of his or her existing term as the financial data manager. The salary of the director of the division of financial data management shall be that allocated in RSA 94:1-a, I(b) to the financial data manager.</p>	<p>30 Department of Administrative Services; Intent of Amendment of Title of the Financial Data Manager; Continuation of Salary and Functions. The unclassified employee serving as the financial data manager as of the effective date of this section shall, barring resignation or removal from office, be deemed the director of the division of financial data management for the remainder of his or her existing term as the financial data manager. The salary of the director of the division of financial data management shall be that allocated in RSA 94:1-a, I(b) to the financial data manager.</p>
<p>29 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating to Financial Data Management. All provisions of law that remain in effect and refer to the department of administrative services' financial data management unit shall be construed so as to apply to the division of financial data management. All powers, duties, and obligations of the financial data</p>	<p>31 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating to Financial Data Management. All provisions of law that remain in effect and refer to the department of administrative services' financial data management unit shall be construed so as to apply to the division of financial data management. All powers, duties, and obligations of the financial data</p>

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management unit, and all bureaus or other subunits within the unit, shall be transferred to the division of financial data management and its subunits without interruption or delay on the effective date of this section. The transfer shall include, but not be limited to, all personnel, equipment, and funding of the former financial data management unit and its subunits. The department of administrative services may make such changes to the accounting structure and budgetary allocations for the biennium ending June 30, 2021 as it concludes are necessary or appropriate to effectuate and accommodate the changes made to the department by this act.

management unit, and all bureaus or other subunits within the unit, shall be transferred to the division of financial data management and its subunits without interruption or delay on the effective date of this section. The transfer shall include, but not be limited to, all personnel, equipment, and funding of the former financial data management unit and its subunits. The department of administrative services may make such changes to the accounting structure and budgetary allocations for the biennium ending June 30, 2021 as it concludes are necessary or appropriate to effectuate and accommodate the changes made to the department by this act.

30 Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.

I. Notwithstanding any law or administrative rule to the contrary, the commissioner of administrative services, with the prior approval of the fiscal committee of the general court and the governor and council, may make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of administrative services from any other agency necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll and business processing functions within state government. Such business processing functions shall include:

- (a) Accounts receivable;
- (b) Accounts payable;
- (c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to the state; and
- (d) Such additional finance, accounting and other functions and transactions that the commissioner of administrative services determines may potentially achieve substantial efficiencies from consolidation.

II. The commissioner of administrative services may establish the number of total personnel required for human resources, payroll, and business processing functions in the executive branch of state government and, with the prior approval of the governor and council, may eliminate

32 Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.

I. Notwithstanding any law or administrative rule to the contrary, the commissioner of administrative services, with the prior approval of the fiscal committee of the general court and the governor and council, may make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of administrative services from any other agency necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll and business processing functions within state government. Such business processing functions shall include:

- (a) Accounts receivable;
- (b) Accounts payable;
- (c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to the state; and
- (d) Such additional finance, accounting and other functions and transactions that the commissioner of administrative services determines may potentially achieve substantial efficiencies from consolidation.

II. The commissioner of administrative services may establish the number of total personnel required for human resources, payroll, and business processing functions in the executive branch of state government and, with the prior approval of the governor and council, may eliminate

unnecessary positions and may transfer positions to or from the department of administrative services to or from any other agency if the commissioner of administrative services concludes that such transfers or eliminations are necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll, or business processing functions within state government. Such transfers may, if deemed appropriate by the commissioner of administrative services, include the transfer of all associated books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and may, if deemed appropriate by the commissioner of administrative services, include the transfer of any unexpended appropriations for any of the foregoing, and any unexpended appropriations for salary, payroll, benefits, support costs, or any other costs associated with the transferred personnel. The department of administrative services may also establish new full-time temporary positions within the department, if the commissioner of administrative services deems it necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll, or business processing functions.

III. The commissioner of administrative services may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will efficiently effectuate the consolidation or deconsolidation of functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation or deconsolidation of functions.

IV. If the commissioner of administrative services consolidates, deconsolidates or, pursuant to 2015, 276:2 or other law, has consolidated or deconsolidated, any human resources, payroll, or business processing function and subsequently determines that such consolidation or deconsolidation is not cost effective or beneficial to the interests of the state, the commissioner may, with the prior approval of the fiscal committee of the general court, deconsolidate or reconsolidate, fully or partially, any human resources, payroll, or business processing function within the executive branch of state government. As part of a deconsolidation, the commissioner, after consultation with the heads of such executive branch agencies as may be affected, shall determine positions to be

unnecessary positions and may transfer positions to or from the department of administrative services to or from any other agency if the commissioner of administrative services concludes that such transfers or eliminations are necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll, or business processing functions within state government. Such transfers may, if deemed appropriate by the commissioner of administrative services, include the transfer of all associated books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and may, if deemed appropriate by the commissioner of administrative services, include the transfer of any unexpended appropriations for any of the foregoing, and any unexpended appropriations for salary, payroll, benefits, support costs, or any other costs associated with the transferred personnel. The department of administrative services may also establish new full-time temporary positions within the department, if the commissioner of administrative services deems it necessary to effectuate the efficient consolidation or deconsolidation of human resources, payroll, or business processing functions.

III. The commissioner of administrative services may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will efficiently effectuate the consolidation or deconsolidation of functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation or deconsolidation of functions.

IV. If the commissioner of administrative services consolidates, deconsolidates or, pursuant to 2015, 276:2 or other law, has consolidated or deconsolidated, any human resources, payroll, or business processing function and subsequently determines that such consolidation or deconsolidation is not cost effective or beneficial to the interests of the state, the commissioner may, with the prior approval of the fiscal committee of the general court, deconsolidate or reconsolidate, fully or partially, any human resources, payroll, or business processing function within the executive branch of state government. As part of a deconsolidation, the commissioner, after consultation with the heads of such executive branch agencies as may be affected, shall determine positions to be

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transferred to another agency, shall determine positions to be transferred elsewhere within the department of administrative services, or shall determine positions to be eliminated.

V. Any unspent balance remaining of the \$250,000 appropriation made by 2011, 224:86 to the department of administrative services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an independent business processing consultant to evaluate and make recommendations relative to the consolidation of business processing functions within state government, shall not lapse until June 30, 2021. The department of administrative services may use this balance to fund such projects, functions, or activities as the commissioner of administrative services may direct relating to the efficiency of state government, including, but not limited to, the selection and retention of an independent business processing consultant and/or other projects, functions, or activities relating to the consolidation or deconsolidation of human resource, payroll and business processing functions.

31 Department of Administrative Services; State Employee Health Plan; Application. The cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who participate in the health plans offered by the state shall be in accordance with the provisions of the collective bargaining agreements between the state and the employee organizations representing those employees.

32 Department of Administrative Services; Health Coverage Shared Responsibility. Agencies may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared responsibility for health coverage under section 4980H of the Internal Revenue Code.

transferred to another agency, shall determine positions to be transferred elsewhere within the department of administrative services, or shall determine positions to be eliminated.

V. Any unspent balance remaining of the \$250,000 appropriation made by 2011, 224:86 to the department of administrative services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an independent business processing consultant to evaluate and make recommendations relative to the consolidation of business processing functions within state government, shall not lapse until June 30, 2021. The department of administrative services may use this balance to fund such projects, functions, or activities as the commissioner of administrative services may direct relating to the efficiency of state government, including, but not limited to, the selection and retention of an independent business processing consultant and/or other projects, functions, or activities relating to the consolidation or deconsolidation of human resource, payroll and business processing functions.

33 Department of Administrative Services; State Employee Health Plan; Application. The cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who participate in the health plans offered by the state shall be in accordance with the provisions of the collective bargaining agreements between the state and the employee organizations representing those employees.

34 Department of Administrative Services; Health Coverage Shared Responsibility. Agencies may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared responsibility for health coverage under section 4980H of the Internal Revenue Code.

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<p>33 All Agencies; Administrative Services; Electronic Mail. Unless restricted by law or administrative rule, upon request of an intended recipient, an agency may provide documents by electronic mailing in lieu of mail.</p>	<p>35 All Agencies; Administrative Services; Electronic Mail. Unless restricted by law or administrative rule, upon request of an intended recipient, an agency may provide documents by electronic mailing in lieu of mail.</p>
<p>34 Department of Administrative Services; Heating Systems Savings. Amend RSA 21-I:19-ff to read as follows:</p> <p>21-I:19-ff State Heating System Savings Account. There is hereby established the state heating system savings account for the transfer of unexpended state heating system appropriations due to reduced heating system costs resulting from the 26 state buildings served by the Concord Steam project authorized in 2017, 2. Notwithstanding RSA 21-I:19-e, at the end of each state fiscal year, the commissioner of administrative services shall identify the unexpended appropriations in the accounts and class lines for the 26 state buildings served by the replacement of the Concord Steam facility. The commissioner shall deposit such sums into the account established by this section. Funds in the state heating system savings account shall be nonlapsing and appropriated to the department of administrative services for the biennium ending June 30, 2019, <i>the biennium ending June 30, 2021</i>, and the fiscal year ending [2020] <i>June 30, 2022</i> and may be used to pay principal and interest on bonds and notes issued to fund the capital project for the heating of state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord.</p>	<p>36 Department of Administrative Services; Heating Systems Savings. Amend RSA 21-I:19-ff to read as follows:</p> <p>21-I:19-ff State Heating System Savings Account. There is hereby established the state heating system savings account for the transfer of unexpended state heating system appropriations due to reduced heating system costs resulting from the 26 state buildings served by the Concord Steam project authorized in 2017, 2. Notwithstanding RSA 21-I:19-e, at the end of each state fiscal year, the commissioner of administrative services shall identify the unexpended appropriations in the accounts and class lines for the 26 state buildings served by the replacement of the Concord Steam facility. The commissioner shall deposit such sums into the account established by this section. Funds in the state heating system savings account shall be nonlapsing and appropriated to the department of administrative services for the biennium ending June 30, 2019, <i>the biennium ending June 30, 2021</i>, and the fiscal year ending [2020] <i>June 30, 2022</i> and may be used to pay principal and interest on bonds and notes issued to fund the capital project for the heating of state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord.</p>
<p>35 State Heating System Facilities. Any unspent balance remaining on the \$18,000,000 appropriation made by 2017, 2 to the department of administrative services for the fiscal year ending June 30, 2017, for the purpose of the purchase and replacement of all systems providing heat to state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord that were obtaining steam from Concord Steam corporation, as well as the decommissioning of the steam plant located at 105 Pleasant Street in Concord, including but not limited to system design, construction, hazardous material remediation, and project administration</p>	<p>37 State Heating System Facilities. Any unspent balance remaining on the \$18,000,000 appropriation made by 2017, 2 to the department of administrative services for the fiscal year ending June 30, 2017, for the purpose of the purchase and replacement of all systems providing heat to state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord that were obtaining steam from Concord Steam corporation, as well as the decommissioning of the steam plant located at 105 Pleasant Street in Concord, including but not limited to system design, construction, hazardous material remediation, and project administration</p>

and management, as required, shall not lapse until June 30, 2020. As indicated in 2017, 2, this project shall be managed by the division of public works design and construction and funds may be expended to fund any temporary personnel for the purpose of project administration, management, or clerk of the works. The commissioner of the department of administrative services is also authorized to employ a classified, full-time, permanent project manager in the division of public works design and construction, whose initial salary and benefit cost shall be from funds appropriated pursuant to 2017, 2. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated, and said funds shall not lapse until June 30, 2020.

and management, as required, shall not lapse until June 30, 2020. As indicated in 2017, 2, this project shall be managed by the division of public works design and construction and funds may be expended to fund any temporary personnel for the purpose of project administration, management, or clerk of the works. The commissioner of the department of administrative services is also authorized to employ a classified, full-time, permanent project manager in the division of public works design and construction, whose initial salary and benefit cost shall be from funds appropriated pursuant to 2017, 2. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated, and said funds shall not lapse until June 30, 2020.

36 Department of Administrative Services; Funding and Staffing Resource Limitations.

I. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services may suspend the obligations or requirements under RSA 21-I:7-c as it applies to addressing performance and financial legislative budget assistant audit findings from 2006, 2011, and 2014 regarding management of the employee and retiree health benefit program, including establishing rules and operational policies for the program, for each fiscal year of the biennium ending June 30, 2021.

II. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services may suspend the following requirements or obligations of the department for each fiscal year of the biennium ending June 30, 2021:

(a) The provisions relating to identification and implementation of energy efficiency projects in compliance with the governor’s executive order 2016-03.

(b) The provisions relating to data analysis and the development of performance metrics for buildings and vehicles to monitor energy and water usage, use of fossil fuels, and greenhouse gas emissions in compliance with governor’s executive order 2016-03.

38 Department of Administrative Services; Funding and Staffing Resource Limitations.

I. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services may suspend the obligations or requirements under RSA 21-I:7-c as it applies to addressing performance and financial legislative budget assistant audit findings from 2006, 2011, and 2014 regarding management of the employee and retiree health benefit program, including establishing rules and operational policies for the program, for each fiscal year of the biennium ending June 30, 2021.

II. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services may suspend the following requirements or obligations of the department for each fiscal year of the biennium ending June 30, 2021:

(a) The provisions relating to identification and implementation of energy efficiency projects in compliance with the governor’s executive order 2016-03.

(b) The provisions relating to data analysis and the development of performance metrics for buildings and vehicles to monitor energy and water usage, use of fossil fuels, and greenhouse gas emissions in compliance with governor’s executive order 2016-03.

37 Department of Administrative Services; Establishment of Additional Surplus Fund. Amend

39 Department of Administrative Services; Establishment of Additional Surplus Fund. Amend

<p>RSA 21-I:11, I, (a)(6)(B) to read as follows:</p> <p>(B) Be maintained by the treasurer [as a] in one of 2 separate, restricted [fund] funds:</p> <p>(i) <i>The surplus distribution section administrative assessments fund, into which shall be deposited funds received by the department by virtue of the disposition of surplus property; and</i></p> <p>(ii) <i>The federal surplus food fund, into which shall be deposited funds received by the department by virtue of the disposition of federal surplus food.</i></p>	<p>RSA 21-I:11, I, (a)(6)(B) to read as follows:</p> <p>(B) Be maintained by the treasurer [as a] in one of 2 separate, restricted [fund] funds:</p> <p>(i) <i>The surplus distribution section administrative assessments fund, into which shall be deposited funds received by the department by virtue of the disposition of surplus property; and</i></p> <p>(ii) <i>The federal surplus food fund, into which shall be deposited funds received by the department by virtue of the disposition of federal surplus food.</i></p>
<p>38 Surplus Distribution Accounts. Amend RSA 6:12, I(b)(92) to read as follows:</p> <p>(92) Moneys deposited in the 2 surplus [distribution section administrative assessments fund] funds under RSA 21-I:11, I(a)(6)(B):</p> <p>(A) <i>The surplus distribution section administrative assessments fund;</i></p> <p>and</p> <p>(B) <i>The federal surplus food fund.</i></p>	<p>40 Surplus Distribution Accounts. Amend RSA 6:12, I(b)(92) to read as follows:</p> <p>(92) Moneys deposited in the 2 surplus [distribution section administrative assessments fund] funds under RSA 21-I:11, I(a)(6)(B):</p> <p>(A) <i>The surplus distribution section administrative assessments fund;</i></p> <p>and</p> <p>(B) <i>The federal surplus food fund.</i></p>
<p>39 Department of Administrative Services; Fund Restrictions. Amend the introductory paragraph of RSA 21-I:11-a, I to read as follows:</p> <p>I. Expenditures from the funds established by RSA 21-I:11, I(a)(6)(B), shall be restricted to defraying the following costs of the respective programs incurred as a result of transferring donated commodities or surpluses from the consignee point of delivery or point of origin to the ultimate point of consumption:</p>	<p>41 Department of Administrative Services; Fund Restrictions. Amend the introductory paragraph of RSA 21-I:11-a, I to read as follows:</p> <p>I. Expenditures from the funds established by RSA 21-I:11, I(a)(6)(B), shall be restricted to defraying the following costs of the respective programs incurred as a result of transferring donated commodities or surpluses from the consignee point of delivery or point of origin to the ultimate point of consumption:</p>
<p>40 New Section; Department of Administrative Services; Building Maintenance Fund. Amend RSA 21-I by inserting after section 11-c the following new section:</p> <p>21-I:11-d Building Maintenance Fund. Each agency or branch for which the department of</p>	<p>AMENDED BY THE SENATE</p> <p>42 New Section; Department of Administrative Services; Building Maintenance Fund. Amend RSA 21-I by inserting after section 11-c the following new section:</p> <p>21-I:11-d Building Maintenance Fund. Each agency for which the department of administrative</p>

administrative services is charged with providing building maintenance services pursuant to RSA 21-I:11, I(c), RSA 21-I:12, II(c), or other law, shall pay to the department an annual assessment of 50 cents per square foot of such space which the agency or branch occupies. The department of administrative services may make transfers from appropriate agency accounts to address such assessments. Collected amounts shall be deposited in the building maintenance fund, which shall be nonlapsing and appropriated to the department of administrative services for the purposes of covering costs associated with continuing maintenance of buildings, space, and other property which it is charged with maintaining.

services is charged with providing building maintenance services shall pay to the department an annual assessment of 75 cents per square foot of such space which the agency occupies. The department of administrative services may make transfers from appropriate agency accounts to address such assessments. Collected amounts shall be deposited in the building maintenance fund, which shall be nonlapsing and continually appropriated to the department of administrative services for the purposes of covering costs associated with continuing maintenance of buildings, space, and other property which it is charged with maintaining.

41 New Subparagraph; Application of Receipts; Building Maintenance Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:
 (344) Moneys deposited in the building maintenance fund established under RSA 21-I:11-d.

43 New Subparagraph; Application of Receipts; Building Maintenance Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:
 (344) Moneys deposited in the building maintenance fund established under RSA 21-I:11-d.

NO COMPARABLE HOUSE SECTION

44 Appropriation; Building Maintenance Fund.
 I. In addition to any other sums appropriated, the following sums are hereby appropriated from the following sources for the purposes of sections 42-43 of this act for the fiscal years ending June 30, 2020 and June 30, 2021:

(a) For the fiscal year ending June 30, 2020:					
All	General	Federal	Highway	Turnpike	Other
\$528,606.50	\$263,417.50	\$74,598.50	\$57,811.00	\$702.50	\$132,077.00
(b) For the fiscal year ending June 30, 2021:					
All	General	Federal	Highway	Turnpike	Other
\$528,606.50	\$262,808.00	\$74,598.50	\$57,873.50	\$702.00	\$132,624.50

II. The department of administrative services is authorized to allocate these appropriations among agencies as necessary to implement the requirements of sections 42 and 43.

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>45 Study of Building Maintenance Funding Sources for Patient Occupied Buildings Managed by the Department of Health and Human Services. The department of administrative services and the department of health and human services shall study appropriate mechanisms for the creation of an additional building maintenance fund for the patient occupied buildings currently managed directly by the department of health and human services, including but not limited to the Glencliff home, New Hampshire hospital, and the Sununu youth services center. The departments shall report their findings to the fiscal committee of the general court on or before November 1, 2019.</p>
<p>42 Judicial Appointments; Number Limited; Conversion Suspended.</p> <p>I. For the biennium ending June 30, 2021, the number of judges serving on the superior court shall not exceed 22 and the number of full-time judges serving on the circuit court shall not exceed 35.</p> <p>II. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time judicial position, is hereby suspended for the biennium ending June 30, 2021.</p>	<p>46 Judicial Appointments; Number Limited; Conversion Suspended.</p> <p>I. For the biennium ending June 30, 2021, the number of judges serving on the superior court shall not exceed 22 and the number of full-time judges serving on the circuit court shall not exceed 35.</p> <p>II. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time judicial position, is hereby suspended for the biennium ending June 30, 2021.</p>
<p>43 Judicial Branch; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2021, the supreme court may transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee of the general court shall be required for transfers of \$100,000 or more.</p>	<p>47 Judicial Branch; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2021, the supreme court may transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee of the general court shall be required for transfers of \$100,000 or more.</p>
<p>44 Department of Corrections; Transfer Authority. The following classes within the department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a, 9:17-c, classes 10-</p>	<p>48 Department of Corrections; Transfer Authority. The following classes within the department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a, 9:17-c, classes 10-</p>

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<p>personal services-perm classified, 11-personal services-unclassified, 12-personal services-unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed and 60-benefits. The department may transfer funding in these classes within and among all accounting units provided that any transfer shall require prior approval of the fiscal committee of the general court and governor and council. The provisions of this paragraph shall remain in effect for the biennium ending June 30, 2021.</p>	<p>personal services-perm classified, 11-personal services-unclassified, 12-personal services-unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed and 60-benefits. The department may transfer funding in these classes within and among all accounting units provided that any transfer shall require prior approval of the fiscal committee of the general court and governor and council. The provisions of this paragraph shall remain in effect for the biennium ending June 30, 2021.</p>
<p>45 New Section; Cost of Care Reimbursement Account Established. Amend RSA 622 by inserting after section 58 the following new section:</p> <p>622:58-a Cost of Care Reimbursement Fund Established. There is established the cost of care reimbursement fund, which shall be administered by the commissioner of the department of corrections. This fund shall be nonlapsing and continually appropriated to the commissioner for the purpose of the general care of those persons under departmental control and upkeep of the prison facilities including equipment. The commissioner shall deposit all funds received from the department of justice as specified in RSA 622:58 into this fund.</p>	<p>49 New Section; Cost of Care Reimbursement Account Established. Amend RSA 622 by inserting after section 58 the following new section:</p> <p>622:58-a Cost of Care Reimbursement Fund Established. There is established the cost of care reimbursement fund, which shall be administered by the commissioner of the department of corrections. This fund shall be nonlapsing and continually appropriated to the commissioner for the purpose of the general care of those persons under departmental control and upkeep of the prison facilities including equipment. The commissioner shall deposit all funds received from the department of justice as specified in RSA 622:58 into this fund.</p>
<p>46 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the cost of care reimbursement fund under RSA 622:58-a.</p>	<p>50 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the cost of care reimbursement fund under RSA 622:58-a.</p>
<p>47 Department of Corrections; Cost of Care Reimbursement Moneys. Amend RSA 622:58 to read as follows:</p> <p>622:58 Deposit of Recovered Moneys. All moneys recovered under this subdivision shall be deposited in the [general fund] cost of care reimbursement fund under RSA 622:58-a.</p>	<p>51 Department of Corrections; Cost of Care Reimbursement Moneys. Amend RSA 622:58 to read as follows:</p> <p>622:58 Deposit of Recovered Moneys. All moneys recovered under this subdivision shall be deposited in the [general fund] cost of care reimbursement fund under RSA 622:58-a.</p>
<p>48 Repeal. RSA 622:7-b, relative to victim's fund, is repealed.</p>	<p>52 Repeal. RSA 622:7-b, relative to victim's fund, is repealed.</p>

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<p>49 Application of Receipts; Victims' Fund. Amend RSA 6:12, I(b)(23) to read as follows:</p> <p>(23) The assessments collected under RSA 106-L:10 and 651:63, V [and the surcharges on state commissary purchases under RSA 622:7 b designated for the victims' assistance fund which] shall be credited to the victims' assistance fund until that fund exceeds \$900,000, at which time moneys in excess of \$900,000 shall be credited to the general fund.</p>	<p>53 Application of Receipts; Victims' Fund. Amend RSA 6:12, I(b)(23) to read as follows:</p> <p>(23) The assessments collected under RSA 106-L:10 and 651:63, V [and the surcharges on state commissary purchases under RSA 622:7 b designated for the victims' assistance fund which] shall be credited to the victims' assistance fund until that fund exceeds \$900,000, at which time moneys in excess of \$900,000 shall be credited to the general fund.</p>
<p>50 Department of Corrections; Unclassified Position Established; Director of Nursing.</p> <p>I. The unclassified position of director of nursing is hereby established in the department of corrections and shall be qualified for that position by reason of education and experience and shall be nominated by the commissioner of the department of corrections for the appointment by the governor and the executive council, who shall serve at the pleasure of the commissioner. The director of nursing shall oversee the uniform integration of nursing practice and care into the comprehensive medical and behavioral health system operated by the department of corrections as well as ensuring adherence of nurses to nursing practice laws, rules, standards, and policies. This position shall also establish an organizational reporting structure to ensure that all nurses receive adequate and appropriate supervision. Direct reports shall include the assistant nursing director and all nurse coordinators.</p> <p>II. The salary of this position shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p> <p>III. Upon completion of this action and appointment of the position identified in paragraph I, classified position #16287 shall be abolished to allow for the transition of this classified position with its available appropriations into the new unclassified position. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8234. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified director of nursing position.</p>	<p>54 Department of Corrections; Unclassified Position Established; Director of Nursing.</p> <p>I. The unclassified position of director of nursing is hereby established in the department of corrections and shall be qualified for that position by reason of education and experience and shall be nominated by the commissioner of the department of corrections for the appointment by the governor and the executive council, who shall serve at the pleasure of the commissioner. The director of nursing shall oversee the uniform integration of nursing practice and care into the comprehensive medical and behavioral health system operated by the department of corrections as well as ensuring adherence of nurses to nursing practice laws, rules, standards, and policies. This position shall also establish an organizational reporting structure to ensure that all nurses receive adequate and appropriate supervision. Direct reports shall include the assistant nursing director and all nurse coordinators.</p> <p>II. The salary of this position shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p> <p>III. Upon completion of this action and appointment of the position identified in paragraph I, classified position #16287 shall be abolished to allow for the transition of this classified position with its available appropriations into the new unclassified position. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8234. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified director of nursing position.</p>

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51 Department of Corrections; Unclassified Positions Established.

I. The following positions are hereby established in the department of corrections and shall be qualified for the position by reason of education and experience and shall be nominated by the commissioner of corrections for appointment by the governor and council, who shall serve at the pleasure of the commissioner. The chief pharmacist shall oversee the pharmacy unit and supervise the pharmacist I-IV as well as perform such duties that the commissioner from time to time may authorize:

- (a) Department of corrections, chief pharmacist.
- (b) Department of corrections, pharmacist I.
- (c) Department of corrections, pharmacist II.
- (d) Department of corrections, pharmacist III.
- (e) Department of corrections, pharmacist IV.

II. The salary of these positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. Upon completion of this action and appointment of the positions identified in paragraph I, the following positions shall be abolished to allow for the transition of these classified positions with their available appropriations into the unclassified positions. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8236. The incumbents in the abolished classified positions shall be offered the opportunity to seek the commissioner's nomination for the unclassified positions:

- (a) Chief pharmacist #19851.
- (b) Pharmacist #12997.
- (c) Pharmacist #19553.
- (d) Pharmacist #19848.
- (e) Pharmacist #16290.

55 Department of Corrections; Unclassified Positions Established.

I. The following positions are hereby established in the department of corrections and shall be qualified for the position by reason of education and experience and shall be nominated by the commissioner of corrections for appointment by the governor and council, who shall serve at the pleasure of the commissioner. The chief pharmacist shall oversee the pharmacy unit and supervise the pharmacist I-IV as well as perform such duties that the commissioner from time to time may authorize:

- (a) Department of corrections, chief pharmacist.
- (b) Department of corrections, pharmacist I.
- (c) Department of corrections, pharmacist II.
- (d) Department of corrections, pharmacist III.
- (e) Department of corrections, pharmacist IV.

II. The salary of these positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. Upon completion of this action and appointment of the positions identified in paragraph I, the following positions shall be abolished to allow for the transition of these classified positions with their available appropriations into the unclassified positions. Funding shall be transferred into expenditure class 011, within accounting unit 02-46-46-465010-8236. The incumbents in the abolished classified positions shall be offered the opportunity to seek the commissioner's nomination for the unclassified positions:

- (a) Chief pharmacist #19851.
- (b) Pharmacist #12997.
- (c) Pharmacist #19553.
- (d) Pharmacist #19848.
- (e) Pharmacist #16290.

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<p>52 State Commission for Human Rights. Amend RSA 354-A:3, I to read as follows:</p> <p>I. There is hereby created a commission to be known as the New Hampshire commission for human rights, <i>which shall be administratively attached to the department of justice pursuant to RSA 21-G:10</i>. Such commission shall consist of 7 members, who shall be appointed by the governor, with the consent of the council, and one of whom shall be designated as chair by the governor. The term of office of each member of the commission shall be for 5 years.</p>	<p>56 State Commission for Human Rights. Amend RSA 354-A:3, I to read as follows:</p> <p>I. There is hereby created a commission to be known as the New Hampshire commission for human rights, <i>which shall be administratively attached to the department of justice pursuant to RSA 21-G:10</i>. Such commission shall consist of 7 members, who shall be appointed by the governor, with the consent of the council, and one of whom shall be designated as chair by the governor. The term of office of each member of the commission shall be for 5 years.</p>
<p>53 Boxing and Wrestling Commission. Amend RSA 285:2 to read as follows:</p> <p>285:2 Establishment of Commission. There is hereby established a boxing and wrestling commission which shall oversee amateur and professional fighting sports in the state. <i>The commission shall be administratively attached to the department of state pursuant to RSA 21-G:10.</i></p>	<p>57 Boxing and Wrestling Commission. Amend RSA 285:2 to read as follows:</p> <p>285:2 Establishment of Commission. There is hereby established a boxing and wrestling commission which shall oversee amateur and professional fighting sports in the state. <i>The commission shall be administratively attached to the department of state pursuant to RSA 21-G:10.</i></p>
<p>54 Annual Grant for Leased Space; Charter Schools. Amend the introductory paragraph of RSA 198:15-hh, I to read as follows:</p> <p>I. The amount of the annual grant for a lease to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-A:1, shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred, for the cost of leasing permanent space in a building or buildings not owned by the school district or school administrative unit which is used for the operation of a high school vocational technical education program, to the extent approved by the state board of education. For the purposes of this section, the amount of the annual grant for a lease to a vocational technical education center shall be calculated in the same manner as a cooperative school district. The amount of the annual grant for a chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of the annual lease payment incurred for the cost of leasing space; <i>provided that no annual grant for leased space provided to a chartered public school in accordance with this section shall exceed \$30,000</i></p>	<p>58 Annual Grant for Leased Space; Charter Schools. Amend the introductory paragraph of RSA 198:15-hh, I to read as follows:</p> <p>I. The amount of the annual grant for a lease to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-A:1, shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred, for the cost of leasing permanent space in a building or buildings not owned by the school district or school administrative unit which is used for the operation of a high school vocational technical education program, to the extent approved by the state board of education. For the purposes of this section, the amount of the annual grant for a lease to a vocational technical education center shall be calculated in the same manner as a cooperative school district. The amount of the annual grant for a chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of the annual lease payment incurred for the cost of leasing space; <i>provided that no annual grant for leased space provided to a chartered public school in accordance with this section shall exceed \$30,000</i></p>

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<p><i>in any fiscal year.</i> The total amount of grants to schools pursuant to this section shall not exceed the state appropriation for leased space. If the amount appropriated is insufficient therefor, the appropriation shall be prorated proportionally among the schools eligible for a grant. Such lease agreements shall be eligible for grants under this section, provided all of the following conditions apply:</p>	<p><i>in any fiscal year.</i> The total amount of grants to schools pursuant to this section shall not exceed the state appropriation for leased space. If the amount appropriated is insufficient therefor, the appropriation shall be prorated proportionally among the schools eligible for a grant. Such lease agreements shall be eligible for grants under this section, provided all of the following conditions apply:</p>
<p>55 Meals and Rooms Tax; Distribution to Cities and Towns. For the fiscal years ending June 30, 2020 and June 30, 2021, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the amount of the fiscal year 2019 distribution.</p>	<p>59 Meals and Rooms Tax; Distribution to Cities and Towns. For the fiscal years ending June 30, 2020 and June 30, 2021, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the amount of the fiscal year 2019 distribution.</p>
<p>56 Senior Volunteer Program; Suspension. RSA 161-F:40 and RSA 161-F:41, relative to the senior volunteer program shall be suspended for the biennium ending June 30, 2021.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>57 Congregate Housing; Suspension. RSA 161-F:37, relative to the administration of congregate housing, shall be suspended for the biennium ending June 30, 2021.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>58 Department of Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2021, the department of health and human services shall raise the income eligibility for elderly and adult clients under the social services block grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis provided such amount is consistent with federal law and regulations relative to the social services block grant income eligibility.</p>	<p>60 Department of Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2021, the department of health and human services shall raise the income eligibility for elderly and adult clients under the social services block grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis provided such amount is consistent with federal law and regulations relative to the social services block grant income eligibility.</p>
<p>59 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a)</p>	<p>AMENDED BY THE SENATE</p> <p>61 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to</p>

to read as follows:

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [~~2018-2019~~] **2020-2021**:

(1) State fiscal year [~~2018~~] **2020**, [~~(\$117,573,000)~~] **\$122,798,125**.

(2) State fiscal year [~~2019~~] **2021**, [~~(\$119,925,000)~~] **\$125,743,078**.

read as follows:

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [~~2018-2019~~] **2020-2021**:

(1) State fiscal year [~~2018~~] **2020**, [~~(\$117,573,000)~~] **\$123,372,750**.

(2) State fiscal year [~~2019~~] **2021**, [~~(\$119,925,000)~~] **\$126,923,933**.

60 Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children; Definitions. Amend RSA 167:6, VII to read as follows:

VII. For purposes hereof, a person shall be eligible for medical assistance as categorically needy or as medically needy. A person shall be eligible as categorically needy if [~~he~~] **such person** receives financial assistance under RSA 167:6, I, IV, V or VI, or is otherwise eligible to receive such assistance but does not, **or is otherwise eligible, but does not due to receiving a finding of clinical ineligibility for federal cash benefits under paragraph VI**. A person shall be eligible as medically needy if [~~he~~] **such person** meets the categorical, age, and technical requirements under RSA 167:6, I, IV, V or VI, and if his **or her** income and assets meet the standards as prescribed for the medically needy program. A person shall also be eligible as categorically needy or as medically needy who is eligible for medical assistance pursuant to the mandates of federal law or regulation or pursuant to optional state coverage groups which are allowed by federal regulation and defined by the commissioner of the department of health and human services in accordance with rules adopted under RSA 541-A, but who does not receive assistance or would not be otherwise eligible to receive assistance under paragraph I, IV, V, or VI.

62 Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children; Definitions. Amend RSA 167:6, VII to read as follows:

VII. For purposes hereof, a person shall be eligible for medical assistance as categorically needy or as medically needy. A person shall be eligible as categorically needy if [~~he~~] **such person** receives financial assistance under RSA 167:6, I, IV, V or VI, or is otherwise eligible to receive such assistance but does not, **or is otherwise eligible, but does not due to receiving a finding of clinical ineligibility for federal cash benefits under paragraph VI**. A person shall be eligible as medically needy if [~~he~~] **such person** meets the categorical, age, and technical requirements under RSA 167:6, I, IV, V or VI, and if his **or her** income and assets meet the standards as prescribed for the medically needy program. A person shall also be eligible as categorically needy or as medically needy who is eligible for medical assistance pursuant to the mandates of federal law or regulation or pursuant to optional state coverage groups which are allowed by federal regulation and defined by the commissioner of the department of health and human services in accordance with rules adopted under RSA 541-A, but who does not receive assistance or would not be otherwise eligible to receive assistance under paragraph I, IV, V, or VI.

61 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I to read as follows:

I. Section 5 of this act shall take effect July 1, [~~2019~~] **2021**.

63 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I to read as follows:

I. Section 5 of this act shall take effect July 1, [~~2019~~] **2021**.

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HB 2 – HOUSE PASSED

HB 2 – SENATE PASSED

<p>62 Department of Health and Human Services; Suspension of Direct and Indirect Graduate Medical Education Payments. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct and indirect graduate medical education payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30, 2021. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct and indirect graduate medical education shall be suspended for the biennium ending June 30, 2021.</p>	<p>64 Department of Health and Human Services; Suspension of Direct and Indirect Graduate Medical Education Payments. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct and indirect graduate medical education payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30, 2021. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct and indirect graduate medical education shall be suspended for the biennium ending June 30, 2021.</p>
<p>63 Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women. If the New Hampshire granite advantage health care program established under RSA 126-AA is repealed effective December 31, 2023 or earlier, the commissioner of the department of health and human services shall reinstate Medicaid coverage and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the department of health and human services shall adopt rules, pursuant to RSA 541-A, to establish the eligibility levels for Medicaid coverage under RSA 167:68 identical to the eligibility levels which were in effect prior to the effective date of the New Hampshire granite advantage health care program.</p>	<p>NOT INCLUDED IN SENATE AMENDMENT</p>
<p>64 Health and Human Services; Suspension of Catastrophic Aid Payments to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend catastrophic aid payments to hospitals. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for catastrophic aid payments to hospitals shall be suspended for the biennium ending June 30, 2021.</p>	<p>65 Health and Human Services; Suspension of Catastrophic Aid Payments to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend catastrophic aid payments to hospitals. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for catastrophic aid payments to hospitals shall be suspended for the biennium ending June 30, 2021.</p>
<p>65 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV to read as follows:</p>	<p>66 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV to read as follows:</p>

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HB 2 – HOUSE PASSED

HB 2 – SENATE PASSED

<p>IV. Section 10 of this act shall take effect June 30, 2019 2021.</p>	<p>IV. Section 10 of this act shall take effect June 30, 2019 2021.</p>
<p>66 Department of Health and Human Services; Program Eligibility; Additional Revenues. For the biennium ending June 30, 2021, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee and the senate health and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.</p>	<p>67 Department of Health and Human Services; Program Eligibility; Additional Revenues. For the biennium ending June 30, 2021, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee and the senate health and human services committee, and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.</p>
<p>67 Appropriation; Department of Safety, Division of Fire Standards and Training and Emergency Medical Services. There is hereby appropriated to the department of safety, division of fire standards and training and emergency medical services, the sum of \$500,000, for the biennium ending June 30, 2021, for the purpose of providing grants to local firefighters for medical examinations conducted pursuant to RSA 281-A:17. The sum shall be a charge against the fire standards and training and emergency medical services fund established pursuant to RSA 21-P:12-d, and shall not lapse.</p>	<p>68 Appropriation; Department of Safety, Division of Fire Standards and Training and Emergency Medical Services. There is hereby appropriated to the department of safety, division of fire standards and training and emergency medical services, the sum of \$500,000, for the biennium ending June 30, 2021, for the purpose of providing grants to local firefighters for medical examinations conducted pursuant to RSA 281-A:17. The sum shall be a charge against the fire standards and training and emergency medical services fund established pursuant to RSA 21-P:12-d, and shall not lapse.</p>
<p>68 Commissioner of Health and Human Services; Quarterly Reports. During the biennium ending June 30, 2021, the commissioner of health and human services shall make quarterly reports to the governor, the speaker of the house of representatives, and the senate president on the status of estimated Medicaid payments in relation to actual costs. Further contents of the such reports shall be as specified by the governor.</p>	<p>69 Commissioner of Health and Human Services; Quarterly Reports. During the biennium ending June 30, 2021, the commissioner of health and human services shall make quarterly reports to the governor, the speaker of the house of representatives, and the senate president on the status of estimated Medicaid payments in relation to actual costs. Further contents of the such reports shall be as specified by the governor.</p>
<p>69 Department of Health and Human Services; Unfunded Positions; Authorization.</p>	<p>70 Department of Health and Human Services; Unfunded Positions; Authorization.</p>

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<p>Notwithstanding any other provision of law to the contrary, the department of health and human services may fill unfunded positions during the biennium ending June 30, 2021, provided that the total expenditure for such positions shall not exceed the amount appropriated for personnel services.</p>	<p>Notwithstanding any other provision of law to the contrary, the department of health and human services may fill unfunded positions during the biennium ending June 30, 2021, provided that the total expenditure for such positions shall not exceed the amount appropriated for personnel services.</p>
<p>70 Repeal. RSA 151-E:18, regarding presumptive eligibility for nursing facility services, is repealed.</p>	<p>AMENDED BY THE SENATE</p> <p>71 Eligibility for Home and Community-Based Services; Suspension. RSA 151-E:18, regarding presumptive eligibility for home and community based services, shall be suspended for the biennium ending June 30, 2021.</p>
<p>71 New Section; Department of Health and Human Services; Developmental Services; Establishing Certain Funds and Transfers of Certain Appropriations. Amend RSA 171-A by inserting after section 8-a the following new section:</p> <p>171-A:8-b Establishing Certain Dedicated Funds and Transfers of Certain Appropriations.</p> <p>I. There is hereby established the developmental services fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7100, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.</p> <p>II. There is hereby established the acquired brain disorder services fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7016, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.</p> <p>III. There is hereby established the in-home support waiver fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7110, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.</p> <p>IV. The funds in paragraphs I through III shall only be transferred between these funds</p>	<p>72 New Section; Department of Health and Human Services; Developmental Services; Establishing Certain Funds and Transfers of Certain Appropriations. Amend RSA 171-A by inserting after section 8-a the following new section:</p> <p>171-A:8-b Establishing Certain Dedicated Funds and Transfers of Certain Appropriations.</p> <p>I. There is hereby established the developmental services fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7100, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.</p> <p>II. There is hereby established the acquired brain disorder services fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7016, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.</p> <p>III. There is hereby established the in-home support waiver fund. The fund, from appropriations provided in accounting unit 05-95-93-930010-7110, shall be used to carry out the provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this chapter.</p> <p>IV. The funds in paragraphs I through III shall only be transferred between these funds</p>

<p>and/or accounting units for those particular services for the purposes of this chapter.</p>	<p>and/or accounting units for those particular services for the purposes of this chapter.</p>
<p>72 New Subparagraphs; Department of Health and Human Services; Developmental Services; Certain Accounts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraphs:</p> <p style="padding-left: 40px;">(344) Moneys deposited in the developmental services fund established under RSA 171-A:8-b, I.</p> <p style="padding-left: 40px;">(344) Money deposited in the acquired brain disorder services fund established under RSA 171-A:8-b, II.</p> <p style="padding-left: 40px;">(344) Money deposited in the in-home support waiver fund established under RSA 171-A:8-b, III.</p>	<p>73 New Subparagraphs; Department of Health and Human Services; Developmental Services; Certain Accounts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraphs:</p> <p style="padding-left: 40px;">(344) Moneys deposited in the developmental services fund established under RSA 171-A:8-b, I.</p> <p style="padding-left: 40px;">(344) Money deposited in the acquired brain disorder services fund established under RSA 171-A:8-b, II.</p> <p style="padding-left: 40px;">(344) Money deposited in the in-home support waiver fund established under RSA 171-A:8-b, III.</p>
<p>73 Department of Health and Human Services; Transfer of Certain Trust Funds.</p> <p>I. The trust established in <i>In Re: Laconia State School Trust Funds</i>, Docket Number 317-2017-EQ-599 (6th Circuit-Probate Division-Concord) shall be dissolved upon the final distribution of funds pursuant to the court order issued in that case.</p> <p>II. Distributions shall be made from the trust to former residents of Laconia state school pursuant to court order. When there are no longer any surviving former residents of Laconia state school, any funds remaining in the trust shall be distributed to persons receiving services from the state developmental services system, in accordance with the court order, until all of the funds in the trust are fully expended.</p>	<p>74 Department of Health and Human Services; Transfer of Certain Trust Funds.</p> <p>I. The trust established in <i>In Re: Laconia State School Trust Funds</i>, Docket Number 317-2017-EQ-599 (6th Circuit-Probate Division-Concord) shall be dissolved upon the final distribution of funds pursuant to the court order issued in that case.</p> <p>II. Distributions shall be made from the trust to former residents of Laconia state school pursuant to court order. When there are no longer any surviving former residents of Laconia state school, any funds remaining in the trust shall be distributed to persons receiving services from the state developmental services system, in accordance with the court order, until all of the funds in the trust are fully expended.</p>
<p>74 Study Committee on Outdated Non-regulatory Boards, Commissions, Councils, and Advisory Bodies.</p> <p>I. There is hereby established a committee to review all non-regulatory boards, commissions, councils, and advisory bodies which exist in statute to determine which such non-regulatory boards, commissions, councils, and advisory bodies should be repealed.</p>	<p>75 Study Committee on Outdated Non-regulatory Boards, Commissions, Councils, and Advisory Bodies.</p> <p>I. There is hereby established a committee to review all non-regulatory boards, commissions, councils, and advisory bodies which exist in statute to determine which such non-regulatory boards, commissions, councils, and advisory bodies should be repealed.</p>

II.(a) The committee shall be composed of 5 members as follows:

(1) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(2) Two members of the senate, appointed by the president of the senate.

(b) The governor shall appoint 2 persons who shall represent the executive branch and shall serve as an advisory council to the members of the committee. The advisory council shall advise and assist the members in the completion of the committee's duties.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee. The first meeting of the committee shall be called no later than 30 days after the effective date of this section. The first-named house member shall call the first meeting of the committee. Three members of the committee shall constitute a quorum.

IV. In determining which non-regulatory boards, commissions, councils, and advisory bodies should be repealed, the committee shall consider the following:

(a) Frequency of meetings.

(b) Attendance records and the level of difficulty in achieving quorum for meetings.

(c) Whether there is duplication of purpose or activities.

(d) Any other factors which the committee deems relevant.

V. The committee shall report its findings and any recommendations for legislation, including recommendations for repeal of non-regulatory boards, commissions, councils, or other advisory bodies to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2019.

II.(a) The committee shall be composed of 5 members as follows:

(1) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(2) Two members of the senate, appointed by the president of the senate.

(b) The governor shall appoint 2 persons who shall represent the executive branch and shall serve as an advisory council to the members of the committee. The advisory council shall advise and assist the members in the completion of the committee's duties.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee. The first meeting of the committee shall be called no later than 30 days after the effective date of this section. The first-named house member shall call the first meeting of the committee. Three members of the committee shall constitute a quorum.

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(d) Any other factors which the committee deems relevant.

V. The committee shall report its findings and any recommendations for legislation, including recommendations for repeal of non-regulatory boards, commissions, councils, or other advisory bodies to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2019.

75 Department of Health and Human Services; Plan to Close the Cliff Effect for Individuals and Families who Receive Public Benefits.

I. The purpose of this section is to coordinate poverty reduction strategies across agencies and employers to provide necessary support mechanisms to ensure the long-term success for New Hampshire's families and children for economic independence achieved through employment, and to

76 Department of Health and Human Services; Plan to Close the Cliff Effect for Individuals and Families who Receive Public Benefits.

I. The purpose of this section is to coordinate poverty reduction strategies across agencies and employers to provide necessary support mechanisms to ensure the long-term success for New Hampshire's families and children for economic independence achieved through employment, and to

demonstrate successful outcomes for families and children for identifying supportive transitions from public benefits to self-sufficiency while enhancing New Hampshire's workforce. Families include parents, grandparents, caretaker relatives, and other individuals caring for children acknowledging that the opioid crisis has impacted the care of New Hampshire's children.

II. In this section, "cliff effect" means the experience of individuals or families who receive public benefits when new or increased income results in a reduction or loss of public benefits, but the increased income does not fully compensate for or exceed the loss of public benefits. This results in the individual and or family with less public benefits and an increase in out-of-pocket expenses that eliminates any financial gain from the new or increased income.

III. The department of health and human services shall develop a plan to close the cliff effect so New Hampshire individuals and families are afforded a full opportunity to participate in the New Hampshire workforce. The plan shall include the development and implementation of a "benefits cliff calculator" to measure the effect of increased income for individuals or families who receive public benefits and shall include related policy options such as, but not limited to, an earned income disregard, transportation accessibility, and incentives for employment retention based on an updated economic analysis.

IV. No later than 30 days after the effective date of this section, the commissioner of the department of health and human services shall convene a working group consisting, at a minimum of, representatives of the following departments or agencies: the commissioner of the department of employment security or designee, the commissioner of the department of education or designee, the commissioner of the department of business and economic affairs or designee, the chancellor of the community college system of New Hampshire or designee, the executive director of the New Hampshire housing finance authority or designee, a representative of a philanthropic agency appointed by the governor, a representative from a community action program appointed by the governor, a private employer appointed by the governor, an individual who is receiving or who has received public benefits appointed by the governor, a member of the house of representatives appointed by the speaker of the house of representatives, and a member of the senate appointed by

demonstrate successful outcomes for families and children for identifying supportive transitions from public benefits to self-sufficiency while enhancing New Hampshire's workforce. Families include parents, grandparents, caretaker relatives, and other individuals caring for children acknowledging that the opioid crisis has impacted the care of New Hampshire's children.

II. In this section, "cliff effect" means the experience of individuals or families who receive public benefits when new or increased income results in a reduction or loss of public benefits, but the increased income does not fully compensate for or exceed the loss of public benefits. This results in the individual and or family with less public benefits and an increase in out-of-pocket expenses that eliminates any financial gain from the new or increased income.

III. The department of health and human services shall develop a plan to close the cliff effect so New Hampshire individuals and families are afforded a full opportunity to participate in the New Hampshire workforce. The plan shall include the development and implementation of a "benefits cliff calculator" to measure the effect of increased income for individuals or families who receive public benefits and shall include related policy options such as, but not limited to, an earned income disregard, transportation accessibility, and incentives for employment retention based on an updated economic analysis.

IV. No later than 30 days after the effective date of this section, the commissioner of the department of health and human services shall convene a working group consisting, at a minimum of, representatives of the following departments or agencies: the commissioner of the department of employment security or designee, the commissioner of the department of education or designee, the commissioner of the department of business and economic affairs or designee, the chancellor of the community college system of New Hampshire or designee, the executive director of the New Hampshire housing finance authority or designee, a representative of a philanthropic agency appointed by the governor, a representative from a community action program appointed by the governor, a private employer appointed by the governor, an individual who is receiving or who has received public benefits appointed by the governor, a member of the house of representatives appointed by the speaker of the house of representatives, and a member of the senate appointed by

the senate president.

V. The meetings of the working group shall be subject to RSA 91-A. The department, in consultation with the working group, shall prepare a plan to close the cliff effect for individuals and families receiving public benefits. The plan shall include, but not be limited to, policy change recommendations, the development of a benefits cliff calculator which may be used by public and private employers to navigate and close the cliff effect.

VI. The working group shall submit an initial report on the plan including policy recommendations to the speaker of the house of representatives, the senate president, and the governor on or before December 1, 2019, and quarterly thereafter for the remainder of the biennium ending June 30, 2021.

VII. The sum of \$1 for the fiscal year ending June 30, 2020 and the sum of \$1 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of health and human services for the purposes of developing and implementing the plan required in this section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

the senate president.

V. The meetings of the working group shall be subject to RSA 91-A. The department, in consultation with the working group, shall prepare a plan to close the cliff effect for individuals and families receiving public benefits. The plan shall include, but not be limited to, policy change recommendations, the development of a benefits cliff calculator which may be used by public and private employers to navigate and close the cliff effect.

VI. The working group shall submit an initial report on the plan including policy recommendations to the speaker of the house of representatives, the senate president, and the governor on or before December 1, 2019, and quarterly thereafter for the remainder of the biennium ending June 30, 2021.

VII. The sum of \$1 for the fiscal year ending June 30, 2020 and the sum of \$1 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of health and human services for the purposes of developing and implementing the plan required in this section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

76 Department of Health and Human Services; Plan for Patients Civilly Committed to the Secure Psychiatric Unit.

I. The department of health and human services shall develop a plan for repurposing space at the New Hampshire hospital made available by the transfer of certain children and by the accelerated discharge of patients at that facility who no longer need a hospital level of care. The plan shall consider options for serving patients currently civilly committed to the secure psychiatric unit, including the following:

(a) Renovation of all or part of the repurposed space at New Hampshire hospital to make it appropriate for persons now housed at the secure psychiatric unit, along with necessary changes in clinical, security, and other activities at New Hampshire hospital; and/or

(b) Renovation or construction of a new forensic psychiatric facility.

NOT INCLUDED IN THE SENATE AMENDMENT

<p>II. The plan shall be developed in consultation with the advisory council on patients civilly committed to the secure psychiatric unit, established in RSA 622:52-a, and shall be completed no later than June 1, 2020.</p> <p>III. During the plan's development, the department shall review and consider the following:</p> <p>(a) Other states that have facilities which simultaneously serve all categories of civilly committed persons.</p> <p>(b) Input from the attorney general, the commissioner of the department of administrative services, advocacy organizations, professional associations, and the public.</p> <p>IV. Of the amount appropriated in section 231 of this act, up to \$1,225,000 shall be used for preliminary project design and engineering of the option selected for the treatment of patients currently civilly committed to the secure psychiatric unit.</p>	
<p>77 New Section; Advisory Council on Patients Civilly Committed to the Secure Psychiatric Unit. Amend RSA 622 by inserting after section 52 the following new section:</p> <p>622:52-a Advisory Council on Patients Civilly Committed to the Secure Psychiatric Unit.</p> <p>I. There is hereby established an advisory council on patients civilly committed to the secure psychiatric unit to assist the commissioner of the department of health and human services with the planning necessary to end the practice of placing civilly committed persons at the secure psychiatric unit. The members of the advisory council shall be:</p> <p>(a) Five members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(b) Two members of the senate, appointed by the senate president.</p> <p>(c) The commissioner of the department of health and human services, or designee.</p> <p>(d) The commissioner of the department of corrections, or designee.</p> <p>(e) The director of medical and forensic services, department of corrections, or designee.</p> <p>(f) The chief operating officer of the New Hampshire hospital, or designee.</p> <p>(g) One member representing New Hampshire Legal Assistance, appointed by that</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

organization.

(h) One member of the American Civil Liberties Union of New Hampshire, appointed by that organization.

(i) A representative of the National Alliance on Mental Illness New Hampshire, appointed by such organization.

(j) A representative of the New Hampshire Psychiatric Society, appointed by the society.

(k) A representative of the New Hampshire Community Behavioral Health Association, appointed by such organization.

(l) A representative of Advocates for Ethical Mental Health Treatment, appointed by such organization.

(m) A representative of the Community Support Network, Inc, appointed by that organization.

(n) Two members of the public, one of whom shall be a family member of a person who was civilly committed to the secure psychiatric unit, appointed by the governor.

II. The advisory council shall assist the commissioner of the department of health and human services in the development of plans for ending the practice of placing civilly committed persons at the secure psychiatric unit pursuant to RSA 622:45.

III. Legislative members shall receive mileage at the legislative rate while attending to the duties of the advisory council.

IV. The members of the advisory council shall elect a chairperson from among the members. The first meeting of the advisory council shall be called by the first-named house member. The first meeting of the advisory council shall be held within 30 days of the effective date of this section. Nine members of the advisory council shall constitute a quorum.

V. The advisory council shall submit an annual report on November 1 of each year, commencing November 1, 2019, and a final report on November 1, 2022, detailing its activities and findings, together with any recommendations for proposed legislation, to the speaker of the house of representatives, the president of the senate, the chairpersons of the house criminal justice and public

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<p>safety and the health, human services and elderly affairs committees, the chairpersons of the senate judiciary committee and the health and human services committee, the state library, and the governor.</p>	
<p>78 Repeal. RSA 622:52-a, relative to the advisory council on patients civilly committed to the secure psychiatric unit, is repealed.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>79 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2021.</p>	<p>77 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2021.</p>
<p>80 Liquor Commission; Processing of Merchant Cards. For the biennium ending June 30, 2021, the liquor commission, for purposes of supporting merchant card activity, may:</p> <p>I. Implement necessary business strategies in the event of a disaster or loss of services to insure the continuity of the commission's business operations, including the processing of merchant cards, which includes the ability to transfer funds from accounting unit 01-03-03-030010-7677 in consultation with the commissioner of the department of information technology. The commissioner shall report to the fiscal committee of the general court within 30 days any instances where it would need to implement such business strategies, including any costs and loss of revenue associated with the disaster or loss of services and the implementation of such business strategies.</p> <p>II. Enter into contracts for technical and hosting services to support retail operations and merchant card processing. The commission shall comply with RSA 176:18 for any contracts entered into to support retail operations and merchant card processing.</p> <p>III. Hire information technology technical support personnel to support its merchant card activity and related technical support operations in retail stores.</p>	<p>78 Liquor Commission; Processing of Merchant Cards. For the biennium ending June 30, 2021, the liquor commission, for purposes of supporting merchant card activity, may:</p> <p>I. Implement necessary business strategies in the event of a disaster or loss of services to insure the continuity of the commission's business operations, including the processing of merchant cards, which includes the ability to transfer funds from accounting unit 01-03-03-030010-7677 in consultation with the commissioner of the department of information technology. The commissioner shall report to the fiscal committee of the general court within 30 days any instances where it would need to implement such business strategies, including any costs and loss of revenue associated with the disaster or loss of services and the implementation of such business strategies.</p> <p>II. Enter into contracts for technical and hosting services to support retail operations and merchant card processing. The commission shall comply with RSA 176:18 for any contracts entered into to support retail operations and merchant card processing.</p> <p>III. Hire information technology technical support personnel to support its merchant card activity and related technical support operations in retail stores.</p>
<p>81 Public Utilities Commission; Implementation of Energy Efficiency Resource Standard. For</p>	<p>AMENDED BY THE SENATE</p> <p>79 Electric Utility Restructuring; Policy Principles; System Benefits Charge. Amend RSA 374-</p>

the biennium ending June 30, 2021, the public utilities commission shall not expend any funding on the implementation of an energy efficiency resource standard or change the system benefits charge without prior approval of the fiscal committee of the general court, except as consistent with or authorized by Order No. 25,932 issued by the public utilities commission, dated August 2, 2016.

F:3, VI to read as follows:

VI. Benefits for All Consumers. Restructuring of the electric utility industry should be implemented in a manner that benefits all consumers equitably and does not benefit one customer class to the detriment of another. Costs should not be shifted unfairly among customers. A nonbypassable and competitively neutral system benefits charge applied to the use of the distribution system may be used to fund public benefits related to the provision of electricity. Such benefits, as approved by regulators, may include, but not necessarily be limited to, programs for low-income customers, energy efficiency programs, funding for the electric utility industry's share of commission expenses pursuant to RSA 363-A, support for research and development, and investments in commercialization strategies for new and beneficial technologies. Legislative approval of the New Hampshire general court shall be required to increase the system benefits charge. This requirement of prior approval of the New Hampshire general court shall not apply to the energy efficiency portion of the system benefits charge [~~consistent with or authorized only by Order No. 25,932 issued by the commission, dated August 2, 2016.~~] *if the increase is authorized by an order of the commission to implement the 3-year planning periods of the Energy Efficiency Resource Standard framework established by commission Order No. 25,923 dated August 2, 2016, ending in 2020 and 2023, or, if for purposes other than implementing the Energy Efficiency Resource Standard, is authorized by the fiscal committee of the general court; provided, however, that no less than 20 percent of the portion of the funds collected for energy efficiency shall be expended on low-income energy efficiency programs. Energy efficiency programs should include the development of relationships with third-party lending institutions to provide opportunities for low-cost financing of energy efficiency measures to leverage available funds to the maximum extent, and shall also include funding for workforce development to minimize waiting periods for low-income energy audits and weatherization.*

82 Department of Education; Acceptance of Gifts. For the biennium ending June 30, 2021, the

80 Department of Education; Acceptance of Gifts. For the biennium ending June 30, 2021, the

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<p>department of education may, subject to the approval of the governor and council, accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of funding appropriations for New Hampshire scholars made in accounting unit 06-56-56-562010-7534.</p>	<p>department of education may, subject to the approval of the governor and council, accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of funding appropriations for New Hampshire scholars made in accounting unit 06-56-56-562010-7534.</p>
<p>83 Repeal. RSA 78-A:26, I(b), relative to disposition of income from meals and rooms tax revenue, is repealed.</p>	<p>81 Repeal. RSA 78-A:26, I(b), relative to disposition of income from meals and rooms tax revenue, is repealed.</p>
<p>84 Application of Receipts. Amend RSA 6:12, I(b)(21) to read as follows: (21) The money received under [RSA 78-A:26, I(b) and] RSA 230:52, II, which shall be credited to the division of travel and tourism development, department of business and economic affairs.</p>	<p>82 Application of Receipts. Amend RSA 6:12, I(b)(21) to read as follows: (21) The money received under [RSA 78-A:26, I(b) and] RSA 230:52, II, which shall be credited to the division of travel and tourism development, department of business and economic affairs.</p>
<p>85 Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. Amend RSA 12-O to insert after section 11-a the following new section: 12-O:11-b Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. The budget of the division of travel and tourism, including the travel and tourism development fund established by RSA 12-O:16, shall be funded at an amount no less than 3.15 percent of the net income identified by RSA 78-A:26, I for the most recently completed fiscal year.</p>	<p>83 Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. Amend RSA 12-O to insert after section 11-a the following new section: 12-O:11-b Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. The budget of the division of travel and tourism, including the travel and tourism development fund established by RSA 12-O:16, shall be funded at an amount no less than 3.15 percent of the net income identified by RSA 78-A:26, I for the most recently completed fiscal year.</p>
<p>86 Integrated Land Development Permits; Procedure Suspended. Due to budgetary and staffing constraints, RSA 489, establishing a procedure to obtain an integrated land development</p>	<p>AMENDED BY THE SENATE 84 Suspensions of Law; Travel and Tourism; Integrated Land Development: I. Distribution of Meals and Rooms Tax; Division of Travel and Tourism Development. The provisions of RSA 12-O:11-b, crediting a portion of meals and rooms tax revenue to the division of travel and tourism development, are hereby suspended for the biennium ending June 30, 2021. II. Integrated Land Development Permits; Procedure Suspended. Due to budgetary and staffing constraints, RSA 489, establishing a procedure to obtain an integrated land development</p>

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<p>permit from the department of environment services, is suspended for the biennium ending June 30, 2021.</p>	<p>permit from the department of environment services, is suspended for the biennium ending June 30, 2021.</p>
<p>87 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for the biennium ending June 30, 2021, except for projects with a substantial completion date on or before December 1, 2018, no state aid grants shall be made for any new infrastructure projects that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M.</p> <p>Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such purposes.</p>	<p>AMENDED BY THE SENATE</p> <p>85 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for the biennium ending June 30, 2021, no state aid grants shall be made for any new infrastructure projects that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M, except that infrastructure projects that have achieved substantial completion by December 31, 2019, shall be eligible for state aid grants, subject to availability of funding and in accordance with other provisions of current law.</p> <p>Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such purposes.</p>
<p>88 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the biennium ending June 30, 2021, the state shall reimburse the sheriff's office for court security at the rates provided in the collective bargaining agreement applicable to per diem court security officers employed by the judicial branch to attend any official business, for any person employed as a bailiff by the sheriff's office.</p>	<p>86 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the biennium ending June 30, 2021, the state shall reimburse the sheriff's office for court security at the rates provided in the collective bargaining agreement applicable to per diem court security officers employed by the judicial branch to attend any official business, for any person employed as a bailiff by the sheriff's office.</p>
<p>89 Department of Health and Human Services; Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program, established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2021.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>90 Treasury Department; Revenue Information Management System Account. Amend RSA 21-J:1-b, II to read as follows:</p> <p>II. The revenue increase from existing taxes attributable to the RIMS collected by the department and deposited in the revenue information management system account shall be no</p>	<p>87 Treasury Department; Revenue Information Management System Account. Amend RSA 21-J:1-b, II to read as follows:</p> <p>II. The revenue increase from existing taxes attributable to the RIMS collected by the department and deposited in the revenue information management system account shall be no</p>

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greater than \$4,000,000 each fiscal year beginning in the fiscal year ending June 30, ~~[2022]~~ **2020**, and ending ~~[in the fiscal year ending June 30, 2031]~~ **when deposits total \$40,000,000**. The commissioner shall report annually on the methodology used to determine the revenue increase to the capital budget overview committee and house and senate ways and means committees.

greater than \$4,000,000 each fiscal year beginning in the fiscal year ending June 30, ~~[2022]~~ **2020**, and ending ~~[in the fiscal year ending June 30, 2031]~~ **when deposits total \$40,000,000**. The commissioner shall report annually on the methodology used to determine the revenue increase to the capital budget overview committee and house and senate ways and means committees.

91 Capital Appropriations. Amend the footnote to 2017, 228:1, XIX to read as follows:

*To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$24,160,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes for the \$6,000,000 state appropriation shall be made from the general fund for fiscal years 2018, 2019, 2020, and 2021. Beginning with fiscal year 2022, payments of principal and interest on the bonds and notes for the appropriation of \$24,160,000 shall be made from revenue credited to a revenue information management system account established within RSA 21-J by legislation during the 2017 regular legislative session. ~~[If no such dedicated fund for a revenue information management system account within RSA 21-J becomes law during the 2017 regular legislative session, the appropriation for the project shall be reduced to the \$6,000,000 of state funds authorized in subparagraph A with payments of principal and interest on the bonds and notes to be made from the general fund]~~
Notwithstanding the prescribed commencement of principal repayment from the revenue information management system replacement account, the repayment of principal from the general fund shall total \$6 million, plus interest.

88 Capital Appropriations. Amend the footnote to 2017, 228:1, XIX to read as follows:

*To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$24,160,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes for the \$6,000,000 state appropriation shall be made from the general fund for fiscal years 2018, 2019, 2020, and 2021. Beginning with fiscal year 2022, payments of principal and interest on the bonds and notes for the appropriation of \$24,160,000 shall be made from revenue credited to a revenue information management system account established within RSA 21-J by legislation during the 2017 regular legislative session. ~~[If no such dedicated fund for a revenue information management system account within RSA 21-J becomes law during the 2017 regular legislative session, the appropriation for the project shall be reduced to the \$6,000,000 of state funds authorized in subparagraph A with payments of principal and interest on the bonds and notes to be made from the general fund]~~
Notwithstanding the prescribed commencement of principal repayment from the revenue information management system replacement account, the repayment of principal from the general fund shall total \$6,000,000, plus interest.

92 Department of Natural and Cultural Resources; Forest Lands. Amend RSA 227-G:5, I (b) to read as follows:

(b) The forest management and protection fund shall be a nonlapsing fund administered by the treasurer of the state of New Hampshire. The fund shall be expended at the discretion of the director of the division and the commissioner. Any funds in excess of that appropriated from the

89 Department of Natural and Cultural Resources; Forest Lands. Amend RSA 227-G:5, I(b) to read as follows:

(b) The forest management and protection fund shall be a nonlapsing fund administered by the treasurer of the state of New Hampshire. The fund shall be expended at the discretion of the director of the division and the commissioner. Any funds in excess of that appropriated from the

fund may be expended by the commissioner, with prior approval of the fiscal committee *pursuant to RSA 9:16-a* and governor and council, in accordance with RSA 227-G:5, I(a). Revenues shall be derived from the proceeds of the sale of timber and other forest products from state-owned forestlands, less 13 percent which shall be deposited into the general fund. Revenues shall also be derived from the lease of state-owned forestlands, or billable services provided by the division of forests and lands, if the revenues are not dedicated to any other purpose. Revenues for the fund shall also be derived from administrative fines collected pursuant to RSA 227-J:1.

fund may be expended by the commissioner, with prior approval of the fiscal committee *pursuant to RSA 9:16-a* and governor and council, in accordance with RSA 227-G:5, I(a). Revenues shall be derived from the proceeds of the sale of timber and other forest products from state-owned forestlands, less 13 percent which shall be deposited into the general fund. Revenues shall also be derived from the lease of state-owned forestlands, or billable services provided by the division of forests and lands, if the revenues are not dedicated to any other purpose. Revenues for the fund shall also be derived from administrative fines collected pursuant to RSA 227-J:1.

93 New Subparagraphs; Governor’s Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery. Amend RSA 12-J:1, IV(a) by inserting after subparagraph (6) the following new subparagraphs:

(7) A representative of the New Hampshire Hospital Association, appointed by the association.

(8) A representative of the state's faith-based community.

AMENDED BY THE SENATE

90 Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Faith-Based Member. Amend RSA 12-J:1, IV to read as follows:

IV.(a)(1) A representative of the Business and Industry Association of New Hampshire, appointed by the association.

(2) A representative of the New Hampshire Medical Society, appointed by the society.

(3) The chancellor of the community college system of New Hampshire, or designee.

(4) The chairman of the New Hampshire Suicide Prevention Council.

(5) A representative of the New Hampshire Nurses' Association, appointed by the association.

(6) A representative of the New Hampshire Charitable Foundation, appointed by the foundation.

(7) A representative of the New Hampshire Hospital Association, appointed by the association.

(b) A representative of the state's faith-based community, who shall be a nonvoting member, appointed by the governor.

(c) The members under this paragraph shall serve 3-year terms.

94 Commission Member; Faith-Based Community. The governor's commission on alcohol and drug abuse and prevention, treatment, and recovery under RSA 12-J shall convene a meeting of the state's faith-based communities to include but not be restricted to the following representatives: the Roman Catholic Diocese of Manchester, the Jewish Federation of New Hampshire, New Hampshire Council of Churches, New Hampshire Alliance, Islamic Society of New Hampshire, and Community Interfaith Councils for representation from Non-Abrahamic religions. At the meeting of this group, those attending shall choose a member to serve for a 3-year term on the commission as provided in RSA 12-J:1, IV(a)(8).

NOT INCLUDED IN THE SENATE AMENDMENT

95 New Chapter; Family and Medical Leave Insurance. Amend RSA by inserting after chapter 282-A the following new chapter:

CHAPTER 282-B
FAMILY AND MEDICAL LEAVE INSURANCE

282-B:1 Findings. The general court finds that family and medical leave insurance will help New Hampshire attract and retain workers, including younger workers, will enable parents to bond with biological, adopted, or foster children, will help meet the needs of an aging population, will advance the health of New Hampshire's workforce and workplace stability, and will enhance worker retention and productivity. The general court therefore finds that it is in the public interest to establish a system of family and medical leave insurance (FMLI) with benefits to be provided to qualified workers on a limited basis.

282-B:2 Definitions. In this chapter:

I. "Benefit year" means the 12-month period beginning with the first day of the calendar week in which the individual next files an application for FMLI benefits after the expiration of the individual's last preceding application year.

II. "Calendar quarter" has the same meaning as in RSA 282-A:5.

III. "Commissioner" means the commissioner of the department of employment security.

IV. "Department" means the department of employment security.

91 New Chapter; Family and Medical Leave Insurance. Amend RSA by inserting after chapter 282-A the following new chapter:

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III. "Commissioner" means the commissioner of the department of employment security.

IV. "Department" means the department of employment security.

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V. "Employer" has the same definition as relevant provisions of RSA 282-A:8, except as provided in RSA 282-A:9.

VI. "Employment" means wages paid for services by an employer that is covered by this chapter.

VII. "Family member" means a spouse or domestic partner under RSA 457, son, daughter, parent, stepparent, grandparent, or step grandparent related through birth, marriage, adoption, foster care, or legal guardianship.

VIII. "Family and medical leave" means leave from work:

(a) Because of the birth of a child of the employee, within the past 12 months; or

(b) Because of the placement of a child with the employee for adoption, legal guardianship, or fostering, within the past 12 months; or

(c) Because of a serious health condition of a family member; or

(d) Because of a serious health condition of the employee that isn't related to employment; or

(e) Because of any qualifying exigency arising from the foreign deployment with the Armed Forces, or to care for a service member with a serious injury or illness as permitted under the federal Family and Medical Leave Act, 29 U.S.C. section 2612(a)(1)

IX. "FMLI" means family and medical leave insurance.

X. "Federal Family and Medical Leave Act" means the federal Family and Medical Leave Act of 1993, 29 U.S.C. section 28.

XI. "Serious health condition" means any illness covered by the federal Family and Medical Leave Act including treatment for addiction as prescribed by a treating clinician, consistent with American Society of Addiction Medicine criteria, as well as treatment for a mental health condition, consistent with American Psychiatric Association criteria.

XII. "Fund" means the family and medical leave insurance fund as described in RSA 282-B:4.

282-B:3 Employer Applicability.

V. "Employer" has the same definition as relevant provisions of RSA 282-A:8, except as provided in RSA 282-A:9.

VI. "Employment" means wages paid for services by an employer that is covered by this chapter.

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(d) Because of a serious health condition of the employee that isn't related to employment; or

(e) Because of any qualifying exigency arising from the foreign deployment with the Armed Forces, or to care for a service member with a serious injury or illness as permitted under the federal Family and Medical Leave Act, 29 U.S.C. section 2612(a)(1).

IX. "FMLI" means family and medical leave insurance.

X. "Federal Family and Medical Leave Act" means the federal Family and Medical Leave Act of 1993, 29 U.S.C. chapter 28.

XI. "Serious health condition" means any illness covered by the federal Family and Medical Leave Act including treatment for addiction as prescribed by a treating clinician, consistent with American Society of Addiction Medicine criteria, as well as treatment for a mental health condition, consistent with American Psychiatric Association criteria.

XII. "Fund" means the family and medical leave insurance fund as described in RSA 282-B:4.

282-B:3 Employer Applicability.

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I. This chapter applies to the state and nongovernmental employers beginning January 1, 2020, provided that any employer may instead exercise a business option of: participating in a self-insured plan, self-insuring, purchasing insurance, providing benefits, or any combination thereof, upon employer application and certification by the commissioner or authorized representative that the employer will provide an equivalent benefit to all of its employees. If the employer is subject to a collective bargaining agreement, this chapter shall apply to the employer upon the effective date of the first successor collective bargaining agreement following January 1, 2020 to permit the employer and the union to negotiate the premium rate share under RSA 282-B:3, II. Political subdivisions of the state may opt into this chapter upon certification by the authorized representative that this chapter's insurance benefits are at least equivalent to the benefits provided under the collective bargaining agreement, provided the applicable bargaining unit has first ratified this option. Beginning January 1, 2020, this chapter shall be a mandatory subject of bargaining for collective bargaining agreements. Employees not covered by a collective bargaining agreement in a political subdivision of the state may opt into this chapter if the political subdivision has not.

II. All employers subject to this chapter shall remit FMLI premium payments on a calendar quarter basis. These quarterly insurance premium payments shall amount to 0.5 percent of wages per employee per week for each week of the preceding quarter. Employers may withhold or divert no greater than 0.5 percent of wages per week per employee to satisfy this paragraph, provided that such employers provide employees, before employment commences, a department approved information sheet containing conspicuous language explaining the costs and benefits of the insurance.

III. The penalties for falsity by employers shall be in accordance and consistent with RSA 282-A:166. The process for failing to adequately report shall be in accordance and consistent with RSA 282-A:151-152 and 282-A:166-a, and any resulting appeals shall be processed in accordance and consistent with RSA 282-A:94-98.

282-B:4 Family and Medical Leave Insurance Fund; Administration. The department shall create and administer a family and medical leave insurance fund for deposits of insurance payments

I. This chapter applies to the state and nongovernmental employers beginning January 1, 2020, provided that any employer may instead exercise a business option of: participating in a self-insured plan, self-insuring, purchasing insurance, providing benefits, or any combination thereof, upon employer application and certification by the commissioner or authorized representative that the employer will provide an equivalent benefit to all of its employees. If the employer is subject to a collective bargaining agreement, this chapter shall apply to the employer upon the effective date of the first successor collective bargaining agreement following January 1, 2020 to permit the employer and the union to negotiate the premium rate share under RSA 282-B:3, II. Political subdivisions of the state may opt into this chapter upon certification by the authorized representative that this chapter's insurance benefits are at least equivalent to the benefits provided under the collective bargaining agreement, provided the applicable bargaining unit has first ratified this option. Beginning January 1, 2020, this chapter shall be a mandatory subject of bargaining for collective bargaining agreements. Employees not covered by a collective bargaining agreement in a political subdivision of the state may opt into this chapter if the political subdivision has not.

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282-B:4 Family and Medical Leave Insurance Fund; Administration. The department shall create and administer a family and medical leave insurance fund for deposits of insurance payments

paid pursuant to RSA 282-B:3, and accept any other deposit of moneys as authorized by law or by the commissioner or authorized representative. No FMLI fund moneys shall be commingled with unemployment insurance fund moneys. The department may withdraw or deduct from the FMLI fund where there are qualifying FMLI benefit payments or for any amounts reasonably necessary to implement and administer the provisions of this chapter or to repay any start-up loan.

282-B:5 Employer and Employee Responsibilities.

I. An employee shall both file an application with the department, including any applicable medical certification or birth certificate, and provide his or her employer with written notice of intent to take a leave of absence at least 30 days before the leave will begin unless the leave was not reasonably foreseeable or the time of the leave changes due to circumstances that were not reasonably foreseeable, provided, however, that the employee shall provide notice as soon as practicable. An employee's failure to provide required notice may delay or reduce benefits.

II. Any employee of an employer covered under the federal Family and Medical Leave Act who takes leave under this chapter shall be restored to the position he or she held in the application period or to an equivalent position by his or her employer. Employers shall continue to provide health insurance to employees during the leave, but employees remain responsible for any employee-shared costs associated with the health insurance benefits. Employers shall not retaliate against any employee solely for exercising his or her rights under this chapter.

III. An employer may require that leave taken under this chapter be taken concurrently or otherwise coordinated with leave allowed under the terms of a collective bargaining agreement or employer policy. The employer shall give individuals in its employ written notice of this requirement.

282-B:6 Eligibility Process, Calculation, and Appeals.

I. An employee shall be limited to up to 12 weeks of FMLI in any one application period. An employee shall have had premium payments remitted as a percent of his or her wages for at least 6 months to be eligible for benefits and shall have worked in employment resulting in wages in the amount of at least 1,040 multiplied by the applicable minimum wage, in either the “base period” or

paid pursuant to RSA 282-B:3, and accept any other deposit of moneys as authorized by law or by the commissioner or authorized representative. No FMLI fund moneys shall be commingled with unemployment insurance fund moneys. The department may withdraw or deduct from the FMLI fund where there are qualifying FMLI benefit payments or for any amounts reasonably necessary to implement and administer the provisions of this chapter or to repay any start-up loan.

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I. An employee shall be limited to up to 12 weeks of FMLI in any one application period. An employee shall have had premium payments remitted as a percent of his or her wages for at least 6 months to be eligible for benefits and shall have worked in employment resulting in wages in the amount of at least 1,040 multiplied by the applicable minimum wage, in either the “base period” or

“alternative base period,” as those terms are defined in RSA 282-A:2.

II. An employee shall be eligible for FMLI for reasons identified in paragraph I and RSA 282-B:2, IX.

III. The calculation of weekly FMLI benefits shall be the highest quarter of wages in either the base period or alternate base period as defined in RSA 282-A:2, then divided by 13 and multiplied by 0.6, provided that no such calculation of FMLI benefits shall be less than \$125 per week or greater than 0.85 of the average weekly wage in New Hampshire. The calculation for partial FMLI benefits shall be in a manner consistent with RSA 282-A:14.

IV. The process for FMLI benefits claims, violations, and any resulting appeals shall be in accordance and consistent with RSA 282-A:42 through RSA 282-A:68 and RSA 282-A:118. Processing of benefits claims and benefit payment may be administered by a third party selected through a request for proposals issued by the department. The standard and process for handling overpayments shall be in accordance and consistent with RSA 282-A:29, RSA 282-A:141-RSA 282-A:156 and RSA 282-A:165. In addition, an individual shall be disqualified from FMLI benefits beginning with the first day of the calendar week, and continuing for the next 26 weeks, in which the individual has been found to willfully made a false statement or misrepresentation regarding a material fact, or willfully failed to report a material fact, to obtain benefits under this chapter.

282-B:7 Limitations. Nothing in this chapter shall diminish an employer's obligation to comply with a collective bargaining agreement or employer policy, nor does this chapter, or any decision by the commissioner or authorized representative under this chapter, limit the ability of employers to provide FMLI benefits or benefits beyond what is required by this chapter.

282-B:8 Report and Outreach.

I. The department shall make public and provide semi-annual reports to the governor, senate president, speaker of the house of representatives, and the advisory council established pursuant to RSA 282-A:128 involving a summary to include but not be limited to, compliance with this chapter, payments into and out of the fund, fund balance, usage rates including for low wage employees, and retention of employees who received FMLI benefits.

“alternative base period,” as those terms are defined in RSA 282-A:2.

II. An employee shall be eligible for FMLI for reasons identified in paragraph I and RSA 282-B:2, IX.

III. The calculation of weekly FMLI benefits shall be the highest quarter of wages in either the base period or alternate base period as defined in RSA 282-A:2, then divided by 13 and multiplied by 0.6, provided that no such calculation of FMLI benefits shall be less than \$125 per week or greater than 0.85 of the average weekly wage in New Hampshire. The calculation for partial FMLI benefits shall be in a manner consistent with RSA 282-A:14.

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282-B:7 Limitations. Nothing in this chapter shall diminish an employer's obligation to comply with a collective bargaining agreement or employer policy, nor does this chapter, or any decision by the commissioner or authorized representative under this chapter, limit the ability of employers to provide FMLI benefits or benefits beyond what is required by this chapter.

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II. The department shall develop and implement an outreach program to ensure that individuals who may be eligible to receive FMLI benefits under this chapter are made aware of these benefits. Outreach information shall explain in an easy to understand format, eligibility requirements, the claims process, weekly benefit amounts, maximum benefits available, notice requirements, reinstatement and non-discrimination rights, confidentiality, and coordination of leave under this chapter and other laws, collective bargaining agreements, and employer policies.

282-B:9 Rulemaking. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to this chapter. In adopting rules, the commissioner shall maintain consistency with the rules adopted to implement the federal Family and Medical Leave Act, to the extent such rules are not in conflict with this chapter.

282-B:10 Sustainability Mechanism. The commissioner shall continuously monitor the solvency of the fund. Should the commissioner determine at any time that the solvency of the fund is in jeopardy, or that the fund is in excess of necessary funds, the commissioner shall provide the advisory council with data supporting such solvency determination and may prospectively, effective in a future calendar quarter, increase or reduce FMLI premiums in RSA 282-B:3, II, decrease the benefits payable in RSA 282-B:6, III, or decrease the allowable length of leave in RSA 282-B:6, I, or any combination thereof, provided such prospective changes are cumulatively no greater than or less than 10 percent of those required under this chapter. If the commissioner thereafter determines such changes are no longer necessary for fund solvency the commissioner shall reverse such changes. Advance notice of any and all changes pursuant to this paragraph shall be provided to all covered employers and employees.

282-B:11 Family and Medical Leave Insurance Program; Funding Transfer and Repayment. The state treasurer shall transfer funds from the general fund to the department of employment security for payment of the initial administrative and implementation costs associated with this chapter. Within the first 5 years after the family and medical leave insurance program becomes operational, the department shall repay the general fund transfer in installments from funds deducted from the family medical leave insurance fund.

II. The department shall develop and implement an outreach program to ensure that individuals who may be eligible to receive FMLI benefits under this chapter are made aware of these benefits. Outreach information shall explain in an easy to understand format, eligibility requirements, the claims process, weekly benefit amounts, maximum benefits available, notice requirements, reinstatement and non-discrimination rights, confidentiality, and coordination of leave under this chapter and other laws, collective bargaining agreements, and employer policies.

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<p>96 Advisory Council. Amend RSA 282-A:128 to read as follows:</p> <p>282-A:128 Advisory Council. There is hereby created within the unemployment compensation bureau an advisory council on unemployment compensation <i>and family medical leave insurance</i>, hereinafter called the advisory council. The advisory council shall consist of 9 members to be appointed, with the exception of the legislative members, by the governor with the consent and advice of the governor's council. Three of the appointees of this advisory council shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employers; 3 shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employees; one shall be a senator appointed by the senate president; one shall be a representative [from the labor, industrial and rehabilitative services committee] appointed by the speaker of the house; the remaining appointee, who shall be designated as chairman, shall be a person whose training and experience qualify him <i>or her</i> to deal with the problems of unemployment compensation. Such advisory council shall meet no later than 45 days after each calendar quarter and aid the commissioner in formulating policies and discussing problems related to the administration of this chapter <i>and RSA 282-B</i> and in assuring impartiality and freedom from political influence in the solution of such problems. Advisory council meetings shall provide opportunity for public comment. <i>The advisory council shall quarterly review and evaluate family medical leave insurance and, after 2 years of administration, the commissioner shall assess utilization, finances, and benefit levels and provide the general court with rate adjustment or fiscal recommendations.</i></p>	<p>92 Advisory Council. Amend RSA 282-A:128 to read as follows:</p> <p>282-A:128 Advisory Council. There is hereby created within the unemployment compensation bureau an advisory council on unemployment compensation <i>and family medical leave insurance</i>, hereinafter called the advisory council. The advisory council shall consist of 9 members to be appointed, with the exception of the legislative members, by the governor with the consent and advice of the governor's council. Three of the appointees of this advisory council shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employers; 3 shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employees; one shall be a senator appointed by the senate president; one shall be a representative [from the labor, industrial and rehabilitative services committee] appointed by the speaker of the house; the remaining appointee, who shall be designated as chairman, shall be a person whose training and experience qualify him <i>or her</i> to deal with the problems of unemployment compensation. Such advisory council shall meet no later than 45 days after each calendar quarter and aid the commissioner in formulating policies and discussing problems related to the administration of this chapter <i>and RSA 282-B</i> and in assuring impartiality and freedom from political influence in the solution of such problems. Advisory council meetings shall provide opportunity for public comment. <i>The advisory council shall quarterly review and evaluate family medical leave insurance and, after 2 years of administration, the commissioner shall assess utilization, finances, and benefit levels and provide the general court with rate adjustment or fiscal recommendations.</i></p>
<p>97 New Subparagraph; State Treasurer; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the family and medical leave insurance fund established in RSA 282-B:4.</p>	<p>93 New Subparagraph; State Treasurer; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the family and medical leave insurance fund established in RSA 282-B:4.</p>

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<p>98 Repeal. RSA 6:12, I(b)(237), relative to the moneys deposited in the civil legal services fund, is repealed.</p>	<p>94 Repeal. RSA 6:12, I(b)(237), relative to the moneys deposited in the civil legal services fund, is repealed.</p>
<p>99 Civil Legal Assistance. Amend RSA 525-A:1 and 525-A:2 to read as follows:</p> <p>525-A:1 [Civil Legal Assistance] Statement of Purpose. Funds appropriated to New Hampshire Legal Assistance for the purposes of civil legal assistance shall be used [only for the provision of civil legal representation to low income persons in this state. New Hampshire Legal Assistance shall make reports to the judicial council by June 30 and December 31 of each year on its use of state funds] to enable the state to fund civil legal services to low-income persons in the state.</p> <p>525-A:2 Civil Legal Services [Fund]. [There is established in the office of the state treasurer a separate fund to be known as the civil legal services fund. The money in this fund shall be distributed to] Funds appropriated to New Hampshire Legal Assistance [to] shall be used to [establish and operate offices in the cities of Nashua and Concord to] provide civil legal services to low-income persons in [the cities of Nashua and Concord and the surrounding areas, and to provide additional attorneys, paralegals, or both, to the staff of the New Hampshire Legal Assistance offices in Manchester, Claremont, Portsmouth, and Littleton] the state. These civil legal services shall include services related to such issues as housing, social security and other government benefits, health care, domestic violence, and consumer issues. New Hampshire Legal Assistance shall report semi-annually to the judicial council as to its use of these funds [in accordance with RSA 525 A:1].</p>	<p>95 Civil Legal Assistance. Amend RSA 525-A:1 and 525-A:2 to read as follows:</p> <p>525-A:1 [Civil Legal Assistance] Statement of Purpose. Funds appropriated to New Hampshire Legal Assistance for the purposes of civil legal assistance shall be used [only for the provision of civil legal representation to low income persons in this state. New Hampshire Legal Assistance shall make reports to the judicial council by June 30 and December 31 of each year on its use of state funds] to enable the state to fund civil legal services to low-income persons in the state.</p> <p>525-A:2 Civil Legal Services [Fund]. [There is established in the office of the state treasurer a separate fund to be known as the civil legal services fund. The money in this fund shall be distributed to] Funds appropriated to New Hampshire Legal Assistance [to] shall be used to [establish and operate offices in the cities of Nashua and Concord to] provide civil legal services to low-income persons in [the cities of Nashua and Concord and the surrounding areas, and to provide additional attorneys, paralegals, or both, to the staff of the New Hampshire Legal Assistance offices in Manchester, Claremont, Portsmouth, and Littleton] the state. These civil legal services shall include services related to such issues as housing, social security and other government benefits, health care, domestic violence, and consumer issues. New Hampshire Legal Assistance shall report semi-annually to the judicial council as to its use of these funds [in accordance with RSA 525 A:1].</p>
<p>100 Health Facilities Licensure; Applicability of Moratorium. Amend RSA 151:2, VI(a) to read as follows:</p> <p>VI.(a) No new license shall be issued for, and there shall be no increase in licensed capacity of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

<p>for substance use disorder or mental health issues <i>or to any continuing care facility for which a certificate of authority has been issued by the insurance commissioner pursuant to RSA 420-D:2.</i></p>	
<p>101 New Chapter; Sports Betting. Amend RSA by inserting after chapter 287-H the following new chapter:</p> <p style="text-align: center;">CHAPTER 287-I SPORTS BETTING</p> <p>287-I:1 Definitions. In this chapter:</p> <p style="padding-left: 40px;">I. "Agent" means a party who is authorized by contract or agreement with the commission to conduct a sports book.</p> <p style="padding-left: 40px;">II. "Authorized sports bettor" means an individual 18 years of age or older who is physically present in the state of New Hampshire when placing a sports wager with the commission or an authorized agent of the commission and is not a prohibited sports bettor.</p> <p style="padding-left: 40px;">III. "Collegiate sports event" means a sports or athletic event participated in or offered or sponsored by a public or private institution that offers educational services beyond the secondary level.</p> <p style="padding-left: 40px;">IV. "Commission" means the lottery commission.</p> <p style="padding-left: 40px;">V. "Director" means the executive director of the lottery commission or designee.</p> <p style="padding-left: 40px;">VI. "High school sports event" " means a sports or athletic event participated in or offered or sponsored by a public or private institution that offers educational services at the secondary level.</p> <p style="padding-left: 40px;">VII. "In-play sports wager" means a sports wager on a sports event after the sports event has begun and before it ends.</p> <p style="padding-left: 40px;">VIII. "Mobile sports wagering platform" means the combination of hardware, software, and data networks used to manage, administer, record, or control sports wagers.</p>	<p>AMENDED BY THE SENATE</p> <p>96 New Chapter; Sports Betting. Amend RSA by inserting after chapter 287-H the following new chapter:</p> <p style="text-align: center;">CHAPTER 287-I SPORTS BETTING</p> <p>287-I:1 Definitions. For the purposes of this chapter these words shall have the following meaning:</p> <p style="padding-left: 40px;">I. "Agent" means a party who is authorized by contract or agreement with the commission to conduct a sports book.</p> <p style="padding-left: 40px;">II. "Authorized sports bettor" means an individual 18 years of age or older who is physically present in the state of New Hampshire when placing a sports wager with the commission or an authorized agent of the commission and is not a prohibited sports bettor.</p> <p style="padding-left: 40px;">III. "Collegiate sports event" means a sports or athletic event participated in or offered or sponsored by a public or private institution that offers educational services beyond the secondary level.</p> <p style="padding-left: 40px;">IV. "Commission" means the lottery commission.</p> <p style="padding-left: 40px;">V. "Director" means the executive director of the lottery commission or designee.</p> <p style="padding-left: 40px;">VI. "High school sports event" " means a sports or athletic event participated in or offered or sponsored by a public or private institution that offers educational services at the secondary level.</p> <p style="padding-left: 40px;">VII. "In-play sports wager" means a sports wager on a sports event after the sports event has begun and before it ends.</p> <p style="padding-left: 40px;">VIII. "Mobile sports wagering platform" means the combination of hardware, software, and data networks used to manage, administer, record, and/or control sports wagers.</p>

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IX. "Professional sports event" means an event at which 2 or more persons participate in a sports or athletic event and receive compensation in excess of actual expenses for their participation in such event.

X. "Prohibited sports bettor" means:

(a) Any member or employee of the commission and any spouse, child, sibling, or parent residing in the same household as a member or employee of the commission.

(b) Any principal or employee of any agent.

(c) Any contractor of the commission or its agent when such contract relates to the conduct of sports wagering.

(d) Any contractor or employee of an entity that conducts sports wagering in another jurisdiction when the bettor possesses confidential nonpublic information as a result of his or her contract or employment relating to the wager being placed.

(e) Any amateur or professional athlete if the sports wager is based in whole or part on a sport or athletic event overseen by the athlete's governing sports body.

(f) Any sports agent, owner or employee of a team, player, umpire, referee, coach, union official, or official of a sports governing body if the sports wager is based in whole or part on a sport or athletic event overseen by the governing body which oversees the individual's sport.

(g) Any individual placing a wager as an agent of or proxy for a prohibited sports bettor.

(h) Any person under the age of 18.

XI. "Prohibited sports event" means:

(a) A collegiate sports event in which one of the participants is a collegiate team of a college institution that is primarily located in New Hampshire;

(b) A collegiate sports event that takes place in New Hampshire;

(c) Any high school sports event in any location;

(d) Any amateur sports event where the participants are primarily under the age of 18; provided that "prohibited sports event" does not include the games of a collegiate sports tournament in which a New Hampshire college team participates, nor does it include any games of a collegiate

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sports tournament that occurs outside New Hampshire even though some of the individual games or events are held in New Hampshire; and provided further that sports wagers are permitted on collegiate sports tournament games in which a New Hampshire college team participates only if the outcome of the wager is based on the outcome of all games within the tournament.

XII. "Sports governing body" means the organization that prescribes final rules and enforces codes of conduct with respect to a sporting event and participants therein.

XIII. "Sports book" means the business of accepting wagers on any sports event by any system or method of wagering.

XIV. "Sports wager" means cash or cash equivalent paid by an individual to participate in sports wagering.

XV. "Sports wagering" means wagering on sporting events or any portion thereof, or on the individual performance statistics of athletes participating in a sports event, or combination of sports events, by any system or method of wagering, including but not limited to in person communication and electronic communication through Internet websites accessed via a mobile device or computer and mobile device applications. The term sports wagering shall include, but not be limited to, single game bets, teaser bets, parlays, over-under bets, money line bets, books, exchange wagering, in game wagering, in-play bets, proposition bets, and straight bets.

XVI. "Tier I sports wager" means a sports wager that is placed before the start of the sports event and is determined solely by the final score or final outcome of that single sports event.

XVII. "Tier II sports wager" means an in-play sports wager.

XVIII. "Tier III sports wager" means a sports wager that is neither a tier I or tier II wager.

287-I:2 Sports Book Authorized. The commission is authorized to operate a sports book for the purposes of accepting and paying sports wagers by authorized bettors within the state in conformance with the requirements of this chapter.

287-I:3 Commission Agents. The commission shall conduct a sports book for sports wagering through agents selected through a competitive bid process and approved by the governor and executive council. Any such contract shall be based on the state receiving a percentage of revenue

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287-I:2 Sports Book Authorized. The commission is authorized to operate a sports book for the purposes of accepting and paying sports wagers by authorized bettors within the state in conformance with the requirements of this chapter.

287-I:3 Commission Agents. The commission shall conduct sports books for sports wagering through agents selected through a competitive bid process and approved by the governor and executive council. Any such contract shall be based on the state receiving a percentage of revenue

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from sports wagering activities within the state. The commission shall ensure that an agent demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting an agent, the commission shall consider, at a minimum, the experience and background of the agent, the agent's ability to serve proposed locations for sports book retail operations, the agent's mobile and Internet capabilities, the agent's contribution to economic development within the state, the agent's commitment to prevention of problem gambling, to responsible gaming, and to integrity in betting. The commission shall select a group of bidders who best meet the criteria set forth in this paragraph and select from that group the agent or agents whose bid provides the state with the highest percentage of revenue from the sports wagering activities covered by the bid, provided that the commission determines that the bidder's commitment to return said revenue percentage to the state is consistent with the bidder's commitment to meet all other criteria specified in the bid request and in applicable law. All agents shall be subject to criminal and financial background checks as prescribed by the commission. **The commission may retain vendors to support the commission in operating a sports book.**

287-I:4 Commission Directed Sports Wagering. The commission is further authorized to directly offer lottery games to authorized bettors within the state in the form of tier III sports wagers through the commission's lottery retailers subject to the provisions of this chapter.

287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to operate physical sports book retail locations within the state for the purposes of accepting tier I and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The sports book retail locations may be co-located with other commercial businesses or general commercial retail locations. No more than 10 sports book retail locations may be in operation at any given time.

287-I:6 Local Option for Operation of Sports Book Retail Locations.

I. Any town or city may allow the operation of a sports book retail location according to the provisions of this subdivision, in the following manner, excepting that nothing in this section shall be

from sports wagering activities within the state. The commission shall ensure that an agent demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting an agent, the commission shall consider, at a minimum, the experience and background of the agent, the agent's ability to serve proposed locations for sports book retail operations, the agent's mobile and Internet capabilities, the agent's contribution to economic development within the state, the agent's commitment to prevention of problem gambling, to responsible gaming, and to integrity in betting. The commission shall select a group of bidders who best meet the criteria set forth in this paragraph and select from that group the agent or agents whose bids provide the state with the highest percentage of revenue from the sports wagering activities covered by the bid **or bids**, provided that the commission determines that the bidder's commitment to return said revenue percentage to the state is consistent with the bidder's commitment to meet all other criteria specified in the bid request and in applicable law. All agents shall be subject to criminal and financial background checks as prescribed by the commission.

287-I:4 Commission Directed Sports Wagering. The commission is further authorized to directly offer lottery games to authorized bettors within the state in the form of tier III sports wagers through the commission's lottery retailers subject to the provisions of this chapter. **The commission may retain vendors to support the commission in operating a sports book and such vendors shall be selected through a competitive bid process and approved by the governor and executive council.**

287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to operate physical sports book retail locations within the state for the purposes of accepting tier I and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The sports book retail locations may be co-located with other commercial businesses or general commercial retail locations. No more than 10 sports book retail locations may be in operation at any given time.

287-I:6 Local Option for Operation of Sports Book Retail Locations.

I. Any town or city may allow the operation of a sports book retail location according to the provisions of this subdivision, in the following manner, excepting that nothing in this section shall be

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construed to prohibit Internet or mobile wagering or lottery games involving tier III sports wagers in the jurisdiction, if so authorized by the passage of this statute.

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 25 of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of sports book retail locations within the town or city?"

II. If a majority of those voting on the question vote "Yes", sports book retail locations may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of sports book retail locations may consider rescinding its action in the manner described in paragraph I of this section.

V. An unincorporated place may allow the operation of a physical sports book retail location by majority vote of the county delegation, after a public hearing is held.

VI. The commission shall maintain a list of municipalities where sports book retail locations may be placed into operation.

287-I:7 Mobile Sports Wagering Authorized. The commission and its agent are authorized to operate a sports book through a mobile sports wagering platform by mobile devices or over the Internet. With respect to mobile sports wagering, the commission, either independently, or through its agent, shall provide:

construed to prohibit Internet or mobile wagering or lottery games involving tier III sports wagers in the jurisdiction, if so authorized by the passage of this statute.

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 25 of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of sports book retail locations within the town or city?"

II. If a majority of those voting on the question vote "Yes", sports book retail locations may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of sports book retail locations may consider rescinding its action in the manner described in paragraph I of this section.

V. An unincorporated place may allow the operation of a physical sports book retail location by majority vote of the county delegation, after a public hearing is held.

VI. The commission shall maintain a list of municipalities where sports book retail locations may be placed into operation.

287-I:7 Mobile Sports Wagering Authorized. The commission and its agents are authorized to operate sports books that offer tier I, tier II, and tier III sports wagers through a mobile sports wagering platform by mobile devices or over the Internet. No more than 5 mobile sports wagering agents shall be in operation at any given time. With respect to mobile sports wagering, the

I. Age verification measures to be undertaken to block access to and prevent sports wagers by persons under the age of 18 years.

II. Identity verification through secure online databases or by examination of photo identification.

III. That electronic data related to sports wagers must be initiated and received within the geographic borders of the state of New Hampshire and may not be intentionally routed outside of the state. The incidental intermediate routing of electronic data shall not determine the location or locations in which a bet or wager is initiated, received, or otherwise made.

IV. Wager limits for daily, weekly, and monthly amounts for each player and account consistent with the best practices in addressing problem gambling.

V. A voluntary self-exclusion program for players to self-exclude themselves from wagering for set periods of time.

VI. Security mechanisms to ensure the confidentiality of wagering and personal and financial information except as otherwise authorized by this chapter.

287-I:8 Sports Wagering Supervision. The commission shall create a division of sports wagering which will be responsible for ensuring compliance with the requirements of this chapter and any rules adopted by the commission in accordance with the authorities granted under this chapter. In addition, the division, under the direction of the director and commission, shall ensure that the commission's agents and vendors comply with the following obligations:

I. Each agent or vendor engaged in sports wagering shall submit a security and internal control report for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. This report shall address all aspects of security and controls including physical security, personnel security, and computer systems security including:

(a) Surveillance plans for all retail sports book locations, including surveillance coverage and direct access for the commission to the surveillance system.

(b) User access controls for sports book personnel.

commission, either independently, or through its agent, shall provide:

I. Age verification measures to be undertaken to block access to and prevent sports wagers by persons under the age of 18 years.

II. Identity verification through secure online databases or by examination of photo identification.

III. That mobile sports wagers must be initiated and received within the geographic borders of the state of New Hampshire and may not be intentionally routed outside of the state. The incidental intermediate routing of mobile sports wager shall not determine the location or locations in which such a wager is initiated, received, or otherwise made.

IV. Wager limits for daily, weekly, and monthly amounts consistent with the best practices in addressing problem gambling.

V. A voluntary self-exclusion program for players to self-exclude themselves from wagering for set periods of time.

VI. Security mechanisms to ensure the confidentiality of wagering and personal and financial information except as otherwise authorized by this chapter.

287-I:8 Sports Wagering Supervision. The commission shall create a division of sports wagering which will be responsible for ensuring compliance with the requirements of this chapter and any rules promulgated by the commission in accordance with the authorities granted under this chapter. In addition, the division, under the direction of the director and commission, shall ensure that the commission's agents and vendors comply with the following obligations:

I. Each agent or vendor engaged in sports wagering shall submit a security and internal control report for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. This report shall address all aspects of security and controls including physical security, personnel security, and computer systems security including:

(a) Surveillance plans for all retail sports book locations, including surveillance coverage and direct access for the commission to the surveillance system.

(b) User access controls for sports book personnel.

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(c) Segregation of duties within the sports book.

(d) Employment background checks and policies.

(e) Automated and manual risk management procedures.

(f) Procedures for identifying and reporting fraud and suspicious conduct.

(g) Procedures to establish connectivity with monitoring services or sports governing bodies relating to suspicious activity.

(h) Any and all monitoring systems utilized by the agent or vendor to report and receive information on suspicious betting activities.

(i) Systems and procedures to prevent prohibited sports bettors from placing wagers.

(j) Description of anti-money laundering compliance standards.

(k) Descriptions of all integrated third-party systems or components and the security procedures relating to those systems.

II. For each wagering computer system used to conduct sports wagering, including all mobile sports wagering platforms within the state, the agent or vendor providing such system shall provide a detailed computer system security report to be approved by the commission prior to the acceptance of wagers and each year thereafter. The report shall address the issues set forth in the security and internal control report along with the following:

(a) Documented system security testing performed by a licensed third-party contractor approved by the commission;

(b) A description of all software applications that comprise the system;

(c) A procedure for third-party auditing of financial transactions received by the system;

(d) A description of all types of wagers supported by the system;

(e) Unique identification and verification systems for wagers;

(f) Procedures to prevent past posting of wagers;

(g) A list of data recorded relating to each wager;

(h) System redundancy to ensure recording of wagers during a system outage;

(i) A mechanism to provide read only access to the commission to the back office system

(c) Segregation of duties within the sports book.

(d) Employment background checks and policies.

(e) Automated and manual risk management procedures.

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for the purposes of reviewing and auditing wagering activities;

(j) Integration with an independent control system to ensure integrity of system wagering information;

(k) Capabilities for canceling existing wagers, freezing or suspending wagering across the platform, or for specific events; and

(l) Any other issue identified by the division upon review of the proposed gaming system.

III. Each agent engaged in sports wagering shall submit house rules for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter.

These house rules shall include at a minimum:

(a) The method for calculation and payment of winning wagers.

(b) The effect of schedule changes for a sports event.

(c) The method of notifying bettors of odds or proposition changes.

(d) Acceptance of wagers at terms other than those posted.

(e) Expiration dates for winning tickets.

(f) Rules for payment of wagers made after a material error in setting odds or a proposition for an event by the sports book.

(g) Method of contacting the agent or vendor for questions or complaints.

(h) Description of those persons who are prohibited from wagering with the agent or contractor if broader than the prohibited bettors list set forth in this section.

(i) The method and location for posting and publishing the approved house rules.

IV. Each agent or vendor engaged in sports wagering shall submit accounting controls for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. These accounting controls shall include at a minimum:

(a) A process for documenting and verifying beginning of day cash balance;

(b) Processes for recording collection of wagers, payment of wagers, and cancellation of wagers issued;

(c) Processes for handling cash within sports book retail locations including segregation

for the purposes of reviewing and auditing wagering activities;

(j) Integration with an independent control system to ensure integrity of system wagering information;

(k) Capabilities for canceling existing wagers, freezing or suspending wagering across the platform, or for specific events; and

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These house rules shall include at a minimum:

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(b) The effect of schedule changes for a sports event.

(c) The method of notifying bettors of odds or proposition changes.

(d) Acceptance of wagers at terms other than those posted.

(e) Expiration dates for winning tickets.

(f) Circumstances under which the agent will void a bet.

(g) Treatment of errors, late bets, and related contingencies.

(h) Method of contacting the agents or vendor for questions or complaints.

(i) Description of those persons who are prohibited from wagering with the agents of contractor if broader than the prohibited bettors list set forth in this section.

(j) The method and location for posting and publishing the approved house rules.

IV. Each agent or vendor engaged in sports wagering shall submit accounting controls for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. These accounting controls shall include at a minimum:

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of duties related to counting and storage of cash; and

(d) The establishment of a segregated account related to New Hampshire sports wagering activities.

V. The commission's agent shall submit a responsible gaming plan for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. This plan should include identification of posting and materials related to problem gaming, resources to be made available to bettors expressing concerns about problem gaming, house imposed player limits, and self-exclusion programs.

VI. The commission's agent shall maintain a cash reserve available to pay wagers as determined by the commission.

VII. The commission's agent or vendor shall not accept any wager on a sports event unless it has received approval from the commission to conduct that type or category of wager. A type of wager refers to the method of determining the outcome of the wager. The category refers to the kind of event being wagered on. The commission shall approve wager categories and types in a reasonable time frame. Once a particular category or wager type is approved for its first use it may be used on multiple events without further approval.

VIII. The commission shall only approve wagers on categories of events where:

- (a) The outcome can be verified;
- (b) The outcome can be generated by a reliable and independent process; and
- (c) The event is conducted in conformity with applicable laws.

IX. Wagers made under this section shall be made with:

- (a) Cash;
- (b) Cash equivalent;
- (c) PayPal;
- (d) Debit card;
- (e) ACH;
- (f) Promotional funds; and

of duties related to counting and storage of cash; and

(d) The establishment of a segregated account related to New Hampshire sports wagering activities.

V. The commission's agents shall submit a responsible gaming plan for the division's review and approval prior to conducting any sports wagering within the state and every year thereafter. This plan should include identification of posting and materials related to problem gaming, resources to be made available to bettors expressing concerns about problem gaming, house imposed player limits, and self-exclusion programs.

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(g) Any other means approved by the executive director.

X. Any agent or contractor who sends or receives electronic data related to sports wagers is responsible to ensure that any transfer of that data is initiated and completed within the state of New Hampshire and that only incidental intermediate routing of the electronic data occurs outside of the state. The agent and contractor shall be responsible for periodically reviewing their information technology systems and networks to ensure compliance with this section.

287-I:9 Proceeds to Education Fund. The proceeds received by the commission from sports wagering, less the administrative costs of the commission, prizes paid, and payments for problem gambling services, shall be deposited in the education trust fund established in RSA 198:39.

287-I:10 Limitations on Sports Wagers. The commission and its agents are prohibited from the following activities:

I. Accepting or making payment relating to sports wagers made by prohibited sports bettors.

II. Accepting sports wagers on prohibited sports events.

III. Accepting sports wagers from persons who are physically outside of the state of New Hampshire at the time of the sports wager.

287-I:11 Disclosure of Data Source. The commission and agents shall publicly disclose the source of the data that will be used to determine the outcome of a tier II or tier III wager.

287-I:12 Risk Management. The commission's agent may take any risk management strategies as authorized by the director.

287-I:13 Maintaining Sports Integrity. The commission and agent may participate in national and international monitoring services and associations and may share betting information with those entities and sports governing bodies in order to ensure the integrity of sports wagers and sports events. The director may restrict, limit, or exclude wagering on a sports event if he or she determines that such an action is necessary to ensure the integrity of the sports book.

287-I:14 Financial Reports. The commission may seek financial and compliance reports from its agent periodically and may conduct audits of these reports to ensure that the state receives the agreed upon revenue sharing proceeds.

(g) Any other means approved by the executive director.

X. Any agent or contractor who sends or receives electronic sports wagers is responsible to ensure that any transfer of that wager is initiated and received and completed within the state of New Hampshire and that only incidental intermediate routing of the wager occurs outside of the state. The agent and contractor shall be responsible for periodically reviewing their information technology systems and networks to ensure compliance with this section.

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<p>287-I:15 Compliance Reviews. The commission shall retain oversight of its agent to ensure that all sports wagering activities are conducted in accordance with this statute and any rules adopted by the commission.</p> <p>287-I:16 Fantasy Sports Exempted. Nothing in this chapter shall apply to fantasy sports contests authorized pursuant to RSA 287-H.</p> <p>287-I:17 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to the operation, conduct, location, and oversight of sports books. The commission may enact emergency rules, which will take effect upon approval.</p>	<p>287-I:15 Compliance Reviews. The commission shall retain oversight of its agents to ensure that all sports wagering activities are conducted in accordance with this statute and any rules adopted by the commission.</p> <p>287-I:16 Fantasy Sports Exempted. Nothing in this chapter shall apply to fantasy sports contests authorized pursuant to RSA 287-H.</p> <p>287-I:17 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to the operation, conduct, location, and oversight of sports books. The commission may enact emergency rules, which will take effect upon approval.</p>
<p>102 Bets Void. Amend RSA 338:2 to read as follows:</p> <p>338:2 Bets Void. <i>Except as authorized by the lottery commission</i>, all bets and wagers upon any question where the parties have no interest in the subject except that created by the wager are void; and either party may recover any property by him <i>or her</i> deposited, paid, or delivered upon such wager or its loss, and repel any action brought for anything, the right or claim to which grows out of such bet or wager.</p>	<p>97 Bets Void. Amend RSA 338:2 to read as follows:</p> <p>338:2 Bets Void. <i>Except as authorized by the lottery commission</i>, all bets and wagers upon any question where the parties have no interest in the subject except that created by the wager are void; and either party may recover any property by him <i>or her</i> deposited, paid, or delivered upon such wager or its loss, and repel any action brought for anything, the right or claim to which grows out of such bet or wager.</p>
<p>103 Education Trust Fund; Sports Betting Added. Amend RSA 198:39, I(k) to read as follows:</p> <p>(k) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:44, and RSA 284:47, <i>and RSA 287-I</i>.</p>	<p>98 Education Trust Fund; Sports Betting Added. Amend RSA 198:39, I(k) to read as follows:</p> <p>(k) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:44, and RSA 284:47, <i>and RSA 287-I</i>.</p>
<p>104 New Subparagraph; Gambling; Exceptions. Amend RSA 647:2, V by inserting after subparagraph (e) the following new subparagraph:</p> <p>(f) Sports wagering as defined by RSA 287-I:1, XV.</p>	<p>99 New Subparagraph; Gambling; Exceptions. Amend RSA 647:2, V by inserting after subparagraph (e) the following new subparagraph:</p> <p>(f) Sports wagering as defined by RSA 287-I:1, XV.</p>
<p>105 New Chapter; Council for Responsible Gambling. Amend RSA by inserting after chapter 338-A the following new chapter:</p> <p style="text-align: center;">CHAPTER 338-B</p>	<p>100 New Chapter; Council for Responsible Gambling. Amend RSA by inserting after chapter 338-A the following new chapter:</p> <p style="text-align: center;">CHAPTER 338-B</p>

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COUNCIL FOR RESPONSIBLE GAMBLING

338-B:1 Definitions. In this chapter, "council" means the council for responsible gambling.

338-B:2 Statement of Purpose. Education, prevention, and treatment relating to gambling disorders are an integral part of a responsible gaming environment within the state.

338-B:3 Establishment. There is established the council for responsible gambling which shall promote education, prevention, and treatment of problem gambling within the state.

338-B:4 Membership.

I. The council shall consist of 5 members appointed by the governor and executive council and shall be qualified in the field of addiction or mental health services with a focus on problem gambling and shall be residents of the state. A member may be removed by the governor and executive council only for cause shown in accordance with RSA 4:1. The members shall elect one of their number as chairperson. Three members of the council shall constitute a quorum.

II. Members shall serve 3 year terms and until their successors are appointed; provided that for the initial appointments only, one member shall be appointed to a term of one year, 2 members shall be appointed to a term of 2 years and 2 members shall be appointed to a term of 3 years. Any vacancy shall be filled for the unexpired terms.

III. Members of the council shall receive mileage at the rate of state employees when attending meetings of the council or performing duties on behalf of the council.

338-B:5 Powers and Duties. The council shall have the authority to enter into grants and contracts for the purposes of furthering education, prevention, and treatment of problem gambling within the state.

338-B:6 Report of the Council. The council shall submit a biennial report to the governor and executive council on or before October 1 of each even-numbered year. The report shall include a description of the council's activities including a financial report for the relevant time period.

338-B:7 Administrative Attachment. The council shall be administratively attached to the lottery commission in accordance with RSA 21-G:10. In addition to the support provided to an administratively attached agency, the lottery commission shall also provide the following to the

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<p>council:</p> <p>I. Funding in an amount not to exceed \$250,000 per fiscal year to conduct the activities prescribed by this chapter. In accordance with the purpose of this chapter, these payments shall be considered administrative expenses of the lottery commission as set forth in RSA 284:21-j.</p> <p>II. Meeting and office space as reasonably required by the council to conduct the activities prescribed by this chapter.</p> <p>III. Personnel as reasonably required by the council to conduct activities prescribed by this chapter, except that the lottery commission may charge the council for use of such personnel pursuant to an agreement between the lottery commission and the council.</p>	<p>council:</p> <p>I. Funding in an amount not to exceed \$250,000 per fiscal year to conduct the activities prescribed by this chapter. In accordance with the purpose of this chapter, these payments shall be considered administrative expenses of the lottery commission as set forth in RSA 284:21-j.</p> <p>II. Meeting and office space as reasonably required by the council to conduct the activities prescribed by this chapter.</p> <p>III. Personnel as reasonably required by the council to conduct activities prescribed by this chapter, except that the lottery commission may charge the council for use of such personnel pursuant to an agreement between the lottery commission and the council.</p>
<p>106 Operation of Keno Games; Fees for Research. Amend RSA 284:47, II to read as follows:</p> <p>II. A licensee may retain 8 percent of the proceeds from keno games. [Of the remaining 92 percent:</p> <p style="padding-left: 40px;">(a) One percent shall be paid to the department of health and human services to support research, prevention, intervention, and treatment services for problem gamblers.</p> <p style="padding-left: 40px;">(b) The remainder, less the administrative costs of the lottery commission and prize payouts, shall be deposited in the education trust fund established in RSA 198:39.</p>	<p>101 Operation of Keno Games; Fees for Research. Amend RSA 284:47, II to read as follows:</p> <p>II. A licensee may retain 8 percent of the proceeds from keno games. [Of the remaining 92 percent:</p> <p style="padding-left: 40px;">(a) One percent shall be paid to the department of health and human services to support research, prevention, intervention, and treatment services for problem gamblers.</p> <p style="padding-left: 40px;">(b) The remainder, less the administrative costs of the lottery commission and prize payouts, shall be deposited in the education trust fund established in RSA 198:39.</p>
<p>107 Tobacco Tax; Definitions. Amend RSA 78:1, XVI to read as follows:</p> <p>XIV. "Tobacco products" means <i>any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, including but not limited to</i> cigarettes, <i>electronic cigarettes</i>, loose tobacco, smokeless tobacco, and cigars[-, but]. <i>Tobacco products</i> shall not include premium cigars <i>or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold exclusively for such approved use.</i></p>	<p>102 Tobacco Tax; Definitions. Amend RSA 78:1, XIV to read as follows:</p> <p>XIV. "Tobacco products" means <i>any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, including but not limited to</i> cigarettes, <i>electronic cigarettes</i>, loose tobacco, smokeless tobacco, and cigars[-, but]. <i>Tobacco products</i> shall not include premium cigars <i>or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold exclusively for such approved use.</i></p>

108 New Paragraph; Electronic Cigarette; Definition. Amend RSA 78:1 by inserting after paragraph XXIV the following new paragraph:

XXV. "Electronic cigarette" means any liquid or substance containing nicotine that is intended to be used with or in a device that can be used to produce a vapor or aerosol from such a liquid or substance, including but not limited to, a device manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, or vape pen. "Electronic cigarette" shall also include any such device, and any component, part, or accessory used in the operation of such a device, but only if sold together with any liquid or substance containing nicotine.

NO COMPARABLE HOUSE SECTION

AMENDED BY THE SENATE

103 New Paragraph; Electronic Cigarette; Definition. Amend RSA 78:1 by inserting after paragraph XXIV the following new paragraph:

XXV. "Electronic cigarette" means a noncombustible device regardless of shape or size that can be used to deliver aerosolized or vaporized nicotine to a person inhaling from the device, including but not limited to a device manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or any other similar product or device under any other product name or descriptor. The term includes any liquid or other substance containing nicotine that is intended to be used with or in such a device, including in a closed cartridge or container that is not intended to be opened.

104 Tobacco Tax; Tax Imposed on Tobacco Products Other Than Cigarettes. RSA 78:7-c is repealed and reenacted to read as follows:

78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes.

I. A tax upon the retail consumer is hereby imposed on tobacco products other than cigarettes, except electronic cigarettes, at a rate of 65.03 percent of the wholesale sales price.

II. A tax upon the retail consumer is hereby imposed on electronic cigarettes as follows:

(a) For closed cartridges or containers of liquid or other substances containing nicotine that are not intended to be opened, at a rate of \$0.30 per milliliter on the volume of the liquid or other substance in the cartridge or container as listed by the manufacturer; and

(b) For containers of liquid or other substances containing nicotine that are intended to be opened, at a rate of 8 percent of the wholesale sales price.

III. The tax under this section may be rounded to the nearest cent if the commissioner determines that the amount of tax would not thereby be made materially disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States. No such tax shall be imposed on premium cigars.

NO COMPARABLE HOUSE SECTION	<p>105 Contingent Version; Tobacco Tax; Definitions. RSA 78:1, XIII is repealed and reenacted to read as follows:</p> <p>XIII. "Tobacco products" means any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, including but not limited to cigarettes, electronic cigarettes, loose tobacco, smokeless tobacco, and cigars. Tobacco products shall not include premium cigars or any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product and is being marketed and sold exclusively for such approved use.</p>
NO COMPARABLE HOUSE SECTION	<p>106 Contingent Version; New Paragraph; Electronic Cigarette; Definition. RSA 78:1 by inserting after paragraph III the following new paragraph:</p> <p>III-a. "Electronic cigarette" means a noncombustible device regardless of shape or size that can be used to deliver aerosolized or vaporized nicotine to a person inhaling from the device, including but not limited to a device manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or any other similar product or device under any other product name or descriptor. The term includes any liquid or other substance containing nicotine that is intended to be used with or in such a device, including in a closed cartridge or container that is not intended to be opened.</p>
NO COMPARABLE HOUSE SECTION	<p>107 Contingent Version; Tobacco Tax; Tax Imposed on Tobacco Products Other Than Cigarettes. RSA 78:2, II is repealed and reenacted to read as follows:</p> <p>II.(a) A tax on all other tobacco products sold at retail in this state is imposed on tobacco products other than cigarettes, except electronic cigarettes, at a rate of 65.03 percent of the wholesale sales price.</p> <p>(b) A tax upon electronic cigarettes sold at retail in this state is imposed as follows:</p> <p>(1) For closed cartridges or containers of liquid or other substances containing nicotine that are not intended to be opened, at a rate of \$0.30 per milliliter on the volume of the liquid or other substance in the cartridge or container as listed by the manufacturer; and</p>

	<p>(2) For containers of liquid or other substances containing nicotine that are intended to be opened, at a rate of 8 percent of the wholesale sales price.</p> <p>(c) The tax under this paragraph may be rounded to the nearest cent if the commissioner determines that the amount of tax would not thereby be made materially disproportionate. No such tax shall be imposed on premium cigars.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>108 Contingency; HB 595. If HB 595-FN of the 2019 regular legislative session becomes law then sections 105-107 of this act shall take effect January 1, 2020 at 12:01 am and sections 102-104 of this act shall not take effect. If HB 595-FN of the 2019 regular legislative session does not become law then sections 102-104 of this act shall take effect January 1, 2020 and sections 105-107 of this act shall not take effect.</p>
<p>109 Youth Access to and Use of Tobacco Products; Definition of E-Cigarette. Amend RSA 126-K:2, II-a to read as follows:</p> <p>II-a. "E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that [provides a vapor of pure] may or may not contain nicotine [mixed with propylene glycol to the user as the user simulates smoking]. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name.</p>	<p>AMENDED BY THE SENATE</p> <p>109 Youth Access to and Use of Tobacco Products; Definitions. Amend RSA 126-K:2, II-a to read as follows:</p> <p>II-a. "Device" means any product composed of a mouthpiece, a heating element, a battery, and electronic circuits designed or used to deliver any aerosolized or vaporized substance including, but not limited to, nicotine or cannabis. Device may include, but is not limited to, hookah, e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.</p> <p>II-b. "E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that [provides a vapor of pure] may or may not contain nicotine [mixed with propylene glycol to the user as the user simulates smoking] or e-liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name.</p> <p>II-c. "E-liquid" means any liquid, oil, or wax product containing, but not limited to, nicotine or cannabis intended for use in devices used for inhalation.</p>

<p>NO COMPARABLE HOUSE SECTION</p>	<p>110 Youth Access to and Use of Tobacco Products; Contingent 2020 Version; Definition of E-Cigarette. RSA 126-K:2, II-b is repealed and reenacted to read as follows:</p> <p>II-b. "E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that may or may not contain nicotine. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>111 Contingency; Youth Access to and Use of Tobacco Products; Definition. If HB 511-FN of the 2019 regular legislative session becomes law, then section 110 of this act shall take effect January 1, 2020 at 12:01 am. If HB 511-FN of the 2019 regular legislative session does not become law, section 110 of this act shall not take effect.</p>
<p>110 Alcoholic Beverages; Definition of E-Cigarette Added. Amend RSA 175:1, XXXI-a and XXXI-aa to read as follows:</p> <p>XXXI-a. <i>"E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that may or may not contain nicotine. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name.</i></p> <p>XXXI-aa. "Farmers' market" means an event or series of events at which 2 or more vendors of agricultural commodities gather for purposes of offering for sale such commodities to the public. Commodities offered for sale must include, but are not limited to, products of agriculture, as defined in RSA 21:34-a. "Farmers' market" shall not include any event held upon any premises owned, leased, or otherwise controlled by any individual vendor selling therein.</p> <p>XXXI-aa. XXXI-aaa. "Food" means solid nutritive material as distinguished from drink.</p>	<p>AMENDED BY THE SENATE</p> <p>112 Alcoholic Beverages; Definition of E-Cigarette and E-Liquid Added. Amend RSA 175:1, XXXI-a and XXXI-aa to read as follows:</p> <p>XXXI-a. <i>"E-cigarette" means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that may or may not contain nicotine or e-liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name. "E-liquid" means any liquid, oil, or wax product containing, but not limited to, nicotine or cannabis intended for use in devices used for inhalation.</i></p> <p>XXXI-aa. "Farmers' market" means an event or series of events at which 2 or more vendors of agricultural commodities gather for purposes of offering for sale such commodities to the public. Commodities offered for sale must include, but are not limited to, products of agriculture, as defined in RSA 21:34-a. "Farmers' market" shall not include any event held upon any premises owned, leased, or otherwise controlled by any individual vendor selling therein.</p>

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<p>111 Definition of License. Amend RSA 175:1, XXXIX to read as follows:</p> <p>XXXIX. "License" means the authority granted by the commission to engage in the sale of liquor, wine, beverages, [Ø] tobacco products, or e-cigarettes otherwise unlawful unless evidenced by such document.</p>	<p>113 Definition of License. Amend RSA 175:1, XXXIX to read as follows:</p> <p>XXXIX. "License" means the authority granted by the commission to engage in the sale of liquor, wine, beverages, [Ø] tobacco products, or e-cigarettes otherwise unlawful unless evidenced by such document.</p>
<p>112 Definition of Retailer. Amend RSA 175:1, LIX-a to read as follows:</p> <p>LIX-a. "Retailer," when used with respect to tobacco products or e-cigarettes, means any person who sells tobacco products or e-cigarettes to consumers, and any vending machine in which tobacco products are sold.</p>	<p>114 Definition of Retailer. Amend RSA 175:1, LIX-a to read as follows:</p> <p>LIX-a. "Retailer," when used with respect to tobacco products or e-cigarettes, means any person who sells tobacco products or e-cigarettes to consumers, and any vending machine in which tobacco products are sold.</p>
<p>113 Liquor Commission; Liquor Investigator. Amend RSA 176:9, III to read as follows:</p> <p>III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter any place where liquor, beverages, [Ø] tobacco products, e-cigarettes are sold or manufactured, at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.</p>	<p>115 Liquor Commission; Liquor Investigator. Amend RSA 176:9, III to read as follows:</p> <p>III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter any place where liquor, beverages, [Ø] tobacco products, e-cigarettes are sold or manufactured, at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.</p>
<p>114 Liquor Licenses and Fees; Licenses Required. Amend RSA 178:1, VI to read as follows:</p> <p>VI. No person shall sell tobacco products or e-cigarettes to individuals or the public in any method or manner, directly or indirectly, or keep for sale any tobacco products or e-cigarettes without first registering to do business with the secretary of state and obtaining a license for such activity under the provisions of this title. The commission shall provide a list of persons licensed under this section to the commissioner of the department of revenue administration upon request.</p>	<p>116 Liquor Licenses and Fees; Licenses Required. Amend RSA 178:1, VI to read as follows:</p> <p>VI. No person shall sell tobacco products or e-cigarettes to individuals or the public in any method or manner, directly or indirectly, or keep for sale any tobacco products or e-cigarettes without first registering to do business with the secretary of state and obtaining a license for such activity under the provisions of this title. The commission shall provide a list of persons licensed under this section to the commissioner of the department of revenue administration upon request.</p>
<p>115 Licenses Authorized; Sale of Tobacco Products. Amend RSA 178:2, I to read as follows:</p> <p>I. The commission may issue licenses to individuals, partnerships, limited liability companies and partnerships, or corporations but not to unincorporated associations, on applications duly made therefor for the manufacture, warehousing, sale, offer for sale, or solicitation of orders for</p>	<p>117 Licenses Authorized; Sale of Tobacco Products. Amend RSA 178:2, I to read as follows:</p> <p>I. The commission may issue licenses to individuals, partnerships, limited liability companies and partnerships, or corporations but not to unincorporated associations, on applications duly made therefor for the manufacture, warehousing, sale, offer for sale, or solicitation of orders for</p>

<p>sale of liquor or beverages and for retail sales of tobacco products <i>or e-cigarettes</i> within the state, subject to the limitations and restrictions imposed by this title. The commission shall keep a full record of all applications for licenses, of all recommendations for and remonstrances against the granting of licenses, and of the action taken on such applications.</p>	<p>sale of liquor or beverages and for retail sales of tobacco products <i>or e-cigarettes</i> within the state, subject to the limitations and restrictions imposed by this title. The commission shall keep a full record of all applications for licenses, of all recommendations for and remonstrances against the granting of licenses, and of the action taken on such applications.</p>
<p>116 Combination License; Sale of Tobacco Products or E-Cigarettes. Amend RSA 178:18 to read as follows:</p> <p>178:18 Combination License.</p> <p>I. Off-premises licenses shall be issued only for grocery and drug stores not holding on-premises licenses. Such licenses shall authorize the licensees to sell fortified wine, table wine, and beverages for consumption only off the premises designated in the licenses and not to other licensees for resale. Such sale shall be made only in the immediate container in which the beverage, wine, or fortified wine was received by the off-premises combination licensee; except that in the case of the holder of a wholesale distributor license, beverages may be sold only in such barrels, bottles, or other containers as the commission may by rule prescribe. Off-premises licenses may also authorize the licensee to sell tobacco products <i>or e-cigarettes</i>. There shall be no restriction on the number of combination licenses held by any person. The license shall authorize the licensee to transport and deliver beverages, tobacco products, <i>e-cigarettes</i>, and table or fortified wines ordered from and sold by the licensee in vehicles operated under the licensee's control or an employee's control.</p> <p>II. All sales of tobacco, <i>e-cigarettes</i>, beverages, fortified wines, and table wine shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.</p> <p>III. The commission may suspend the tobacco, <i>e-cigarettes</i>, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.</p>	<p>118 Combination License; Sale of Tobacco Products or E-Cigarettes. Amend RSA 178:18 to read as follows:</p> <p>178:18 Combination License.</p> <p>I. Off-premises licenses shall be issued only for grocery and drug stores not holding on-premises licenses. Such licenses shall authorize the licensees to sell fortified wine, table wine, and beverages for consumption only off the premises designated in the licenses and not to other licensees for resale. Such sale shall be made only in the immediate container in which the beverage, wine, or fortified wine was received by the off-premises combination licensee; except that in the case of the holder of a wholesale distributor license, beverages may be sold only in such barrels, bottles, or other containers as the commission may by rule prescribe. Off-premises licenses may also authorize the licensee to sell tobacco products <i>or e-cigarettes</i>. There shall be no restriction on the number of combination licenses held by any person. The license shall authorize the licensee to transport and deliver beverages, tobacco products, <i>e-cigarettes</i>, and table or fortified wines ordered from and sold by the licensee in vehicles operated under the licensee's control or an employee's control.</p> <p>II. All sales of tobacco, <i>e-cigarettes</i>, beverages, fortified wines, and table wine shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.</p> <p>III. The commission may suspend the tobacco, <i>e-cigarettes</i>, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.</p>
<p>117 Retail Wine License; Sale of Tobacco Products. Amend RSA 178:19 to read as follows:</p> <p>178:19 Retail Wine License.</p>	<p>119 Retail Wine License; Sale of Tobacco Products. Amend RSA 178:19 to read as follows:</p> <p>178:19 Retail Wine License.</p>

I. A retail wine license may be issued by the commission to any person operating a retail outlet in this state which shall allow the licensee to sell tobacco products, *e-cigarettes*, fortified wines, and table wines directly to individuals at retail on the premises for consumption off the premises; provided, however, that persons holding any license authorizing the sale of liquor or wine by the glass under this chapter shall sell the wines authorized pursuant to this section in a separate area of the premises from the areas licensed for on-premises consumption. A separate license shall be required with respect to each place of business of an applicant. The license shall authorize the licensee to transport and deliver fortified and table wines ordered from and sold by the commission and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

II. All sales of wine, ~~and~~ tobacco products, *and e-cigarettes* shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

III. On-premises licensees licensed under this chapter shall maintain separate rooms for storage, shelving, display, and sale of tobacco products, *e-cigarettes*, and fortified and table wine for consumption off the premises. Such rooms shall be equipped with at least one cash register which shall be capable of separately registering wine sales, and such rooms shall have an attendant at all times while open for business. Wine purchased for resale by virtue of the retail wine license shall be purchased on separate invoices from that wine intended for consumption in the dining room or lounge, and separate sales records shall be maintained for this purpose.

IV. The commission may suspend the tobacco, *e-cigarette*, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.

I. A retail wine license may be issued by the commission to any person operating a retail outlet in this state which shall allow the licensee to sell tobacco products, *e-cigarettes*, fortified wines, and table wines directly to individuals at retail on the premises for consumption off the premises; provided, however, that persons holding any license authorizing the sale of liquor or wine by the glass under this chapter shall sell the wines authorized pursuant to this section in a separate area of the premises from the areas licensed for on-premises consumption. A separate license shall be required with respect to each place of business of an applicant. The license shall authorize the licensee to transport and deliver fortified and table wines ordered from and sold by the commission and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

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IV. The commission may suspend the tobacco, *e-cigarette*, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.

118 Retail Tobacco License; Sale of E-Cigarettes. Amend RSA 178:19-a to read as follows:
178:19-a Retail Tobacco License.

I. The commission may issue a retail tobacco license to a person engaged in the business of retail sales and distribution of tobacco products *or e-cigarettes* in this state. Each retail outlet shall

120 Retail Tobacco License; Sale of E-Cigarettes. Amend RSA 178:19-a to read as follows:
178:19-a Retail Tobacco License.

I. The commission may issue a retail tobacco license to a person engaged in the business of retail sales and distribution of tobacco products *or e-cigarettes* in this state. Each retail outlet shall

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<p>have a separate license regardless of the fact that one or more outlets may be owned or controlled by a single person.</p> <p>II. A retail tobacco license shall be prominently displayed on the premises described in it.</p> <p>III. The commission, when issuing or renewing a retail tobacco license, shall furnish a sign which shall read or be substantially similar to the following: "State Law prohibits the sale of tobacco products <i>or e-cigarettes</i> to persons under age 18. Warning: violators of these provisions may be subject to a fine."</p>	<p>have a separate license regardless of the fact that one or more outlets may be owned or controlled by a single person.</p> <p>II. A retail tobacco license shall be prominently displayed on the premises described in it.</p> <p>III. The commission, when issuing or renewing a retail tobacco license, shall furnish a sign which shall read or be substantially similar to the following: "State Law prohibits the sale of tobacco products <i>or e-cigarettes</i> to persons under age 18. Warning: violators of these provisions may be subject to a fine."</p>
<p>119 Beer Specialty License; Tobacco Products and E-Cigarette Sales. Amend RSA 178:19-d, I to read as follows:</p> <p>I. A beer specialty license may be issued by the commission to any person operating a retail outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer specialty license shall allow the licensee to sell beverage, wine, and tobacco, <i>and e-cigarettes</i> products directly to individuals at retail on the premises for consumption off the premises; beer may be sold in such barrels, bottles, or other containers as the commission may by rule prescribe.</p>	<p>121 Beer Specialty License; Tobacco Products and E-Cigarette Sales. Amend RSA 178:19-d, I to read as follows:</p> <p>I. A beer specialty license may be issued by the commission to any person operating a retail outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer specialty license shall allow the licensee to sell beverage, wine, and tobacco, <i>and e-cigarettes</i> products directly to individuals at retail on the premises for consumption off the premises; beer may be sold in such barrels, bottles, or other containers as the commission may by rule prescribe.</p>
<p>120 Beer Specialty License; Sale of Tobacco Products and E-Cigarettes. Amend RSA 178:19-d, V-VI to read as follows:</p> <p>V. All sales of beer, and tobacco products, <i>and e-cigarettes</i> shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.</p> <p>VI. The commission may suspend the tobacco, <i>e-cigarette</i>, or alcohol sales portion of the license separately under the provisions of RSA 179:57.</p>	<p>122 Beer Specialty License; Sale of Tobacco Products and E-Cigarettes. Amend RSA 178:19-d, V-VI to read as follows:</p> <p>V. All sales of beer, and tobacco products, <i>and e-cigarettes</i> shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.</p> <p>VI. The commission may suspend the tobacco, <i>e-cigarette</i>, or alcohol sales portion of the license separately under the provisions of RSA 179:57.</p>
<p>121 Board of Veterinary Medicine; Transfer to Office of Professional Licensure and Certification. Amend RSA 332-B:3 to read as follows:</p>	<p>123 Board of Veterinary Medicine; Transfer to Office of Professional Licensure and Certification. Amend RSA 332-B:3 to read as follows:</p>

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332-B:3 Board; Compensation.

I. There shall be a board of veterinary medicine consisting of 7 members: 5 veterinarians, the state veterinarian, and one public member. The members, other than the state veterinarian, shall be appointed by the governor, with the approval of the council, to a term of 5 years, and until a successor is appointed. No appointed member of the board shall be appointed to 2 consecutive 5-year terms. Vacancies shall be filled for the remainder of the term and in the same manner as the original appointment. Any appointed member of the board may be removed by the governor after a hearing by the board determines cause for removal. The state veterinarian ~~may~~ **shall** serve as an ex officio member, provided any duties of the state veterinarian relative to this chapter shall be agreed upon in writing by the board and the commissioner of agriculture, markets, and food and which agreement may include:

- (a) ~~[Supervision of the board's administrative office and employees]~~ **Recording and producing meeting minutes for regular board meetings;**
- (b) ~~[Assistance with administrative activities]~~ **Representing the board on the advisory council established in RSA 318-B:38;**
- (c) Submission of periodic reports to the board; and
- (d) Participation in complaint investigations.

II. When a vacancy has occurred, or is due to occur in a veterinary position on the board, the New Hampshire Veterinary Medical Association shall nominate 3 qualified persons and forward the nominations to the governor. The governor may make appointments from those nominated by the association, but shall not be required to appoint one of those so nominated.

III. Each appointed member of the board shall be paid \$75 for each day or portion of a day of at least 3 consecutive hours in which the member is engaged in the work of the board, in addition to such reimbursement for travel and other expenses as is normally allowed to state employees.

IV. ~~[The board shall be an administratively attached agency, under RSA 21-G:10, to the department of agriculture, markets, and food.]~~ **All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure**

332-B:3 Board; Compensation.

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- (a) ~~[Supervision of the board's administrative office and employees]~~ **Recording and producing meeting minutes for regular board meetings;**
- (b) ~~[Assistance with administrative activities]~~ **Representing the board on the advisory council established in RSA 318-B:38;**
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IV. ~~[The board shall be an administratively attached agency, under RSA 21-G:10, to the department of agriculture, markets, and food.]~~ **All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure**

<p><i>and certification established in RSA 310-A:1 through RSA 310-A:1-e.</i></p>	<p><i>and certification established in RSA 310-A:1 through RSA 310-A:1-e.</i></p>
<p>122 State School Organization; Professional Standards Board. Amend RSA 186:60, I(a) to read as follows: (a) The [director of the division] commissioner of the department of education [analytics and resources], or designee, who shall be the executive secretary of the board;</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>123 Council for Teacher Education; Commissioner Designee. Amend RSA 190:2 to read as follows: 190:2 Members. The council for teacher education shall consist of: the commissioner of education, or his or her designee, and the chairman of the department of education of the university of New Hampshire; 3 members appointed by them for terms not exceeding 3 years, one from a private educational institution, one from the professional personnel of the public schools and one layman; and the presidents of Keene state college and Plymouth state university, or staff members designated by them; provided that additional members may be appointed by these 7 for such terms as they may determine. Members of the council shall be entitled to reimbursement by the state board of education for mileage and expenses incurred in the performance of their required duties. The state board of education shall furnish the council with suitable meeting facilities, administrative assistance, and necessary supplies.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>124 Department of Environmental Services; Modification of Qualifications for Director of Division of Water. Amend RSA 21-O:2, III(a) to read as follows: (a) The commissioner shall, after consulting with the water council, nominate for appointment by the governor and council a director of the division of water. The nominee shall have a baccalaureate or master's degree from an accredited college or university[- hold a valid license or certificate of registration to practice civil, sanitary, or environmental engineering issued by the lawfully constituted registration board of any state of the United States,] and shall have a minimum</p>	<p>124 Department of Environmental Services; Modification of Qualifications for Director of Division of Water. Amend RSA 21-O:2, III(a) to read as follows: (a) The commissioner shall, after consulting with the water council, nominate for appointment by the governor and council a director of the division of water. The nominee shall have a baccalaureate or master's degree from an accredited college or university[- hold a valid license or certificate of registration to practice civil, sanitary, or environmental engineering issued by the lawfully constituted registration board of any state of the United States,] and shall have a minimum</p>

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<p>of 5 years' responsible experience in the administration of sanitary or environmental engineering programs in the public or private sector.</p>	<p>of 5 years' responsible experience in the administration of sanitary or environmental engineering programs in the public or private sector.</p>
<p>125 Department of Environmental Services; Certified Application Preparer Program. Amend RSA 482-A:3, XX(a)-(b) to read as follows:</p> <p>(a) The department shall develop a voluntary certified application preparer program for submission of applications for all qualifying minimum impact projects. The commissioner shall adopt rules to establish the qualifications to become a certified application preparer and to identify qualifying minimum impact projects. The qualifications established shall include that the individual is a permitted septic system designer or is licensed or certified by the office of professional licensure and certification as a certified wetland scientist, certified soil scientist, professional engineer, licensed land surveyor, or any other professional designated by the department, and shall include training and continuing education requirements. [Qualifying minimum impact projects shall include, but not necessarily be limited to, all projects which the department has designated as minimum impact projects in its wetlands rules.]</p> <p>(b) Applications for qualifying minimum impact projects submitted by a certified application preparer shall not require technical review by the department. [and the] The department shall issue a [permit] decision on the application within 10 days of receipt of a complete application[-], as follows:</p> <p>(1) If the application is approvable and is submitted with a waiver of review by the appropriate conservation commissions, the department's approval shall be final upon issuance.</p> <p>(2) If the application is approvable but is not submitted with a waiver of review by the appropriate conservation commissions, the department's approval shall be conditional pending expiration of the 14-day period for conservation commission intervention established in RSA 482-A:11, III(a). If the department receives a timely notice of intervention from a conservation commission, the application shall be converted to a</p>	<p>125 Department of Environmental Services; Certified Application Preparer Program. Amend RSA 482-A:3, XX(a)-(b) to read as follows:</p> <p>(a) The department shall develop a voluntary certified application preparer program for submission of applications for all qualifying minimum impact projects. The commissioner shall adopt rules to establish the qualifications to become a certified application preparer and to identify qualifying minimum impact projects. The qualifications established shall include that the individual is a permitted septic system designer or is licensed or certified by the office of professional licensure and certification as a certified wetland scientist, certified soil scientist, professional engineer, licensed land surveyor, or any other professional designated by the department, and shall include training and continuing education requirements. [Qualifying minimum impact projects shall include, but not necessarily be limited to, all projects which the department has designated as minimum impact projects in its wetlands rules.]</p> <p>(b) Applications for qualifying minimum impact projects submitted by a certified application preparer shall not require technical review by the department. [and the] The department shall issue a [permit] decision on the application within 10 days of receipt of a complete application[-], as follows:</p> <p>(1) If the application is approvable and is submitted with a waiver of review by the appropriate conservation commissions, the department's approval shall be final upon issuance.</p> <p>(2) If the application is approvable but is not submitted with a waiver of review by the appropriate conservation commissions, the department's approval shall be conditional pending expiration of the 14-day period for conservation commission intervention established in RSA 482-A:11, III(a). If the department receives a timely notice of intervention from a conservation commission, the application shall be converted to a</p>

regular application, with credit given for the fee paid with the application.

(3) If the application is not approvable as a minimum impact project but might be approvable as a minor impact or major impact project, the application shall automatically be converted to an application for a standard permit, with credit given for the fee paid with the application.

(4) If the application is not approvable as a minimum impact, minor impact, or major impact project, the application shall be denied.

regular application, with credit given for the fee paid with the application.

(3) If the application is not approvable as a minimum impact project but might be approvable as a minor impact or major impact project, the application shall automatically be converted to an application for a standard permit, with credit given for the fee paid with the application.

(4) If the application is not approvable as a minimum impact, minor impact, or major impact project, the application shall be denied.

126 Department of Environmental Services; Public Bathing Facilities. RSA 485-A:26 is repealed and reenacted to read as follows:

485-A:26 Swimming Pools and Bathing Places Public Bathing Facilities.

I. In this section:

(a) “Pool” means a man-made structure and associated pump, filter, drain, and electrical equipment that is used for recreational or therapeutic bathing, swimming, diving, or other contact with the water such as by wading, splashing, tubing, or sliding. "Pool" shall include, but is not limited to, swimming pools, therapy pools, spas, special recreation pools, slides, and tubing courses, at hotels, motels, health facilities, water parks, condominium complexes, apartment complexes, youth recreation camps, public parks, and recreational campgrounds or camping parks as defined in RSA 216-I:1, VII. "Pool" shall not include any pool, spa, or other pool that serves 3 or fewer living units and is used only by the residents of the living units and their guests, and does not include baptismal fonts or similar structures owned by a religious organization and used for religious rituals.

(b) “Public bathing facility” means a pool that is operated by or for any governmental subdivision, public or private corporation, partnership, association, or educational institution and that is open to the public, members, or students, whether for a fee or free.

II.(a) No person shall construct or install, operate or maintain an artificial swimming pool or bathing place open to and used by the public, or as a part of a business venture, or a public bathing

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126 Department of Environmental Services; Public Bathing Facilities. RSA 485-A:26 is repealed and reenacted to read as follows:

485-A:26 Swimming Pools and Bathing Places Public Bathing Facilities.

I. In this section:

(a) “Pool” means a man-made structure and associated pump, filter, drain, and electrical equipment that is used for recreational or therapeutic bathing, swimming, diving, or other contact with the water such as by wading, splashing, tubing, or sliding. "Pool" shall include, but is not limited to, swimming pools, therapy pools, spas, special recreation pools, slides, and tubing courses, at hotels, motels, health facilities, water parks, condominium complexes, apartment complexes, youth recreation camps, public parks, and recreational campgrounds or camping parks as defined in RSA 216-I:1, VII. "Pool" shall not include any pool, spa, or other pool that serves 3 or fewer living units and is used only by the residents of the living units and their guests, and does not include baptismal fonts or similar structures owned by a religious organization and used for religious rituals.

(b) “Public bathing facility” means a pool that is operated by or for any governmental subdivision, public or private corporation, partnership, association, or educational institution and that is open to the public, members, or students, whether for a fee or free.

II.(a) No person shall construct or install, operate or maintain an artificial swimming pool or bathing place open to and used by the public, or as a part of a business venture, or a public bathing

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facility unless the construction, design and physical specifications of such pool or bathing place have received prior approval by from the department. The department shall charge a non-refundable **registration** fee of \$100 for a pool 400 square feet in area and an additional \$25 for every additional 100 square feet. The fee shall be paid to the department upon submission of such plans for review. Fees collected under this paragraph shall be deposited in the public bathing facility program fund.

(b) No person shall operate or maintain a public bathing facility unless the facility is registered with the department under this section. The owner of a public bathing facility shall register the facility using a form provided by the department. If all of the requirements for the form are adopted in narrative rules, the form shall not be subject to RSA 541-A.

(c) The owner of a public bathing facility that existed as of January 1, 2019 shall register within 60 days of the effective date of this provision. All other public bathing facilities shall register prior to initiating operations. The owner or operator of the facility shall report any changes in the information provided under subparagraph (b) within 10 days of the change.

(d) The registration required under this section shall be valid for the life of the facility. The owner shall notify the department in writing that the facility has closed within 30 days of the closure. The notice of closure shall include the date of such closure.

III. The commissioner shall adopt rules under RSA 541-A relative to safety standards to protect persons using said facilities. Nothing in this section shall be deemed to affect the powers of local health officers or the department of health and human services, with respect to nuisances.

IV. The department may take samples of the water of any such public bathing facility for analysis to determine compliance with water quality requirements. The costs of such sampling and analysis shall be paid by the owner or operator of such facility. The costs recovered for such sampling shall be deposited in the public bathing facility program fund. The costs recovered for analysis shall be consistent with the fee structure established in RSA 131:3-a and deposited as provided in RSA 131:3-a. Any municipality which establishes a program of sampling and analysis which is equivalent to the department's program shall not be subject to additional sampling and

facility unless the construction, design, and physical specifications of such pool or bathing place have received prior approval from the department. The department shall charge a non-refundable **design review** fee of \$100 for a pool 400 square feet in area and an additional \$25 for every additional 100 square feet. The fee shall be paid to the department upon submission of such plans for review. Fees collected under this paragraph shall be deposited in the public bathing facility program fund.

(b) **Effective January 1, 2020**, no person shall operate or maintain a public bathing facility unless the facility is registered with the department under this section. The owner of a public bathing facility shall register the facility using a form provided by the department. If all of the requirements for the form are adopted in narrative rules, the form shall not be subject to RSA 541-A.

(c) The owner of a public bathing facility that existed as of January 1, 2019 shall register within 60 days of the effective date of this provision. All other public bathing facilities shall register prior to initiating operations. The owner or operator of the facility shall report any changes in the information provided under subparagraph (b) within 10 days of the change.

(d) The registration required under this section shall be valid for the life of the facility. The owner shall notify the department in writing that the facility has closed within 30 days of the closure. The notice of closure shall include the date of such closure.

III. The commissioner shall adopt rules under RSA 541-A relative to safety standards to protect persons using said facilities. Nothing in this section shall be deemed to affect the powers of local health officers or the department of health and human services, with respect to nuisances.

IV. The department may take samples of the water of any such public bathing facility for analysis to determine compliance with water quality requirements. The costs of such sampling and analysis shall be paid by the owner or operator of such facility. The costs recovered for such sampling shall be deposited in the public bathing facility program fund. The costs recovered for analysis shall be consistent with the fee structure established in RSA 131:3-a and deposited as provided in RSA 131:3-a. Any municipality which establishes a program of sampling and analysis which is equivalent to the department's program shall not be subject to additional sampling and

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<p>analysis by the department.</p> <p>V. There is hereby established a public bathing facility program fund. This separate, nonlapsing fund shall be continually appropriated to the department and used to administer the public bathing facility program under this chapter. Fees collected by the department shall be deposited with the state treasurer to the credit of such fund and may be invested as provided by law. Interest received on such investment shall also be credited to the fund.</p>	<p>analysis by the department.</p> <p>V. There is hereby established a public bathing facility program fund. This separate, nonlapsing fund shall be continually appropriated to the department and used to administer the public bathing facility program under this chapter. Fees collected by the department shall be deposited with the state treasurer to the credit of such fund and may be invested as provided by law. Interest received on such investment shall also be credited to the fund.</p>
<p>127 New Subparagraph; Public Bathing Facility Fund. Amend RSA 6:12, I(b) by inserting after subparagraph 343 the following new subparagraph:</p> <p>(344) Moneys deposited in the public bathing facility program fund under RSA 485-A:26.</p>	<p>127 New Subparagraph; Public Bathing Facility Fund. Amend RSA 6:12, I(b) by inserting after subparagraph 343 the following new subparagraph:</p> <p>(344) Moneys deposited in the public bathing facility program fund under RSA 485-A:26.</p>
<p>128 New Section; Public Bathing Facility Compliance Self-Certification. Amend RSA 485-A by inserting after section 26 the following new section:</p> <p>485-A:26-a Public Bathing Facility Compliance Self-Certification.</p> <p>I. The owner of a public bathing facility that is open for 9 months or more in a calendar year shall submit to the department, a self-certification declaration stating that each pool at the facility is in compliance with all applicable public bathing facility requirements.</p> <p>II. The owner of a public bathing facility that is open fewer than 9 months in a calendar year shall submit to the department, prior to opening a self-certification declaration stating that each pool at the facility is in compliance with all applicable public bathing facility requirements.</p> <p>III. The self-certifications required by paragraphs I and II shall be on a form provided by the department. If all of the requirements for the form are adopted in narrative rules, the form shall not be subject to RSA 541-A.</p> <p>IV.(a) The owner of a public bathing facility shall pay a non-refundable fee of \$250 per pool</p>	<p>AMENDED BY THE SENATE</p> <p>128 New Section; Public Bathing Facility Compliance Self-Certification. Amend RSA 485-A by inserting after section 26 the following new section:</p> <p>485-A:26-a Public Bathing Facility Compliance Self-Certification.</p> <p>I. The owner of a public bathing facility that is open for 9 months or more in a calendar year shall on an annual basis submit to the department, a self-certification declaration stating that each pool at the facility is in compliance with all applicable public bathing facility requirements.</p> <p>II. The owner of a public bathing facility that is open fewer than 9 months in a calendar year shall on an annual basis submit to the department, prior to opening a self-certification declaration stating that each pool at the facility is in compliance with all applicable public bathing facility requirements.</p> <p>III. The self-certifications required by paragraphs I and II shall be on a form provided by the department. If all of the requirements for the form are adopted in narrative rules, the form shall not be subject to RSA 541-A.</p> <p>IV.(a) The owner of a public bathing facility shall pay a non-refundable fee of \$250 per pool</p>

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up to a maximum of \$1,500 per public bathing facility with each self-certification, to cover department expenses for conducting the self-certification program and hiring of program staff.

(b) If the self-certification fee is not paid within 30 days of the due date, a late fee shall accrue at the rate of \$50 per 3-month period or portion thereof that the fee is not paid. The commissioner may waive all or any portion of the late payment fee for good cause.

(c) Political subdivisions of the state shall be exempt from the fee for submitting a self-certification declaration, but not from the requirement to submit the self-certification.

V.(a) The owner of a public bathing facility that is open for 9 months or more in a calendar year and that existed as of January 1, 2019 shall file the initial self-certification within 60 days of the effective date of this provision.

(b) The owner of a public bathing facility that is open fewer than 9 months in a calendar year and that existed as of January 1, 2019 shall file the initial self-certification prior to initiating operations in 2020.

up to a maximum of \$1,500 per public bathing facility with each self-certification, to cover department expenses for conducting the self-certification program and hiring of program staff.

(b) If the self-certification fee is not paid within 30 days of the due date, a late fee shall accrue at the rate of \$50 per 3-month period or portion thereof that the fee is not paid. The commissioner may waive all or any portion of the late payment fee for good cause.

(c) Political subdivisions of the state shall be exempt from the fee for submitting a self-certification declaration, but not from the requirement to submit the self-certification.

V.(a) Effective January 1, 2021, the owner of a public bathing facility that is open for 9 months or more in a calendar year and that existed as of January 1, 2019 shall file the initial self-certification within 60 days of January 1, 2021.

(b) The owner of a public bathing facility that is open fewer than 9 months in a calendar year and that existed as of January 1, 2019 shall file the initial self-certification prior to initiating operations in 2021.

129 Public Bathing Facilities; Injunctions; Emergency Closures. RSA 485-A:27 is repealed and reenacted to read as follows:

485-A:27 Injunction; Emergency Closures.

I. Any person operating or maintaining a recreation camp, youth skill camp, or public swimming pool, or bathing place facility without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

II. Whenever the department determines that conditions at a public bathing facility jeopardize the health and safety of patrons of the facility, the department shall issue an emergency closure notice. The department shall apply the following procedure in determining whether to issue an emergency closure notice:

(a) The department shall perform an on-site inspection to determine whether each pool at the facility is in compliance with the following standards established in rules adopted by the

129 Public Bathing Facilities; Injunctions; Emergency Closures. RSA 485-A:27 is repealed and reenacted to read as follows:

485-A:27 Injunction; Emergency Closures.

I. Any person operating or maintaining a recreation camp, youth skill camp, or public swimming pool, or bathing place facility without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

II. Whenever the department determines that conditions at a public bathing facility jeopardize the health and safety of patrons of the facility, the department shall issue an emergency closure notice. The department shall apply the following procedure in determining whether to issue an emergency closure notice:

(a) The department shall perform an on-site inspection to determine whether each pool at the facility is in compliance with the following standards established in rules adopted by the

commissioner pursuant to RSA 541-A:

- (1) Bacteriological, chemical, and physical water quality standards; and
- (2) Patron safety requirements relating to emergency response, emergency rescue equipment, first aid kits, suction outlet covers/grates, and security fencing.

(b) If the department determines that a pool at the facility is not in compliance with the standards and safety requirements specified in subparagraph (a) and that the deficiencies threaten the health or safety of patrons of the facility, the department shall issue an emergency closure notice to the owner of the facility or the owner’s on-site representative. The notice shall identify which pool must be closed and specify the reason for the emergency closure.

(c) Upon receipt of an emergency closure notice, the owner shall immediately close the identified pool. The owner shall not reopen the pool until each deficiency cited in the emergency closure notice has been corrected and the department has confirmed the corrections.

(d) If an owner believes an emergency closure notice has been issued in error, the owner shall notify the department in writing, which may be sent by email, fax, United States Postal Service delivery, or private delivery. The written notice shall identify each reason why the owner or operator believes the emergency closure notice is not appropriate. The department shall provide the owner or operator with an opportunity for an adjudicative hearing within 10 days of receiving the written notice.

130 New Section; Public Bathing Facilities; Certified Operators Required. Amend RSA 485-A by inserting after section 27 the following new section:

485-A:27-a Certified Operator Training Required.

I. Effective January 1, 2022, a public bathing facility shall be operated only under the supervision of an individual who has successfully completed **a the** certified pool and spa operator certification program offered by the Association of Pool and Spa Professionals, National Swimming Pool Foundation, or other pool and spa operator certification programs approved by the department.

II.(a) By January 1, 2022, each owner of a public bathing facility that is open for 9 months or

commissioner pursuant to RSA 541-A:

- (1) Bacteriological, chemical, and physical water quality standards; and
- (2) Patron safety requirements relating to emergency response, emergency rescue equipment, first aid kits, suction outlet covers/grates, and security fencing.

(b) If the department determines that a pool at the facility is not in compliance with the standards and safety requirements specified in subparagraph (a) and that the deficiencies threaten the health or safety of patrons of the facility, the department shall issue an emergency closure notice to the owner of the facility or the owner’s on-site representative. The notice shall identify which pool must be closed and specify the reason for the emergency closure.

(c) Upon receipt of an emergency closure notice, the owner shall immediately close the identified pool. The owner shall not reopen the pool until each deficiency cited in the emergency closure notice has been corrected and the department has confirmed the corrections.

(d) If an owner believes an emergency closure notice has been issued in error, the owner shall notify the department in writing, which may be sent by email, fax, United States Postal Service delivery, or private delivery. The written notice shall identify each reason why the owner or operator believes the emergency closure notice is not appropriate. The department shall provide the owner or operator with an opportunity for an adjudicative hearing within 10 days of receiving the written notice.

130 New Section; Public Bathing Facilities; Certified Operators Required. Amend RSA 485-A by inserting after section 27 the following new section:

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II.(a) By January 1, 2022, each owner of a public bathing facility that is open for 9 months or

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more in a calendar year shall submit to the department the name and daytime telephone number including area code of each certified pool operator engaged by the owner to supervise the pool at the facility. The submission of this information shall occur as part of the self-certification in RSA 485-A:26-a.

(b) For facilities that begin operation after January 1, 2022, the information in subparagraph (a) shall be submitted prior to beginning operation.

more in a calendar year shall submit to the department the name and daytime telephone number including area code of each certified pool operator engaged by the owner to supervise the pool at the facility. The submission of this information shall occur as part of the self-certification in RSA 485-A:26-a.

(b) For facilities that begin operation after January 1, 2022, the information in subparagraph (a) shall be submitted prior to beginning operation.

131 Repeal. The following are repealed:

I. RSA 6:12, I(b)(295), relative to the dam maintenance revolving loan fund.

II. RSA 482:55-a, relative to the dam maintenance revolving loan fund. Any funds remaining in the dam maintenance revolving loan fund shall be credited to the dam maintenance fund established in RSA 482:55.

III. RSA 482:89, VI, relative to the deposit of proceeds from penalties into the dam maintenance revolving loan fund.

131 Repeal. The following are repealed:

I. RSA 6:12, I(b)(295), relative to the dam maintenance revolving loan fund.

II. RSA 482:55-a, relative to the dam maintenance revolving loan fund. Any funds remaining in the dam maintenance revolving loan fund shall be credited to the dam maintenance fund established in RSA 482:55.

III. RSA 482:89, VI, relative to the deposit of proceeds from penalties into the dam maintenance revolving loan fund.

132 Terrain Alteration; Modify Reporting Requirements. Amend RSA 485-A:17, II-c to read as follows:

II-c. ~~[Beginning October 1, 2007 and each fiscal quarter thereafter, the]~~ **The** department shall submit a ~~[quarterly]~~ **biennial** report to the house and senate finance committees, the house resources, recreation, and ~~[economic]~~ development committee, and the senate energy~~[-environment,]~~ and ~~[economic development committee]~~ **natural resources committee** relative to administration of the terrain alteration review program.

132 Terrain Alteration; Modify Reporting Requirements. Amend RSA 485-A:17, II-c to read as follows:

II-c. ~~[Beginning October 1, 2007 and each fiscal quarter thereafter, the]~~ **The** department shall submit a ~~[quarterly]~~ **biennial** report to the house and senate finance committees, the house resources, recreation, and ~~[economic]~~ development committee, and the senate energy~~[-environment,]~~ and ~~[economic development committee]~~ **natural resources committee** relative to administration of the terrain alteration review program.

133 State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b)(315) to read as follows:

(315) Moneys deposited into the recreation camp and youth skill camp fund established in ~~[RSA 485-A:24-a]~~ **RSA 170-E:57**.

133 State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b)(315) to read as follows:

(315) Moneys deposited into the recreation camp and youth skill camp fund established in ~~[RSA 485-A:24-a]~~ **RSA 170-E:57**.

<p>134 Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV(g) to read as follows:</p> <p>(g) "School-age program" means a child day care agency providing child day care for up to 5 hours per school day, before or after, or before and after, regular school hours, and all day during school holidays and vacations, and which is not licensed under [RSA 149] <i>RSA 170-E:56</i>, for 6 or more children who are 4 years and 8 months of age or older. The number of children shall include all children present during the period of the program, including those children related to the caregiver.</p>	<p>134 Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV(g) to read as follows:</p> <p>(g) "School-age program" means a child day care agency providing child day care for up to 5 hours per school day, before or after, or before and after, regular school hours, and all day during school holidays and vacations, and which is not licensed under [RSA 149] <i>RSA 170-E:56</i>, for 6 or more children who are 4 years and 8 months of age or older. The number of children shall include all children present during the period of the program, including those children related to the caregiver.</p>
<p>135 New Subdivision; Recreation Camp Licensing. Amend RSA 170-E by inserting after section 52 the following new subdivision:</p> <p style="text-align: center;">Recreation Camp Licensing</p> <p>170-E:53 Purpose. The purpose of this subdivision is to provide for the licensing of recreation camps and certification of criminal background checks for youth skill camps.</p> <p>170-E:54 Rulemaking.</p> <p>I. The commissioner shall adopt rules under RSA 541-A relative to:</p> <p>(a) Issuance of licenses to recreation camp operators under RSA 170-E:56, I.</p> <p>(b) Requirements for performing criminal background checks at youth skill camps and certifying acceptable results as required under RSA 170-E:56 and establishing appropriate sanctions and penalties for failing to perform the required background checks.</p> <p>II. The commissioner shall adopt all other necessary rules under RSA 541-A, relative to public health and safety issues for the protection of persons attending recreation camps regulated under RSA 170-E:56, I.</p> <p>170-E:55 Definitions.</p> <p>I. "Recreation camp" means any place set apart for recreational purposes for boys and girls. It shall not apply to private camps owned or leased for individual or family use, or to any camp operated for a period of less than 10 days in a year.</p> <p>II. "Youth skill camp" means a nonprofit or for-profit program that lasts 8 hours total or</p>	<p>135 New Subdivision; Recreation Camp Licensing. Amend RSA 170-E by inserting after section 52 the following new subdivision:</p> <p style="text-align: center;">Recreation Camp Licensing</p> <p>170-E:53 Purpose. The purpose of this subdivision is to provide for the licensing of recreation camps and certification of criminal background checks for youth skill camps.</p> <p>170-E:54 Rulemaking.</p> <p>I. The commissioner shall adopt rules under RSA 541-A relative to:</p> <p>(a) Issuance of licenses to recreation camp operators under RSA 170-E:56, I.</p> <p>(b) Requirements for performing criminal background checks at youth skill camps and certifying acceptable results as required under RSA 170-E:56 and establishing appropriate sanctions and penalties for failing to perform the required background checks.</p> <p>II. The commissioner shall adopt all other necessary rules under RSA 541-A, relative to public health and safety issues for the protection of persons attending recreation camps regulated under RSA 170-E:56, I.</p> <p>170-E:55 Definitions.</p> <p>I. "Recreation camp" means any place set apart for recreational purposes for boys and girls. It shall not apply to private camps owned or leased for individual or family use, or to any camp operated for a period of less than 10 days in a year.</p> <p>II. "Youth skill camp" means a nonprofit or for-profit program that lasts 8 hours total or</p>

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more in a year for the purpose of teaching a skill to minors. Such camps include, but are not limited to, the teaching of sports, the arts, and scientific inquiry.

170-E:56 Recreation Camp License; Youth Skill Camp Certification of Criminal Background Check.

I. No person shall for profit or for charitable purposes operate any recreation camp, as defined in RSA 170-E:55, I, designed or intended as a vacation or recreation resort, without a license issued by the department. Such license shall be conditioned upon the maintenance of clean, healthful sanitary conditions and methods, as determined and approved by said department, good only for the calendar year in which it is issued and subject to suspension or revocation at any time for cause. The fee for such license shall be \$200 which shall be paid into the recreation camp and youth skill camp fund established in RSA 170-E:57.

II.(a) No person or entity shall for profit or for charitable purposes operate any youth skill camp, as defined in RSA 170-E:55, II without maintaining an appropriate policy regarding background checks for camp owners, employees and volunteers who may be left alone with any child or children. Certification of background checks shall be made to the department demonstrating that no individual has a criminal conviction for any offense involving:

- (1) Causing or threatening direct physical injury to any individual; or
- (2) Causing or threatening harm of any nature to any child or children.

(b) Any person or entity required to perform background checks and provide certification to the department pursuant to subparagraph (a) shall pay a fee of \$25 to the department. All such fees collected by the department shall be deposited into the recreation camp and youth skill camp fund established in RSA 170-E:57.

(c) Subparagraphs (a) and (b) shall not apply to any person or entity which owns property used to operate a youth skill camp or any buildings or structures on such property used in the operation of a youth skill camp, provided such person or entity obtains written certification signed by the youth skill camp operator stating that background checks in accordance with this paragraph have been completed.

more in a year for the purpose of teaching a skill to minors. Such camps include, but are not limited to, the teaching of sports, the arts, and scientific inquiry.

170-E:56 Recreation Camp License; Youth Skill Camp Certification of Criminal Background Check.

I. No person shall for profit or for charitable purposes operate any recreation camp, as defined in RSA 170-E:55, I, designed or intended as a vacation or recreation resort, without a license issued by the department. Such license shall be conditioned upon the maintenance of clean, healthful sanitary conditions and methods, as determined and approved by said department, good only for the calendar year in which it is issued and subject to suspension or revocation at any time for cause. The fee for such license shall be \$200 which shall be paid into the recreation camp and youth skill camp fund established in RSA 170-E:57.

II.(a) No person or entity shall for profit or for charitable purposes operate any youth skill camp, as defined in RSA 170-E:55, II without maintaining an appropriate policy regarding background checks for camp owners, employees and volunteers who may be left alone with any child or children. Certification of background checks shall be made to the department demonstrating that no individual has a criminal conviction for any offense involving:

- (1) Causing or threatening direct physical injury to any individual; or
- (2) Causing or threatening harm of any nature to any child or children.

(b) Any person or entity required to perform background checks and provide certification to the department pursuant to subparagraph (a) shall pay a fee of \$25 to the department. All such fees collected by the department shall be deposited into the recreation camp and youth skill camp fund established in RSA 170-E:57.

(c) Subparagraphs (a) and (b) shall not apply to any person or entity which owns property used to operate a youth skill camp or any buildings or structures on such property used in the operation of a youth skill camp, provided such person or entity obtains written certification signed by the youth skill camp operator stating that background checks in accordance with this paragraph have been completed.

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(d) Nothing in this section shall preclude more stringent requirements for background checks on the part of camp owners, directors, or operators.

(e) Such policies shall be made available to the department and shall include the frequency of the background checks and the sources used to conduct the background checks. The department shall provide information on each youth skill camp's policy on the department's website.

(f) If an employee or volunteer has been the subject of a background check performed by another person or entity within 12 months, the previous background check may, with the signed and written consent of the employee or volunteer, be shared with the operator of the youth skill camp and may be used to satisfy the requirements of this paragraph, notwithstanding any other law providing for the confidentiality of such information.

170-E:57 Recreation Camp and Youth Skill Camp Fund. There is established the recreation camp and youth skills camp fund. This fund shall be nonlapsing and continually appropriated to the commissioner of the department of health and human services, for the purpose of paying costs associated with administering the provisions of this subdivision.

170-E:58 Statement of Health for Recreational Camps. Notwithstanding any law or rule to the contrary, any physical examination which is required before a child may enter a recreational camp may be conducted by a physician, an advance practice registered nurse, or a physician assistant.

170-E:59 Possession and Use of Epinephrine Auto-Injectors at Recreation Camps. A recreation camp shall permit a child with severe, potentially life-threatening allergies to possess and use an epinephrine auto-injector, if the following conditions are satisfied:

I. The child has the written approval of the child's physician and the written approval of the parent or guardian. The camp shall obtain the following information from the child's physician:

- (a) The child's name.
- (b) The name and signature of the licensed prescriber and business and emergency numbers.
- (c) The name, route, and dosage of medication.
- (d) The frequency and time of medication administration or assistance.

(d) Nothing in this section shall preclude more stringent requirements for background checks on the part of camp owners, directors, or operators.

(e) Such policies shall be made available to the department and shall include the frequency of the background checks and the sources used to conduct the background checks. The department shall provide information on each youth skill camp's policy on the department's website.

(f) If an employee or volunteer has been the subject of a background check performed by another person or entity within 12 months, the previous background check may, with the signed and written consent of the employee or volunteer, be shared with the operator of the youth skill camp and may be used to satisfy the requirements of this paragraph, notwithstanding any other law providing for the confidentiality of such information.

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- (a) The child's name.
- (b) The name and signature of the licensed prescriber and business and emergency numbers.
- (c) The name, route, and dosage of medication.
- (d) The frequency and time of medication administration or assistance.

(e) The date of the order.

(f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential.

(g) Specific recommendations for administration.

(h) Any special side effects, contraindications, and adverse reactions to be observed.

(i) The name of each required medication.

(j) Any severe adverse reactions that may occur to another child, for whom the epinephrine auto-injector is not prescribed, should such a pupil receive a dose of the medication.

II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse shall receive copies of the written approvals required by paragraph I.

III. The child's parent or guardian shall submit written verification from the physician confirming that the child has the knowledge and skills to safely possess and use an epinephrine auto-injector in a camp setting.

IV. If the conditions provided in this section are satisfied, the child may possess and use the epinephrine auto-injector at the camp or at any camp-sponsored activity, event, or program.

V. In this section, "physician" means any physician or health practitioner with the authority to write prescriptions.

170-E:60 Use of Epinephrine Auto-Injector. Immediately after using the epinephrine auto-injector, the child shall report such use to the nurse or another camp employee to enable the nurse or camp employee to provide appropriate follow-up care.

170-E:61 Availability of Epinephrine Auto-Injector. The recreational camp nurse or, if a nurse is not assigned to the camp, the recreational camp administrator shall maintain for the use of a child with severe allergies at least one epinephrine auto-injector, provided by the child or the child's parent or guardian, in the nurse's office or in a similarly accessible location.

170-E:62 Immunity. No recreational camp or camp employee shall be liable in a suit for damages as a result of any act or omission related to a child's use of an epinephrine auto-injector if the provisions of RSA 170-E:59 have been met, unless the damages were caused by willful or wanton

(e) The date of the order.

(f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential.

(g) Specific recommendations for administration.

(h) Any special side effects, contraindications, and adverse reactions to be observed.

(i) The name of each required medication.

(j) Any severe adverse reactions that may occur to another child, for whom the epinephrine auto-injector is not prescribed, should such a pupil receive a dose of the medication.

II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse shall receive copies of the written approvals required by paragraph I.

III. The child's parent or guardian shall submit written verification from the physician confirming that the child has the knowledge and skills to safely possess and use an epinephrine auto-injector in a camp setting.

IV. If the conditions provided in this section are satisfied, the child may possess and use the epinephrine auto-injector at the camp or at any camp-sponsored activity, event, or program.

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conduct or disregard of the criteria established in that section for the possession and self-administration of an epinephrine auto-injector by a child.

170-E:63 Possession and Use of Asthma Inhalers at Recreation Camps. A recreation camp shall permit a child to possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, if the following conditions are satisfied:

I. The child has the written approval of the child's physician and the written approval of the parent or guardian. The camp shall obtain the following information from the child's physician:

(a) The child's name.

(b) The name and signature of the licensed prescriber and business and emergency numbers.

(c) The name, route, and dosage of medication.

(d) The frequency and time of medication administration or assistance.

(e) The date of the order.

(f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential.

(g) Specific recommendations for administration.

(h) Any special side effects, contraindications, and adverse reactions to be observed.

(i) The name of each required medication.

(j) At least one emergency telephone number for contacting the parent or guardian.

II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse shall receive copies of the written approvals required by paragraph I.

III. The child's parent or guardian shall submit written verification from the physician confirming that the child has the knowledge and skills to safely possess and use an asthma inhaler in a camp setting.

IV. If the conditions provided in this section are satisfied, the child may possess and use the inhaler at the camp or at any camp sponsored activity, event, or program.

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I. The child has the written approval of the child's physician and the written approval of the parent or guardian. The camp shall obtain the following information from the child's physician:

(a) The child's name.

(b) The name and signature of the licensed prescriber and business and emergency numbers.

(c) The name, route, and dosage of medication.

(d) The frequency and time of medication administration or assistance.

(e) The date of the order.

(f) A diagnosis and any other medical conditions requiring medications, if not a violation of confidentiality or if not contrary to the request of the parent or guardian to keep confidential.

(g) Specific recommendations for administration.

(h) Any special side effects, contraindications, and adverse reactions to be observed.

(i) The name of each required medication.

(j) At least one emergency telephone number for contacting the parent or guardian.

II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse shall receive copies of the written approvals required by paragraph I.

III. The child's parent or guardian shall submit written verification from the physician confirming that the child has the knowledge and skills to safely possess and use an asthma inhaler in a camp setting.

IV. If the conditions provided in this section are satisfied, the child may possess and use the inhaler at the camp or at any camp sponsored activity, event, or program.

V. In this section, "physician" includes any physician or health practitioner with the authority to write prescriptions.

170-E:64 Immunity. No recreational camp or camp employee shall be liable in a suit for damages as a result of any act or omission related to a child's use of an inhaler if the provisions of RSA 170-E:63 have been met, unless the damages were caused by willful or wanton conduct or disregard of the criteria established in that section for the possession and self-administration of an asthma inhaler by a child.

170-E:65 Injunction. Any person operating or maintaining a recreation camp or youth skill camp without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

170-E:66 Penalty; Administrative Fines.

I. Whoever violates any of the provisions of this subdivision, or rules adopted under this subdivision shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person.

II. The commissioner, after notice and hearing, may impose an administrative fine not to exceed \$2,000 for each offense upon any person who violates any provision of this subdivision, any rule adopted under this subdivision, or any license or approval issued under this subdivision. Rehearings and appeals from a decision of the commissioner under this paragraph shall be in accordance with RSA 541. Any administrative fine imposed under this section shall not preclude the imposition of further penalties under this chapter. The proceeds of administrative fines levied pursuant to this paragraph shall be deposited in the general fund. The commissioner shall adopt rules, under RSA 541-A, relative to:

- (a) A schedule of administrative fines which may be imposed under this paragraph; and
- (b) Procedures for notice and hearing prior to the imposition of an administrative fine.

136 Water Pollution and Waste Disposal; Safety Regulations for Pools and Bathing Places. Amend the subdivision heading preceding RSA 485-A:23 to read as follows:

V. In this section, "physician" includes any physician or health practitioner with the authority to write prescriptions.

170-E:64 Immunity. No recreational camp or camp employee shall be liable in a suit for damages as a result of any act or omission related to a child's use of an inhaler if the provisions of RSA 170-E:63 have been met, unless the damages were caused by willful or wanton conduct or disregard of the criteria established in that section for the possession and self-administration of an asthma inhaler by a child.

170-E:65 Injunction. Any person operating or maintaining a recreation camp or youth skill camp without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

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- (a) A schedule of administrative fines which may be imposed under this paragraph; and
- (b) Procedures for notice and hearing prior to the imposition of an administrative fine.

136 Water Pollution and Waste Disposal; Safety Regulations for Pools and Bathing Places. Amend the subdivision heading preceding RSA 485-A:23 to read as follows:

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Safety Regulations for [Camps,] Pools ^[7] and Bathing Places	Safety Regulations for [Camps,] Pools ^[7] and Bathing Places
<p>137 Water Pollution and Waste Disposal; Injunction. Amend RSA 485-A:27 to read as follows:</p> <p>485-A:27 Injunction. Any person operating or maintaining a [recreation camp, youth skill camp,] public swimming pool^[7] or bathing place without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.</p>	<p>137 Water Pollution and Waste Disposal; Injunction. Amend RSA 485-A:27 to read as follows:</p> <p>485-A:27 Injunction. Any person operating or maintaining a [recreation camp, youth skill camp,] public swimming pool^[7] or bathing place without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.</p>
<p>138 Repeal. The following are repealed:</p> <p>I. RSA 485-A:6, IX, relative to rulemaking for camp licenses and camp safety standards.</p> <p>II. RSA 485-A:23, relative to safety regulations for camps, pools, and bathing places; definitions.</p> <p>III. RSA 485-A:24, relative to safety regulations for camps, pools, and bathing places; recreation camp license; youth skill camp certification of criminal background check.</p> <p>IV. RSA 485-A:24-a, relative to safety regulations for camps, pools, and bathing places; recreation camp and youth skill camp fund.</p> <p>V. RSA 485-A:25, relative to safety regulations for camps, pools, and bathing places; rulemaking.</p> <p>VI. RSA 485-A:25-a, relative to safety regulations for camps, pools, and bathing places; statement of health for recreational camps.</p> <p>VII. RSA 485-A:25-b, relative to safety regulations for camps, pools, and bathing places; possession and use of epinephrine auto-injectors at recreation camps.</p> <p>VIII. RSA 485-A:25-c, relative to safety regulations for camps, pools, and bathing places; use of epinephrine auto-injector; availability of epinephrine auto-injector.</p> <p>IX. RSA 485-A:25-d, relative to safety regulations for camps, pools, and bathing places; availability of epinephrine auto-injector.</p> <p>X. RSA 485-A:25-e, relative to safety regulations for camps, pools, and bathing places;</p>	<p>138 Repeal. The following are repealed:</p> <p>I. RSA 485-A:6, IX, relative to rulemaking for camp licenses and camp safety standards.</p> <p>II. RSA 485-A:23, relative to safety regulations for camps, pools, and bathing places; definitions.</p> <p>III. RSA 485-A:24, relative to safety regulations for camps, pools, and bathing places; recreation camp license; youth skill camp certification of criminal background check.</p> <p>IV. RSA 485-A:24-a, relative to safety regulations for camps, pools, and bathing places; recreation camp and youth skill camp fund.</p> <p>V. RSA 485-A:25, relative to safety regulations for camps, pools, and bathing places; rulemaking.</p> <p>VI. RSA 485-A:25-a, relative to safety regulations for camps, pools, and bathing places; statement of health for recreational camps.</p> <p>VII. RSA 485-A:25-b, relative to safety regulations for camps, pools, and bathing places; possession and use of epinephrine auto-injectors at recreation camps.</p> <p>VIII. RSA 485-A:25-c, relative to safety regulations for camps, pools, and bathing places; use of epinephrine auto-injector; availability of epinephrine auto-injector.</p> <p>IX. RSA 485-A:25-d, relative to safety regulations for camps, pools, and bathing places; availability of epinephrine auto-injector.</p> <p>X. RSA 485-A:25-e, relative to safety regulations for camps, pools, and bathing places;</p>

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<p>immunity.</p> <p>XI. RSA 485-A:25-f, relative to safety regulations for camps, pools, and bathing places; possession and use of asthma inhalers at recreation camps.</p> <p>XII. RSA 485-A:25-g, relative to safety regulations for camps, pools, and bathing places; immunity.</p>	<p>immunity.</p> <p>XI. RSA 485-A:25-f, relative to safety regulations for camps, pools, and bathing places; possession and use of asthma inhalers at recreation camps.</p> <p>XII. RSA 485-A:25-g, relative to safety regulations for camps, pools, and bathing places; immunity.</p>
<p>139 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 216-I:1, VII to read as follows:</p> <p>VII. "Recreational campground or camping park" means a parcel of land on which 2 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency, excluding recreation camps as defined in [RSA 485-A:23] <i>RSA 170-E:55, I.</i></p>	<p>139 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 216-I:1, VII to read as follows:</p> <p>VII. "Recreational campground or camping park" means a parcel of land on which 2 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency, excluding recreation camps as defined in [RSA 485-A:23] <i>RSA 170-E:55, I.</i></p>
<p>140 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 275:35 to read as follows:</p> <p>IX. Employees of a recreation camp or a youth skill camp licensed pursuant to [RSA 485-A:24] <i>RSA 170-E:56.</i></p>	<p>140 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 275:35 to read as follows:</p> <p>IX. Employees of a recreation camp or a youth skill camp licensed pursuant to [RSA 485-A:24] <i>RSA 170-E:56.</i></p>
<p>141 Department of Military Affairs and Veterans Services. Amend the chapter heading of RSA 110-B to read as follows:</p> <p>[THE MILITIA] <i>DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES</i></p>	<p>141 Department of Military Affairs and Veterans Services. Amend the chapter heading of RSA 110-B to read as follows:</p> <p>[THE MILITIA] <i>DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES</i></p>
<p>142 Department of Military Affairs and Veterans Services; The Militia. Amend RSA 110-B:1 to read as follows:</p> <p>110-B:1 <i>Department of Military Affairs and Veterans Services.</i></p> <p><i>I. The department shall consist of the militia, which shall include the army</i></p>	<p>AMENDED BY THE SENATE</p> <p>142 Department of Military Affairs and Veterans Services; The Militia. Amend RSA 110-B:1 to read as follows:</p> <p>110-B:1 <i>Department of Military Affairs and Veterans Services.</i></p> <p><i>I. The department shall consist of the militia which shall include the army</i></p>

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national guard, air national guard, the inactive national guard, the state guard, and the unorganized militia, and veterans services, which shall include the division of veterans services, the state veterans cemetery, the division of community based military programs, the veterans council, and the military leadership team.

II. The department shall be led by an adjutant general.

110-B:1-a Composition of the Militia.

I. The militia shall be divided into 3 classes, namely the national guard, the state guard, and the unorganized militia.

II. The national guard shall consist of an army national guard, an air national guard, and an inactive national guard. As used in this chapter, the term "national guard" shall mean and refer to the army national guard and the air national guard unless otherwise indicated.

III. The state guard shall consist of those persons serving in accordance with the provisions of RSA 111.

IV. The unorganized militia shall consist of all able-bodied residents of the state who are 18 years of age or older, who are, or have declared their intention to become, citizens of the United States, and who are not serving in the national guard or the state guard.

V. When authorized by the laws and regulations of the United States, there shall be an additional section of the state guard to be known as the New Hampshire naval militia.

national guard, air national guard, the inactive national guard, the state guard and the unorganized militia, and veterans services which shall include the division of veterans services, the state veterans cemetery, the division of community based military programs, the veterans council, and the military leadership team.

*II. The department shall be led by an adjutant general **who shall be the commissioner of the department of military affairs and veterans services.***

*III. The department may receive, on behalf of the state, all donations and bequests **made to promote the welfare of military service members, veterans, and their families.***

110-B:1-a Composition of the Militia.

I. The militia shall be divided into 3 classes, namely the national guard, the state guard, and the unorganized militia.

II. The national guard shall consist of an army national guard, an air national guard, and an inactive national guard. As used in this chapter, the term "national guard" shall mean and refer to the army national guard and the air national guard unless otherwise indicated.

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V. When authorized by the laws and regulations of the United States, there shall be an additional section of the state guard to be known as the New Hampshire naval militia.

143 The Adjutant General. Amend RSA 110-B:8, II and III to read as follows:

II. The adjutant general shall be the chief of staff to the governor and shall be the executive head of the [~~adjutant general's~~] department **of military affairs and veterans services**. The adjutant general may perform any act authorized by this chapter or by the regulations issued pursuant thereto through or with the aid of such officers of the national guard or other personnel as the adjutant general may designate. The adjutant general shall exercise and perform all powers,

143 The Adjutant General. Amend RSA 110-B:8, II and III to read as follows:

II. The adjutant general shall be the chief of staff to the governor and shall be the executive head of the [~~adjutant general's~~] department **of military affairs and veterans services**. The adjutant general may perform any act authorized by this chapter or by the regulations issued pursuant thereto through or with the aid of such officers of the national guard or other personnel as the adjutant general may designate. The adjutant general shall exercise and perform all powers,

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functions and duties which are or may be imposed by the laws and regulations of the United States. It shall be the duty of the adjutant general to direct the planning and employment of the forces of the national guard in carrying out their state military mission; to establish unified command of state forces whenever they shall be jointly engaged; to submit such written reports to the governor as the governor may prescribe; and to perform such other duties as the governor may direct. Whenever the governor and those who would act in succession to the governor under the constitution and laws of the state shall be unable to perform the duties of commander-in-chief, the adjutant general shall command the militia.

III. The adjutant general is authorized and empowered, subject to the approval of the governor and council, to contract with any person or private or public agency to provide group life or disability insurance coverage for members of the national guard, while on active state duty, within the limits of appropriations made for the national guard.

IV. The adjutant general shall advocate for and promote the welfare of military service members, veterans, and their families. The adjutant general shall enhance, coordinate, and oversee the benefits and services offered by organizations within the state of New Hampshire and direct veterans to appropriate benefits and services offered by such organizations. The department of military affairs and veterans services shall serve as a clearinghouse for research, data, and analysis, to initiate and support public education and awareness campaigns. The adjutant general shall serve as a liaison between the federal government and the governor on issues relevant to the department's mission, and represent the department at various state and national conventions, conferences, and public functions and provide supervision to the department public relations program.

functions and duties which are or may be imposed by the laws and regulations of the United States. It shall be the duty of the adjutant general to direct the planning and employment of the forces of the national guard in carrying out their state military mission; to establish unified command of state forces whenever they shall be jointly engaged; to submit such written reports to the governor as the governor may prescribe; and to perform such other duties as the governor may direct. Whenever the governor and those who would act in succession to the governor under the constitution and laws of the state shall be unable to perform the duties of commander-in-chief, the adjutant general shall command the militia.

III. The adjutant general is authorized and empowered, subject to the approval of the governor and council, to contract with any person or private or public agency to provide group life or disability insurance coverage for members of the national guard, while on active state duty, within the limits of appropriations made for the national guard.

IV. The adjutant general shall advocate for and promote the welfare of military service members, veterans, and their families. The adjutant general shall enhance, coordinate, and oversee the benefits and services offered by organizations within the state of New Hampshire and direct veterans to appropriate benefits and services offered by such organizations. The department of military affairs and veterans services shall serve as a clearinghouse for research, data, and analysis, to initiate and support public education and awareness campaigns. The adjutant general shall serve as a liaison between the federal government and the governor on issues relevant to the department's mission, and represent the department at various state and national conventions, conferences, and public functions and provide supervision to the department public relations program.

144 Deputy Adjutant General. Amend RSA 110-B:8-b, I-IV to read as follows:

I. Assume full responsibility for the ~~[adjutant general's]~~ department ***of military affairs and veterans services*** in the absence of the adjutant general.

II. Assist the adjutant general to implement the department's duties and responsibilities.

144 Deputy Adjutant General. Amend RSA 110-B:8-b, I-IV to read as follows:

I. Assume full responsibility for the ~~[adjutant general's]~~ department ***of military affairs and veterans services*** in the absence of the adjutant general.

II. Assist the adjutant general to implement the department's duties and responsibilities.

III. Serve as principal liaison to senior military officials, various state and federal officials, the legislature, local governments, and community groups.

IV. Provide overall guidance and direction for state operations including business administration, facilities management, *division of veterans services, the division of community based military programs* and the state veterans cemetery.

III. Serve as principal liaison to senior military officials, various state and federal officials, the legislature, local governments, and community groups.

IV. Provide overall guidance and direction for state operations including business administration, facilities management, *division of veterans services, the division of community based military programs* and the state veterans cemetery.

145 New Subdivision; Department of Military Affairs and Veterans Services; Veterans Services. Amend RSA 110-B by inserting after section 82 the following new subdivision:

Division of Veterans Services

110-B:83 Division of Veterans Services.

I. The division of veterans services shall be divided into 3 classes, namely the division of veterans services, the state veterans cemetery and the division of community based military programs. Additionally there will be 2 advisory bodies, namely the veterans council and the military leadership team.

II. The division of veterans services shall assist veterans who are residents of this state or their dependents to secure all benefits or preferences to which they may be entitled under any state or federal laws or regulations.

III. The state veterans cemetery shall provide and maintain a dignified final-resting place to honor all veterans and eligible dependents which expresses the state's gratitude for their service to the country.

IV. The division of community based military programs shall collaborate, coordinate, and communicate with military and civilian provider groups in the delivery of services to New Hampshire veterans, service members, and their families.

V. The military leadership team and veterans council shall serve as advisory bodies and shall provide advice and guidance to the adjutant general regarding the delivery of services to veterans and military service members and their families.

110-B:84 Division of Veterans Services. The division of veterans services under the supervision

145 New Subdivision; Department of Military Affairs and Veterans Services; Veterans Services. Amend RSA 110-B by inserting after section 82 the following new subdivision:

Division of Veterans Services

110-B:83 Division of Veterans Services.

I. The division of veterans services shall be divided into 3 classes, namely the division of veterans services, the state veterans cemetery and the division of community based military programs. Additionally there will be 2 advisory bodies, namely the veterans council and the military leadership team.

II. The division of veterans services shall assist veterans who are residents of this state or their dependents to secure all benefits or preferences to which they may be entitled under any state or federal laws or regulations.

III. The state veterans cemetery shall provide and maintain a dignified final-resting place to honor all veterans and eligible dependents which expresses the state's gratitude for their service to the country.

IV. The division of community based military programs shall collaborate, coordinate, and communicate with military and civilian provider groups in the delivery of services to New Hampshire veterans, service members, and their families.

V. The military leadership team and veterans council shall serve as advisory bodies and shall provide advice and guidance to the adjutant general regarding the delivery of services to veterans and military service members and their families.

110-B:84 Division of Veterans Services. The division of veterans services under the supervision

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of a director of veterans services shall:

I. Assist veterans who are residents of this state or their dependents to secure all benefits or preferences to which they may be entitled under any state or federal laws or regulations. The division shall employ such assistance as may be necessary, within the limits of the appropriation made therefor, subject to the rules of the state division of personnel.

II. Biennially, beginning July 1, 2019, publish and distribute a state veteran's handbook which shall include the following information:

(a) Points of contact for all federal, state, local, and nonprofit veterans agencies, departments, councils, hospitals, clinics, and other organizations offering services, benefits, and programs to New Hampshire veterans, including addresses, telephone numbers, and e-mail addresses.

(b) A description of the services, benefits, and programs offered by each entity listed under subparagraph (a).

III. Accept and expend for purposes of publishing and distributing the state veterans handbook, any donations, grants, bequests, and contributions which become available for such purposes.

110-B:85 Director of the Division of Veterans Services.

I. The adjutant general shall, with the approval of the governor and council, appoint a director of the division of veterans services, who shall be a veteran as defined in RSA 21:50.

II. The director shall:

(a) Supervise the activities of a statewide service delivery structure which assists veterans and family members in identifying eligibility for veterans benefits, filing claims, coordinating benefits with other state and federal agencies, and reviewing claims decisions for appeals or waivers of unfavorable decisions.

(b) Identify and develop legislative proposals to improve delivery of services, review and monitor legislation introduced by others, testify at hearings, and prepare legislative fiscal note work sheets. The director shall coordinate, implement, and administer programs mandated by the

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legislature.

(c) Prepare the agency budget and administer and monitor expenditures for the division of veterans services.

(d) Develop and coordinate agency programs in conjunction with the United States Department of Veterans Affairs as well as other federal, state, local, and private organizations.

(e) Represent the adjutant general at various state and national conventions, conferences, and public functions and provide supervision to the division of veterans services' public relations program.

(f) Perform such other duties as the adjutant general shall determine.

110-B:86 Copies of Public Records. When a copy of any public record is required by the Department of Veterans Affairs to be used in determining the eligibility of any person to participate in benefits made available by the United States Department of Veterans Affairs, the official custodian of such public record shall without charge provide the applicant for such benefits or any person acting on his or her behalf or the authorized representative of the United States Department of Veterans Affairs with a certified copy of such record; provided, however, that in any case where the copy is made by a town clerk whose official income is derived in part or entirely from fees a charge for services hereunder shall be made and the town shall reimburse the clerk for the charges.

110-B:87 Donations and Bequests. The division of veterans services may receive, on behalf of the state, all donations and bequests that may be made to support the delivery of state office of veterans services programs.

110-B:88 Division of Community Based Military Programs. The division of community based military programs, under the supervision of an administrator of community based military programs shall facilitate military and civilian partnerships by collaborating, coordinating, and communicating with military and civilian provider groups in the delivery of services to New Hampshire veterans, service members, and their families. The administrator shall:

I. Develop and implement innovative, effective, and sustainable provider engagement projects to increase education, outreach, and engagement with military-access resources.

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(c) Prepare the agency budget and administer and monitor expenditures for the division of veterans services.

(d) Develop and coordinate agency programs in conjunction with the United States Department of Veterans Affairs as well as other federal, state, local, and private organizations.

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II. Integrate military and civilian community and coalition networks and strengthen military-civilian community supports by integrating those supports into civilian structures.

III. Advocate for federal and state funding to target system changes to improve services.

IV. Ensure cost efficiency through decreased overlap, service redundancy and increased service fidelity.

V. Develop and provide oversight for New Hampshire's care coordination, including services and supports addressing substance misuse, homelessness, suicide prevention, mental health, sexual military trauma, unemployment, domestic violence, education, and legal support.

VI. Authorize, evaluate, and monitor the administration of federal and state grants.

VII. Initiate and facilitate state planning processes to improve access, navigation, and coordination of military-civilian services and support.

VIII. Compile and analyze program statistics and metrics to evaluate the effectiveness of the system of care, initiatives, and special projects, including the efforts of legislative, statewide, and community coalitions across the state.

110-B:89 State Veterans Council Established.

I. There shall be a state veterans council of 4 members to be appointed by the governor and council, 3 of whom shall be veterans as defined by RSA 21:50. The fourth member shall be a family member of a veteran or family member of a currently serving member of the armed forces. All council members shall be citizens of New Hampshire. Of the first appointments of veterans under this section one shall be appointed for a term of 3 years, one for a term of 2 years, one for a term of one year and thereafter each shall be appointed for a term of 3 years. The family member shall be appointed for a term of 3 years. Each member of the council shall hold office until a successor is appointed and qualified. Any vacancy in the council shall be filled by the governor and council for the unexpired term.

II. The members of the council shall meet not less than semi-annually to review activities of the division of veterans services and provide guidance to and make recommendations for improvement on the adequacy and delivery of veterans programs to the adjutant general. The

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adjutant general may designate one of the members to serve as liaison to the state veterans advisory committee.

110-B:90 Military Leadership Team. There is hereby established a military leadership team which shall serve in an advisory capacity and shall provide advice and guidance to the adjutant general regarding the delivery of services to veterans and military service members in New Hampshire. The military leadership team shall choose a chairman, vice-chairman, and a secretary from their membership. The team may, by a majority vote of its members, adopt bylaws governing the management and operation of the team. The military leadership team shall consist of the following members:

- I. The adjutant general, or designee.
- II. The director of the division of veterans services, or designee.
- III. The members of the veterans council.
- IV. The administrator of the division of community based military programs.
- V. Representatives of organizations which provide services to veterans and military service members in New Hampshire, appointed by the adjutant general.
- VI. Members of the private sector who have an interest in serving service members, veterans and their families, appointed by the adjutant general.
- VII. A family member of veteran or currently serving member of the armed forces, appointed by the adjutant general.

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- VII. A family member of veteran or currently serving member of the armed forces, appointed by the adjutant general.

146 Aid for Veterans' Programs. Amend RSA 115-A:2, VII to read as follows:

VII. "[~~Office~~] **Division** of veterans services" means the [~~state office~~] **division** of veterans services established pursuant to [~~RSA 115~~] **RSA 110-B:83**.

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147 Replace Term. Replace "office of veterans services" or "state office of veterans services" with "division of veterans services" in the following RSA sections: RSA 21:50, I(b)(24); 72:29, VII; 94:1-a, I(b), Grade CC; 115-A:2, VII; 115-A:10; 115-A:14; 115-A:17; 115-A:21; 115-B:5; 115-D:2, I(e); 261-C:2,

147 Replace Term. Replace "office of veterans services" or "state office of veterans services" with "division of veterans services" in the following RSA sections: RSA 21:50, I(b)(24); 72:29, VII; 94:1-a, I(b), Grade CC; 115-A:2, VII; 115-A:10; 115-A:14; 115-A:17; 115-A:21; 115-B:5; 115-D:2, I(e); 261-C:2,

<p>III; 261-C:3; 261-C:4, II; 261-C:7; 358-A:2, XVII; 465:3; 465:5; 465:11; 651:4-b, II(a).</p>	<p>III; 261-C:3; 261-C:4, II; 261-C:7; 358-A:2, XVII; 465:3; 465:5; 465:11; 651:4-b, II(a).</p>
<p>148 Repeal. RSA 115, relative to the state office of veterans services, is repealed.</p>	<p>148 Repeal. RSA 115, relative to the state office of veterans services, is repealed.</p>
<p>149 Sale of Property; National Guard Armory in Berlin. The adjutant general and the department of military affairs and veterans services are authorized to offer for sale the national guard armory land and buildings in the city of Berlin. The adjutant general and the department shall submit quarterly reports on the progress of the sale to the fiscal committee of the general court. Any sale of such land and buildings shall be subject to the requirements of RSA 4:40. All proceeds from the sale may be used for the purchase of a new armory in general proximity to the current armory in Berlin, and any proceeds from the sale that are not used for such a purchase shall lapse to the general fund.</p>	<p>149 Sale of Property; National Guard Armory in Berlin. The adjutant general and the department of military affairs and veterans services are authorized to offer for sale the national guard armory land and buildings in the city of Berlin. The adjutant general and the department shall submit quarterly reports on the progress of the sale to the fiscal committee of the general court. Any sale of such land and buildings shall be subject to the requirements of RSA 4:40. All proceeds from the sale may be used for the purchase of a new armory in general proximity to the current armory in Berlin, and any proceeds from the sale that are not used for such a purchase shall lapse to the general fund.</p>
<p>150 Department of Business and Economic Affairs; Rest Areas and Welcome Centers. Amend RSA 12-O:18, I to read as follows: I. The department of business and economic affairs shall be responsible for the staffing of rest areas and welcome centers along the state's highways. There is established in the department a bureau of visitor service <i>within the office of the commissioner</i> to administer this function. The commissioner may consult with the local chambers of commerce relative to said function, and shall have the authority to enter into contracts with private or public entities for said function as the commissioner deems appropriate.</p>	<p>AMENDED BY THE SENATE 150 Department of Business and Economic Affairs; Rest Areas and Welcome Centers. Amend RSA 12-O:18, I to read as follows: I. The department of business and economic affairs shall be responsible for the staffing of all operational rest areas and welcome centers along the state's highways owned by the department of transportation. There is established in the department a bureau of visitor service <i>within the office of the commissioner</i> to administer this function. The commissioner may consult with the local chambers of commerce business representatives relative to said function, and shall have the authority to enter into contracts with private or public entities for said function as the commissioner deems appropriate.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>151 New Paragraphs; Department of Business and Economic Affairs; Rest Areas and Welcome Centers. Amend RSA 12-O:18 by inserting after paragraph II the following new paragraphs: III. Subject to a memorandum of understanding with the department of transportation, the</p>

	<p>bureau of visitor service shall provide rest area management and operational services without limitation, to include staffing, training, fiscal management, grounds and building maintenance, and customer service to the traveling public.</p> <p>IV. The bureau of visitor service shall seek to advance initiatives and strategies to reduce state operational responsibility and cost, to provide an improved user experience for visitors, and to focus state resources on customer service for those visitors.</p>
<p>151 Labor; Workers' Compensation; Safety Provisions; Administrative Penalty. Amend RSA 281-A:64, VIII to read as follows:</p> <p>VIII. The commissioner may assess an administrative penalty of up to \$250 a day on any employer not in compliance with the written safety program required under paragraph II of this section, the joint loss management committee required under paragraph III of this section, or the directives of the department under paragraph IV of this section. Each violation shall be subject to a separate administrative penalty. All penalties collected under this paragraph shall be deposited in the [general fund] department of labor restricted fund established pursuant to RSA 273:1-b.</p>	<p>152 Labor; Workers' Compensation; Safety Provisions; Administrative Penalty. Amend RSA 281-A:64, VIII to read as follows:</p> <p>VIII. The commissioner may assess an administrative penalty of up to \$250 a day on any employer not in compliance with the written safety program required under paragraph II of this section, the joint loss management committee required under paragraph III of this section, or the directives of the department under paragraph IV of this section. Each violation shall be subject to a separate administrative penalty. All penalties collected under this paragraph shall be deposited in the [general fund] department of labor restricted fund established pursuant to RSA 273:1-b.</p>
<p>152 Labor; Workers' Compensation; Definitions. Amend RSA 281-A:2, VI(d) to read as follows:</p> <p>(d) If the commissioner finds that an employer has misrepresented the relationship between the employer and the person providing services, the commissioner may assess a civil penalty of up to \$2,500; in addition, such employer may be assessed a civil penalty of \$100 per employee for each day of noncompliance. The fines may be assessed from the first day of the infraction but not to exceed one year. Notwithstanding any provision of law to the contrary, any person with control or responsibility over decisions to disburse funds and salaries and who knowingly violates the provisions of this subparagraph shall be held personally liable for payments of fines. All funds collected under this subparagraph shall be [continually appropriated and deposited into a nonlapsing workers' compensation fraud fund dedicated to the investigation and compliance activities required by this section and related sections pertaining to labor and insurance</p>	<p>153 Labor; Workers' Compensation; Definitions. Amend RSA 281-A:2, VI(d) to read as follows:</p> <p>(d) If the commissioner finds that an employer has misrepresented the relationship between the employer and the person providing services, the commissioner may assess a civil penalty of up to \$2,500; in addition, such employer may be assessed a civil penalty of \$100 per employee for each day of noncompliance. The fines may be assessed from the first day of the infraction but not to exceed one year. Notwithstanding any provision of law to the contrary, any person with control or responsibility over decisions to disburse funds and salaries and who knowingly violates the provisions of this subparagraph shall be held personally liable for payments of fines. All funds collected under this subparagraph shall be [continually appropriated and deposited into a nonlapsing workers' compensation fraud fund dedicated to the investigation and compliance activities required by this section and related sections pertaining to labor and insurance</p>

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<p>law-] <i>deposited into the department of labor restricted fund established pursuant to RSA 273:1-b.</i> The commissioner of labor shall appoint as many individuals as necessary to carry out the department's responsibilities under this section.</p>	<p>law-] <i>deposited into the department of labor restricted fund established pursuant to RSA 273:1-b.</i> The commissioner of labor shall appoint as many individuals as necessary to carry out the department's responsibilities under this section.</p>
<p>153 Repeal. RSA 6:12, I(b)(267), relative to moneys deposited in the workers' compensation fraud fund, is repealed.</p>	<p>154 Repeal. RSA 6:12, I(b)(267), relative to moneys deposited in the workers' compensation fraud fund, is repealed.</p>
<p>154 Administration of Transportation Laws; Certification of Current Workers' Compensation Coverage Required. Amend RSA 228:4-b, IV to read as follows:</p> <p>IV. All funds collected under this section shall be deposited into the [general fund] <i>department of labor restricted fund established pursuant to RSA 273:1-b.</i></p>	<p>155 Administration of Transportation Laws; Certification of Current Workers' Compensation Coverage Required. Amend RSA 228:4-b, IV to read as follows:</p> <p>IV. All funds collected under this section shall be deposited into the [general fund] <i>department of labor restricted fund established pursuant to RSA 273:1-b.</i></p>
<p>155 New Subdivision; Governor's Finish Line New Hampshire Scholarship Program. Amend RSA 188-F by inserting after section 68 the following new subdivision:</p> <p style="padding-left: 40px;">Governor's Finish Line New Hampshire Scholarship Program</p> <p>188-F:69 Governor's Finish Line New Hampshire Scholarship Program.</p> <p>I. The community college system of New Hampshire may establish and administer the governor's finish line New Hampshire scholarship program with funds appropriated from the general court. The program shall provide tuition grants, after federal grants and other aid, for eligible students who have already completed 30 credits.</p> <p>II. The program shall be open to any student attending an institution within the community college system who is over 25 years of age and is enrolled in a field which the community college system has identified as being in high demand by employers in the state.</p> <p>III. The community college system shall establish procedures for the administration of the program, identification of high demand fields of employment, and the criteria by which a student shall qualify and be selected for a scholarship, provided that such procedures and criteria shall be consistent with this section.</p>	<p>NOT INCLUDED IN SENATE AMENDMENT</p>

<p>156 Program Transferred. The governor's scholarship program established in the office of strategic initiatives pursuant to RSA 4-C:31-35 is hereby transferred to the department of education. Any administrative rules for the governor's scholarship program shall continue in effect and shall be enforced by the commissioner of the department of education until such rules expire or are repealed or amended in accordance with applicable law.</p>	<p>SEE SENATE SECTION 157</p>
<p>157 New Subdivision; Governor's Scholarship Program. Amend RSA 21-N by inserting after section 12 the following new subdivision:</p> <p style="text-align: center;">Governor's Scholarship Program</p> <p>21-N:13 Definitions. In this subdivision:</p> <p>I. "Postsecondary educational institution or training program" means any institution within the university system of New Hampshire as defined in RSA 187-A, any institution within the community college system of New Hampshire as defined in RSA 188-F, any private postsecondary institution approved to operate in this state, or any postsecondary training or certificate program within this state that is approved by the department, and is a not-for-profit institution that is eligible to receive federal Title IV funds.</p> <p>II. "Department" means the department of education.</p> <p>III. "Program" means the governor's scholarship program.</p> <p>21-N:14 Program Established. There is hereby established the governor's scholarship program in the department of education which shall be administered by the department. The program shall provide scholarships which a recipient shall apply to the costs of an education at a postsecondary educational institution or training program. The department shall determine any additional criteria regarding how and when scholarship funds shall be distributed, and may elect to distribute funds to an individual in a lump sum or over a period of months or years.</p> <p>21-N:15 Eligibility.</p>	<p style="text-align: center;">AMENDED BY THE SENATE</p> <p>156 Governor's Scholarship Program and Fund. RSA 4-C:31 through 4-C:35 are repealed and reenacted to read as follows:</p> <p>4-C:31 Definitions. In this subdivision:</p> <p>I. "Commission" means the college tuition savings plan advisory commission established in RSA 195-H:2.</p> <p>II. "Eligible institution" means a postsecondary educational institution or training program within the university system of New Hampshire as defined in RSA 187-A, a postsecondary educational institution within the community college system of New Hampshire as defined in RSA 188-F, or a private postsecondary institution approved to operate in this state that:</p> <p>(a) Is approved by the higher education commission pursuant to RSA 21-N:8-a or accredited by the New England Commission of Higher Education; and</p> <p>(b) Is a not-for-profit organization eligible to receive federal Title IV funds.</p> <p>III. "Eligible student" means a first-year, full-time, Pell Grant-eligible student who meets the eligibility and residency requirements of RSA 4-C:33. "First-year" means a student who has never enrolled in an eligible institution.</p> <p>IV. "Full-time" means an enrolled student who is carrying an academic course load that is determined to be full-time by the eligible institution based on a standard applicable to all students enrolled in a particular educational program. The student's course load may include any</p>

I. Any person who meets the following requirements shall be eligible for a scholarship:

(a) A person shall meet the residency requirements of RSA 193:12, and be a graduate of a high school, public academy, chartered public school, or a high school-level home education program as defined in RSA 193-A, have completed at least 3 years of high school in this state, be pursuing a certificate, associate, or bachelor degree at a public or private postsecondary educational institution in this state, and be eligible to receive a Pell grant; or

(b) A person shall be a graduate of a preparatory high school outside of this state while a dependent of a parent or legal guardian who is a legal resident of this state and who has custody of the dependent, and be eligible to receive a Pell grant; or

(c) A person shall have a parent or guardian who has served in or has retired from the United States Army, Navy, Air Force, Marine Corps, or Coast Guard within the last 4 years and is a resident of this state, and be eligible to receive a Pell grant; or

(d) A person shall be a graduate of a high school, public academy, chartered public high school, or a high school-level home education program outside of this state but have maintained his or her primary residence in this state for not less than 5 years preceding the date of application for a scholarship, and be eligible to receive a Pell grant.

II. A person shall meet the qualifications for academic performance or work experience as established by the department.

III. A person shall not have been adjudicated delinquent or convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state, or under the laws of the United States, except that an otherwise eligible person who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense shall be eligible or continue to be eligible for a scholarship after the expiration of one academic year from the date of adjudication, conviction, or plea.

21-N:16 Governor's Scholarship Fund Established.

I. There is hereby established in the state treasury the governor's scholarship fund which

combination of courses, work, research, or special studies that the eligible institution considers sufficient to classify the student as full-time.

4-C:32 Governor's Scholarship Program and Fund Established.

I. There is hereby established the governor's scholarship program and the governor's

shall be kept distinct and separate from all other funds. The fund shall provide scholarships for the benefit of eligible residents of the state pursuing programs of study or training at a postsecondary educational institution or training program within the state.

II. The comptroller shall credit to the fund any appropriations relating to the governor's scholarship program made to the department of education, division of educator support and higher education for each fiscal year. The state treasurer shall invest the fund in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund.

III. All moneys in the fund shall be nonlapsing.

IV. The department may institute promotional programs and solicit and receive gifts or donations of any kind for the purpose of supporting educational scholarships from the fund. The department may accept gifts to the fund including, but not limited to, cash gifts, and real or personal property, without the approval of the governor and council.

V. All gifts, grants, and donations of any kind shall be credited to the fund.

scholarship fund. The program and fund shall be administered by the commission. The fund shall be kept distinct and separate from all other funds and shall be used to provide scholarships which a recipient shall apply to the costs of an education at an eligible institution. The funds shall be distributed to an eligible institution based on the number of eligible students awarded a scholarship and upon receipt of a request for reimbursement for such scholarship funds accompanied by appropriate documentation.

II. The state treasurer shall credit to the fund any appropriation relating to the governor's scholarship fund made in each fiscal year to the commission. The state treasurer shall invest the fund in accordance with RSA 6:8. Any earnings shall be added to the fund.

III. All moneys in the fund shall be nonlapsing and continually appropriated to the commission for the purposes of this subdivision.

IV. The commission may institute promotional programs and solicit and receive cash gifts or other donations for the purpose of supporting educational scholarships from the fund. The commission shall not solicit or accept real property.

V. All gifts, grants, and donations of any kind shall be credited to the fund.

4-C:33 Eligibility.

I. Any person who meets the following requirements shall be an eligible student:

(a) A person shall meet the residency requirements of RSA 193:12; be a graduate of a New Hampshire high school, public academy, chartered public school, New Hampshire private preparatory high school, a high school-level home education program as defined in RSA 193-A; have received a New Hampshire high school equivalency certificate; have completed at least 3 years of high school in this state; be pursuing a certificate, associate, or bachelor degree at an eligible institution in this state; and be eligible to receive a Pell grant; or

(b) A person shall be a graduate of a preparatory high school outside of this state while a dependent of a parent or legal guardian who is a legal resident of this state and who has custody of the dependent; or

21-N:17 Procedures.

I. All scholarship funds shall be distributed by the postsecondary educational institution. The institution shall include the scholarship in the student's financial aid package and may seek subsequent reimbursement. The state shall provide the reimbursements twice per year to each institution for the number of eligible students enrolled in the current semester or term who are receiving a scholarship **in the amount of \$1,000**. **An** institution shall submit the list of scholarship **students** to the **department** or its designee no later than November 30 and April 30 of each academic year, and shall be reimbursed within 30 days of **those submittal dates**.

II. An eligible **person** may receive a scholarship in the amount of \$1,000 per year provided he or she maintains at least a 2.0 grade point average. An eligible **person** who earned the New Hampshire scholar designation at the time of high school graduation **shall be eligible to** receive a

(c) A person shall have a parent or guardian who has served in or has retired from the United States Army, Navy, Air Force, Marine Corps, or Coast Guard within the last 4 years and is a resident of this state; or

(d) A person shall be a graduate of a high school, public academy, chartered public high school, or a high school-level home education program outside of this state but have maintained his or her primary residence in this state for not less than 5 years preceding the date of application for a scholarship.

II. A person shall meet the qualifications for academic performance or work experience as established by the commission.

III. A person shall not have been adjudicated delinquent or convicted or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state, or under the laws of the United States, except that an otherwise eligible person who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense shall be eligible or continue to be eligible for a scholarship after the expiration of one academic year from the date of adjudication, conviction, or plea.

4-C:34 Procedures.

I. All scholarship funds shall be distributed to the eligible student by the eligible institution. The institution shall include the scholarship in the student's financial aid package and may seek subsequent reimbursement. The state shall provide the reimbursements twice per year to each **eligible** institution for the number of eligible students enrolled in the current semester or term who are receiving a scholarship. **The** institution shall submit the list of scholarship **recipients** to the **commission** or its designee no later than November 30 and April 30 of each academic year, and shall be reimbursed within 30 days of **submission**.

II. An eligible **student** may receive a scholarship in the amount of \$1,000 per year provided he or she maintains at least a 2.0 grade point average. An eligible **student** who earned the New Hampshire scholar designation at the time of high school graduation **may** receive a scholarship in

scholarship in the amount of \$2,000 per year provided he or she maintains at least a 2.5 grade point average. **In all cases the postsecondary educational institution** shall **agree** not **to** reduce any merit or need based grant aid that would have otherwise been provided to the eligible **person**. An eligible **person** may receive an annual scholarship for a maximum of 4 years.

III. In the event the state does not reimburse a **postsecondary educational** institution for scholarship amounts paid to an eligible **person** receiving an award, the institution shall agree not to seek additional payments from the eligible **person** and to absorb the loss of funds without any consequence to the student.

IV. **The department shall determine procedures for distributing scholarship funds to an eligible person enrolled in an approved training program.**

SEE HOUSE SECTION 156

158 Application of Receipts; Governor's Scholarship **Program**. Amend RSA 6:12, I(b)(336) to read as follows:

(336) Moneys deposited into the governor's scholarship fund established in ~~[RSA 4-C:34]~~ **RSA 21-N:16**.

the amount of \$2,000 per year provided he or she maintains at least a 2.5 grade point average. **The eligible institution** shall not reduce any merit or need-based grant aid that would have otherwise been provided to the eligible **student**. An eligible **student** may receive an annual scholarship for a maximum of 4 years.

III. In the event the state does not reimburse **the eligible** institution for scholarship amounts paid to an eligible **student** receiving an award, the eligible institution shall agree not to seek additional payments from the eligible **student** and to absorb the loss of funds without any consequence to the eligible student.

IV. **The commission shall adopt rules, pursuant to RSA 541-A, relative to awarding and disbursing scholarship funds to an eligible student enrolled in an eligible institution.**

V. **An eligible student, who initially attends a community college and transfers directly to an eligible institution, without a break in attendance, shall remain an eligible student for a maximum of 4 years of total eligibility.**

VI. **The commission may hire staff or enter into a contract for services or personnel necessary to administer the program.**

157 Program Transferred. The administration, implementation, and management of the governor's scholarship program established in RSA 4-C:31-34 is hereby transferred to the college tuition savings plan advisory commission established in RSA 195-H:2. Any administrative rules for the governor's scholarship program shall continue in effect and shall be enforced by the commission until such rules expire or are repealed or amended in accordance with applicable law.

AMENDED BY THE SENATE

158 Application of Receipts; Governor's Scholarship **Fund**. Amend RSA 6:12, I(b)(336) to read as follows:

(336) Moneys deposited into the governor's scholarship fund established in ~~[RSA 4-C:34]~~ **RSA 4-C:32**.

<p>159 Repeal; Governor's Scholarship Program. RSA 4-C:31-35, relative to the governor's scholarship program, are repealed.</p>	<p>NO COMPARABLE SENATE SECTION</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>159 College Tuition Savings Plan Advisory Commission; Administration of Governor's Scholarship Program. Amend the introductory paragraph of RSA 195-H:2, I(a) to read as follows:</p> <p>I.(a) There is established the New Hampshire college tuition savings plan advisory commission which shall ensure the proper administration and management of the savings plan. The advisory commission shall ensure that the savings plan complies with the requirements of section 529 of the Internal Revenue Code of 1986, as amended, and any related federal law applicable to the savings plan. The commission shall also be responsible for ensuring the proper administration, implementation, and management of the New Hampshire excellence in higher education endowment trust fund established in RSA 6:38, <i>and the governor's scholarship program and fund established in RSA 4-C:31-34.</i> The commission shall consist of the following members:</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>160 Definitions; New Hampshire Excellence in Higher Education Endowment Fund. Amend RSA 6:37 to read as follows:</p> <p>6:37 Definitions. In this subdivision:</p> <p>I. "Commission" means the New Hampshire college tuition savings plan advisory commission established in RSA 195-H.</p> <p>II. "Eligible educational institution" means that which is defined in section 529 of the Internal Revenue Code, as amended.</p> <p>III. <i>"New Hampshire college tuition savings plan UNIQUE annual allocation program" means the scholarship program established by the commission in rules.</i></p> <p>IV. <i>"New Hampshire college tuition savings plan UNIQUE endowment allocation program" means the scholarship program established by the commission in rules.</i></p> <p>V. "Trust fund" means the New Hampshire excellence in higher education endowment trust</p>

	fund as established in this chapter.
NO COMPARABLE HOUSE SECTION	<p>161 New Hampshire Excellence in Higher Education Endowment Fund; Allocation of Receipts. Amend RSA 6:38, I to read as follows:</p> <p>I. There is hereby established in the office of the treasurer the New Hampshire excellence in higher education endowment trust fund which shall be kept distinct and separate from all other funds. Annual assessments less any annual administrative costs <i>and amounts allocated for any debt service on bonds issued by the state to refund bonds previously issued by the business finance authority pursuant to RSA 162-A:17</i> received from the New Hampshire college tuition savings plan established under RSA 195-H shall be credited to the trust fund to provide scholarships for the benefit of residents of the state pursuing programs of study at eligible educational institutions within the state, <i>of which 80 percent shall be allocated to the New Hampshire college tuition savings plan UNIQUE annual allocation program and 20 percent shall be allocated to the New Hampshire college tuition savings plan UNIQUE endowment allocation program.</i></p>
NO COMPARABLE HOUSE SECTION	<p>162 New Paragraph; New Hampshire Excellence in Higher Education Endowment Trust Fund; Dedicated Allocation and Use of Funds. Amend RSA 6:39 by inserting after paragraph V the following new paragraph:</p> <p>VI. Notwithstanding any law or rule to the contrary, the state treasurer shall be authorized to withdraw periodically from the trust fund receipts such amounts as are determined by the state treasurer to be equal to the principal and interest payments on bonds issued pursuant to RSA 6:38, I.</p>
NO COMPARABLE HOUSE SECTION	<p>163 Rulemaking. Amend RSA 6:40, IV to read as follows:</p> <p>IV. Procedures for determining the amount of funds available to provide annual scholarships through the trust fund <i>in accordance with RSA 6:38.</i></p>

<p>NO COMPARABLE HOUSE SECTION</p>	<p>164 New Paragraph; Regenerative Manufacturing Workforce Development Program; Business Finance Authority Funding Requirement. Amend RSA 162-T:3 by inserting after paragraph II the following new paragraph:</p> <p>III.(a) The state treasurer may pay, redeem, and refund all outstanding bonds issued by the business finance authority that are subject to a guarantee of the state pursuant to RSA 162-A:17. To provide funds for such payment, redemption, and refund, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of the amounts of principal and interest outstanding on such bonds, plus an amount of costs attributable to such payment, redemption, and refund, and for said purpose, may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest with respect to bonds issued for said purpose shall be made from revenue received by the state treasurer pursuant to RSA 6:39, VI.</p> <p>(b) The business finance authority shall, upon the payment, redemption, and refund of bonds issued pursuant to subparagraph (a), allocate up to \$5,000,000 for the purpose of such payments into the fund as are determined by the authority to be necessary to provide regenerative manufacturing worker educational debt relief as provided in this section.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>165 Business Finance Authority; Reduction of State Guarantee Capacity. Amend RSA 162-A:17, I to read as follows:</p> <p>I. In view of the general public benefits expected to be derived from the authority's activities under this chapter, and their contribution to the social welfare and economic prosperity of the state and its political subdivisions, the governor and council may award an unconditional state guarantee of the principal and interest thereon of bonds issued under this chapter. The full faith and credit of the state shall be pledged for any such guarantees of principal and interest, but the total outstanding amount of bonds guaranteed by the state under this section shall not exceed in the aggregate at any time \$25,000,000 plus interest <i>less the amount of any principal outstanding at any time on bonds issued by the state to refund bonds previously issued by the authority pursuant to</i></p>

	<p><i>this section.</i> In addition, the state shall not award a guarantee under this section if it would cause the contingent credit limit under RSA 162-A:22 to be exceeded. The governor, with the advice and consent of the council, is authorized to draw a warrant for such a sum out of any money in the treasury not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed bond by an endorsement signed by the state treasurer in substantially the following form:</p> <p>The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal and interest thereon of the within bond, and for the performance of such guarantee the full faith and credit of the state are pledged.</p> <p>_____</p> <p>State Treasurer</p>
<p>160 New Section; Department of Transportation; Bulk Disposal of Highway or Turnpike Funded Real Estate. Amend RSA 4 by inserting after section 39-e the following new section:</p> <p>4:39-f Bulk Disposal of Highway or Turnpike Funded Real Estate. Notwithstanding RSA 4:39-c, the bulk disposal of real estate purchased with state or federal highway funds, or both, or with turnpike funds shall occur as follows:</p> <p>I. The commissioner of the department of transportation may recommend the bulk disposal of real estate purchased with state or federal highway funds or both, or turnpike funds. The request for bulk disposal shall be presented for review and approval by the long range capital planning and utilization committee before submission to the governor and council for approval. Upon determination that the property is no longer needed by the state, the governor and council shall first offer it to the government of the town, city, or county in which the property is located. If the town, city, or county refuses the offer, the governor and council may sell, convey, transfer, or lease the real property.</p> <p>II. Sales of real property under this section shall be at not less than current market value of the subject property, as may be determined by the governor and council.</p>	<p>166 New Section; Department of Transportation; Bulk Disposal of Highway or Turnpike Funded Real Estate. Amend RSA 4 by inserting after section 39-e the following new section:</p> <p>4:39-f Bulk Disposal of Highway or Turnpike Funded Real Estate. Notwithstanding RSA 4:39-c, the bulk disposal of real estate purchased with state or federal highway funds, or both, or with turnpike funds shall occur as follows:</p> <p>I. The commissioner of the department of transportation may recommend the bulk disposal of real estate purchased with state or federal highway funds or both, or turnpike funds. The request for bulk disposal shall be presented for review and approval by the long range capital planning and utilization committee before submission to the governor and council for approval. Upon determination that the property is no longer needed by the state, the governor and council shall first offer it to the government of the town, city, or county in which the property is located. If the town, city, or county refuses the offer, the governor and council may sell, convey, transfer, or lease the real property.</p> <p>II. Sales of real property under this section shall be at not less than current market value of the subject property, as may be determined by the governor and council.</p>

III. The proceeds due back to the department of transportation from a sale, conveyance, or transfer under this section shall be credited as restricted revenue to the highway fund, or the turnpike fund, or whichever fund provided money for the original purchase. The funds shall be nonlapsing and continually appropriated to the department to be used for right-of-way property management, maintenance, operations, or betterment of state roads and bridges.

IV. The commissioner of the department of transportation shall, at least once annually, report to the long range capital planning and utilization committee on the status of all real estate previously approved under this section.

V. As used in this section “bulk disposal” means multiple properties within the department of transportation’s real estate inventory, which are valued and presented to the long range capital planning and utilization committee as a whole for review and approval to be sold to multiple buyers.

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161 Number Plates; Official Cover Plates. Amend RSA 261:90 to read as follows:

261:90 Official Cover Plates. Upon payment of a fee, the director may issue and shall designate official cover plates with the reproduction of the state seal thereon to be affixed to a vehicle of United States senators from this state, representatives to congress from this state, the governor, members of the governor's council, the president of the senate, members of the senate, the speaker of the house of representatives, members of the house of representatives, the attorney general, the secretary of state, the state treasurer, the President of the United States and members of his or her executive staff, **and** any ambassador or member of the foreign diplomatic corps~~], and members of the Maine New Hampshire Interstate Bridge Authority].~~ The fee for official cover plates shall be \$1 in addition to any other number plate manufacturing fee otherwise required. The official cover plates, exclusive of the seal, shall be white with green lettering, which shall alternate with red lettering every other biennium. Official cover plates shall have the title of the person requesting the plates, except for members of the governor's council whose plates shall have their council district numbers embossed on them, and members of the general court, whose plates shall have their house seat numbers or their senate district numbers embossed on them unless the president of the senate, for members of

167 Number Plates; Official Cover Plates. Amend RSA 261:90 to read as follows:

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<p>the senate, or the speaker of the house of representatives, for members of the house of representatives, shall designate a title for their plates. The president of the senate, or a designee, and the speaker of the house of representatives, or a designee, shall provide the director with input as needed on the cover plate design for members of the general court. The director shall not issue more than 2 sets of official cover plates to any person. Official cover plates may be attached only to vehicles registered in the name of the person issued the plates or the name of the spouse of a member of the general court, or any vehicle being operated by a member of the general court. Nothing herein shall be construed as affecting the issuance of regular motor vehicle plates and the payment of the registration fee therefor. Official cover plates shall be manufactured at the state prison and the prison shall provide the plates to the department at the prison's cost.</p>	<p>the senate, or the speaker of the house of representatives, for members of the house of representatives, shall designate a title for their plates. The president of the senate, or a designee, and the speaker of the house of representatives, or a designee, shall provide the director with input as needed on the cover plate design for members of the general court. The director shall not issue more than 2 sets of official cover plates to any person. Official cover plates may be attached only to vehicles registered in the name of the person issued the plates or the name of the spouse of a member of the general court, or any vehicle being operated by a member of the general court. Nothing herein shall be construed as affecting the issuance of regular motor vehicle plates and the payment of the registration fee therefor. Official cover plates shall be manufactured at the state prison and the prison shall provide the plates to the department at the prison's cost.</p>
<p>162 Repeal; Maine-New Hampshire Interstate Bridge Authority. The following are repealed:</p> <p>I. RSA 234:43-66, relative to the Maine-New Hampshire Interstate Bridge Authority and the Portsmouth-Kittery Bridge, also known as the Sarah Mildred Long Bridge.</p> <p>II. RSA 234:67-69, relative to the Sarah Mildred Long Bridge.</p> <p>III. RSA 100-A:3, VIII, relative to New Hampshire retirement system membership for employees of the Maine-New Hampshire Interstate Bridge Authority.</p>	<p>168 Repeal; Maine-New Hampshire Interstate Bridge Authority. The following are repealed:</p> <p>I. RSA 234:43-66, relative to the Maine-New Hampshire Interstate Bridge Authority and the Portsmouth-Kittery Bridge, also known as the Sarah Mildred Long Bridge.</p> <p>II. RSA 234:67-69, relative to the Sarah Mildred Long Bridge.</p> <p>III. RSA 100-A:3, VIII, relative to New Hampshire retirement system membership for employees of the Maine-New Hampshire Interstate Bridge Authority.</p>
<p>163 Executive Branch Code of Ethics; Complaints. Amend RSA 21-G:31, VI to read as follows:</p> <p>VI. In proceedings under this subdivision, the committee shall have the power to issue subpoenas and administer oaths. Such subpoena powers may be exercised for the committee by the chairperson or legal counsel to the committee. The fees for witnesses [shall be consistent with RSA 516:16 and] shall be borne by the committee or the party requesting the subpoena.</p>	<p>169 Executive Branch Code of Ethics; Complaints. Amend RSA 21-G:31, VI to read as follows:</p> <p>VI. In proceedings under this subdivision, the committee shall have the power to issue subpoenas and administer oaths. Such subpoena powers may be exercised for the committee by the chairperson or legal counsel to the committee. The fees for witnesses [shall be consistent with RSA 516:16 and] shall be borne by the committee or the party requesting the subpoena.</p>
<p>164 Insurance Holding Companies; Examination. Amend RSA 401-B:6, V to read as follows:</p> <p>V. Compelling Production. In the event the insurer fails to comply with an order, the commissioner shall have the power to examine the affiliates to obtain the information. The</p>	<p>170 Insurance Holding Companies; Examination. Amend RSA 401-B:6, V to read as follows:</p> <p>V. Compelling Production. In the event the insurer fails to comply with an order, the commissioner shall have the power to examine the affiliates to obtain the information. The</p>

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<p>commissioner shall also have the power to issue subpoenas, to administer oaths, and to examine under oath any person for purposes of determining compliance with this section. Upon the failure or refusal of any person to obey a subpoena, the commissioner may petition a court of competent jurisdiction, and upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order shall be punishable as contempt of court. Every person shall be obliged to attend as a witness at the place specified in the subpoena, when subpoenaed, anywhere within the state. He or she shall be entitled to the same fees and mileage, if claimed, as a witness in RSA 516:13[7] and RSA 516:14[7 and RSA 516:16], which fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of witnesses, and their testimony, shall be itemized and charged against, and be paid by, the company being examined.</p>	<p>commissioner shall also have the power to issue subpoenas, to administer oaths, and to examine under oath any person for purposes of determining compliance with this section. Upon the failure or refusal of any person to obey a subpoena, the commissioner may petition a court of competent jurisdiction, and upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order shall be punishable as contempt of court. Every person shall be obliged to attend as a witness at the place specified in the subpoena, when subpoenaed, anywhere within the state. He or she shall be entitled to the same fees and mileage, if claimed, as a witness in RSA 516:13[7] and RSA 516:14[7 and RSA 516:16], which fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of witnesses, and their testimony, shall be itemized and charged against, and be paid by, the company being examined.</p>
<p>165 Payment of Witnesses in Criminal Cases. Amend RSA 592-A:12 to read as follows: 592-A:12 [Payment of] Witnesses in Criminal Cases. Any person who attends any court for the state in criminal cases pursuant to subpoena [shall be paid the witness fees provided by RSA 516:16. Any such person] shall sign a witness log, which shall be available in the office of the clerk of court, on which the individual shall provide the following information: name, mailing address, and the name of the case for which the person was subpoenaed. The prosecuting agency shall review the log each day and certify that each individual appeared as indicated on the log. [The attorney general shall pay all witness fees to all such persons who are entitled to such fees.]</p>	<p>171 Payment of Witnesses in Criminal Cases. Amend RSA 592-A:12 to read as follows: 592-A:12 [Payment of] Witnesses in Criminal Cases. Any person who attends any court for the state in criminal cases pursuant to subpoena [shall be paid the witness fees provided by RSA 516:16. Any such person] shall sign a witness log, which shall be available in the office of the clerk of court, on which the individual shall provide the following information: name, mailing address, and the name of the case for which the person was subpoenaed. The prosecuting agency shall review the log each day and certify that each individual appeared as indicated on the log. [The attorney general shall pay all witness fees to all such persons who are entitled to such fees.]</p>
<p>166 Parole Revocation. Amend RSA 651-A:17 to read as follows: 651-A:17 Parole Revocation. Any parolee arrested under RSA 651-A:15-a shall be entitled to a hearing before the board within 45 days, in addition to any preliminary hearing which is required under RSA 504-A:5. The parolee shall have the right to appear and be heard at the revocation hearing. The board shall have power to subpoena witnesses[, pay said witnesses such fees and expenses as allowed under RSA 516:16,] and administer oaths in any proceeding or examination</p>	<p>172 Parole Revocation. Amend RSA 651-A:17 to read as follows: 651-A:17 Parole Revocation. Any parolee arrested under RSA 651-A:15-a shall be entitled to a hearing before the board within 45 days, in addition to any preliminary hearing which is required under RSA 504-A:5. The parolee shall have the right to appear and be heard at the revocation hearing. The board shall have power to subpoena witnesses[, pay said witnesses such fees and expenses as allowed under RSA 516:16,] and administer oaths in any proceeding or examination</p>

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instituted before or conducted by it, and to compel, by subpoena duces tecum, the production of any accounts, books, contracts, records, documents, memoranda, papers or tangible objects of any kind. If the board, after a hearing, finds that the parolee has violated the conditions of parole, violated the law, or associated with criminal companions and in its judgment should be returned to the custody of the commissioner of corrections, the board shall revoke the parole. A prisoner whose parole is revoked shall be recommitted to the custody of the commissioner of corrections. This provision shall not apply to a parolee who has accepted an option, offered by a probation/parole officer, to participate in an intermediate sanction program and has waived his or her right to counsel and to a preliminary hearing under RSA 504-A:5.

instituted before or conducted by it, and to compel, by subpoena duces tecum, the production of any accounts, books, contracts, records, documents, memoranda, papers or tangible objects of any kind. If the board, after a hearing, finds that the parolee has violated the conditions of parole, violated the law, or associated with criminal companions and in its judgment should be returned to the custody of the commissioner of corrections, the board shall revoke the parole. A prisoner whose parole is revoked shall be recommitted to the custody of the commissioner of corrections. This provision shall not apply to a parolee who has accepted an option, offered by a probation/parole officer, to participate in an intermediate sanction program and has waived his or her right to counsel and to a preliminary hearing under RSA 504-A:5.

167 Arbitration of Disputes; Witnesses. Amend RSA 542:5 to read as follows:

542:5 Witnesses; Summoning; Compelling Attendance. When more than one arbitrator is agreed to, all the arbitrators shall sit at the hearing of the case unless, by consent in writing, all parties shall agree to proceed with the hearing with a less number. Any person may be summoned as provided in RSA 516[.] to attend before the arbitrators as a witness [~~and the fees for such attendance shall be the same as the fees of witnesses in the superior court~~]. If any person or persons so summoned to testify shall refuse or neglect to attend, upon petition the court in and for the county in which such arbitrators are sitting may compel the attendance of such person or persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the same manner now provided in RSA 516.

173 Arbitration of Disputes; Witnesses. Amend RSA 542:5 to read as follows:

542:5 Witnesses; Summoning; Compelling Attendance. When more than one arbitrator is agreed to, all the arbitrators shall sit at the hearing of the case unless, by consent in writing, all parties shall agree to proceed with the hearing with a less number. Any person may be summoned as provided in RSA 516[.] to attend before the arbitrators as a witness [~~and the fees for such attendance shall be the same as the fees of witnesses in the superior court~~]. If any person or persons so summoned to testify shall refuse or neglect to attend, upon petition the court in and for the county in which such arbitrators are sitting may compel the attendance of such person or persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the same manner now provided in RSA 516.

168 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, II to read as follows:

II. The council shall have the power to subpoena witnesses and administer oaths in any hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of papers and records. [~~Witnesses summoned before the council shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons shall have the same effect as though issued for appearance before such court.~~]

174 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, II to read as follows:

II. The council shall have the power to subpoena witnesses and administer oaths in any hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of papers and records. [~~Witnesses summoned before the council shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons shall have the same effect as though issued for appearance before such court.~~]

<p>169 Alcoholic Beverages; Hearings and Investigations. Amend RSA 179:56, I to read as follows:</p> <p>I. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all investigations and hearings before it. All hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such investigation or hearing the commission shall not be bound by the technical rules of evidence. The commission may subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever. [Witnesses summoned before the commission shall be paid the same fees as witnesses summoned to appear before the superior court, and such] A summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.</p>	<p>175 Alcoholic Beverages; Hearings and Investigations. Amend RSA 179:56, I to read as follows:</p> <p>I. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all investigations and hearings before it. All hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such investigation or hearing the commission shall not be bound by the technical rules of evidence. The commission may subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever. [Witnesses summoned before the commission shall be paid the same fees as witnesses summoned to appear before the superior court, and such] A summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.</p>
<p>170 Repeal. The following are repealed:</p> <p>I. RSA 21-J:26, relative to witness fees for witnesses summoned to appear before the commissioner of the department of revenue administration.</p> <p>II. RSA 153:20, relative to witness fees for witnesses summoned to appear before the state fire marshal.</p> <p>III. RSA 326-H:17, III, relative to witness fees for witnesses summoned before the board of dieticians.</p> <p>IV. RSA 365:11, relative to witness fees for witnesses summoned before the public utilities commission.</p> <p>V. RSA 516:16, relative to fees of witnesses for attendance and travel.</p> <p>VI. RSA 516:16-a, relative to defaults and witness fees for law enforcement officers.</p> <p>VII. RSA 665:13, relative to witness fees for witnesses summoned before the ballot law commission.</p>	<p>176 Repeal. The following are repealed:</p> <p>I. RSA 21-J:26, relative to witness fees for witnesses summoned to appear before the commissioner of the department of revenue administration.</p> <p>II. RSA 153:20, relative to witness fees for witnesses summoned to appear before the state fire marshal.</p> <p>III. RSA 326-H:17, III, relative to witness fees for witnesses summoned before the board of dieticians.</p> <p>IV. RSA 365:11, relative to witness fees for witnesses summoned before the public utilities commission.</p> <p>V. RSA 516:16, relative to fees of witnesses for attendance and travel.</p> <p>VI. RSA 516:16-a, relative to defaults and witness fees for law enforcement officers.</p> <p>VII. RSA 665:13, relative to witness fees for witnesses summoned before the ballot law commission.</p>

171 Granite Workforce. 2018, 342:3 through 342:8 are repealed and reenacted to read as follows:

342:3 Granite Workforce; Pilot Program Established.

I. The commissioner of the department of health and human services shall use allowable funds from the Temporary Assistance to Needy Families (TANF) program along with other available funds, including but not limited to, the job training fund established under RSA 282-A:138-a to create a network of assistance to remove barriers to work for eligible low income families as well as low income individuals and to provide subsidies to employers in high need areas, as determined by the department of employment security based upon workforce shortages. The funds shall be used to fund the granite workforce program, which shall operate as part of the New Hampshire granite advantage health care program established in RSA 126-AA. The program shall be jointly administered by the department of health and human services and the department of employment security. No cash assistance shall be provided to eligible participants through granite workforce.

II. To be eligible for granite workforce, applicants shall be enrolled in the New Hampshire granite advantage health care program.

III. Allowable funds from the TANF program shall only be used to provide services outlined herein and employment supports to individuals enrolled in the New Hampshire granite advantage health care program that are:

(a) Parents aged 19 through 64 responsible for a dependent child under the age of 18; or

(b) Childless adults between 19 and 24 years of age.

IV. Authorized funding from the job training program along with other available funds shall be used to provide services outlined herein and employment supports to individuals enrolled in the New Hampshire granite advantage health care program that are between 25 and 64 years of age.

V. An eligible recipient, participating in the granite workforce program, whose wages subsequently cause the household to exceed 138 percent of the federal poverty level shall continue to receive granite workforce program services as needed, including the subsidy for employers, provided

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177 Granite Workforce. 2018, 342:3 through 342:9 are repealed and reenacted to read as follows:

342:3 Granite Workforce; Program Established.

I. The commissioner of the department of health and human services may use allowable funds from the Temporary Assistance to Needy Families (TANF) program along with other available funds, including but not limited to the job training fund established under RSA 282-A:138-a, to create a network of assistance to remove barriers to work for eligible low income families as well as low income individuals and to provide subsidies to employers in high need areas, as determined by the department of employment security based upon workforce shortages. The funds shall be used to fund the granite workforce program, which shall operate as part of the New Hampshire granite advantage health care program established in RSA 126-AA. The program shall be jointly administered by the department of health and human services and the department of employment security. No cash assistance shall be provided to eligible participants through granite workforce.

II. To be eligible for the granite workforce program, applicants shall be enrolled in the New Hampshire granite advantage health care program, established in RSA 126-AA, whether or not the applicant is subject to the work and community engagement requirement.

III. An eligible recipient, participating in the granite workforce program, whose wages subsequently cause the household to exceed 138 percent of the federal poverty level shall continue to receive granite workforce program services as needed, including the subsidy for employers, provided

the recipients wages do not cause the household to exceed 250 percent of the federal poverty level. After the second employer subsidy is paid on behalf of a granite workforce recipient, the recipient shall no longer be eligible for granite workforce services as long as household income exceeds 138 percent of the federal poverty level.

VI. The department of employment security shall determine eligibility and entry into the program, using nationally recognized assessment tools for vocational and job readiness assessments. Vocational assessments shall include educational needs, vocational interest, personal values, and aptitude. The department shall use the assessment results to work with the participant to produce a long term career plan **for moving into the middle class and beyond.**

VII. No person shall participate in the granite workforce program unless he or she is also enrolled in the New Hampshire granite advantage health care program, as established in RSA 126-AA.

VIII. Except as otherwise provided in paragraphs II, **III, and IV** regarding program eligibility, administrative rules governing the New Hampshire employment program, adopted under RSA 541-A, shall apply to the granite workforce **pilot** program.

342:4 Granite Workforce; Subsidies for Employers.

I. After 3 months of **the** employment **of the participant in a paying job and receiving** verification of **the** continued employment and wages from the employer, the department of employment security shall authorize payment **to the employer** a subsidy equal to 50 percent of the employee's wages for the prior month, not to exceed \$2,000.

II. After 9 months of the **continued** employment of **the participant in a paying job and receiving** verification of the continued employment and wages from the employer, the department of employment security shall authorize payment to the employer a subsidy equal to 50 percent of the employee's wages for the prior month, not to exceed \$2,000.

III. If an overpayment is made, the employer shall reimburse the department that amount upon being notified by the department.

the recipient's wages do not cause the household to exceed 250 percent of the federal poverty level. After the second employer subsidy is paid on behalf of a granite workforce recipient, the recipient shall no longer be eligible for granite workforce services as long as household income exceeds 138 percent of the federal poverty level.

IV. The department of employment security shall determine eligibility and entry into the program, using nationally recognized assessment tools for vocational and job readiness assessments. Vocational assessments shall include **consideration of** educational needs, vocational interest, personal values, and aptitude. The department shall use the assessment results to work with the participant to produce a long term career plan.

V. Except as otherwise provided in paragraphs II regarding program eligibility, administrative rules governing the New Hampshire employment program, adopted under RSA 541-A, shall apply to the granite workforce program.

342:4 Granite Workforce; Subsidies for Employers.

I. After 3 months of employment **and upon** verification of continued employment and wages from the employer, the department of employment security shall authorize payment of a subsidy equal to 50 percent of the employee's wages for the prior month, not to exceed \$2,000, **to the participant's employer.**

II. After 9 months of employment **and upon** verification of continued employment and wages from the employer, the department of employment security shall authorize payment of a subsidy equal to 50 percent of the employee's wages for the prior month, not to exceed \$2,000, **to the participant's employer.**

III. Upon notice by the department of an overpayment, the employer shall reimburse the department the amount of the overpayment.

IV. In this section, "employer" means a tax exempt organization pursuant to section 501(c)(3)

342:5 Granite Workforce; Referral for Barriers to Employment.

I. The department of health and human services, in consultation with the department of employment security, shall issue a request for applications for community providers interested in offering case management services to participants with barriers to employment.

II. Participants shall be identified by the department of employment security using an assessment process that screens for barriers to employment including, but not limited to, transportation, child care, substance use, mental health, and domestic violence.

III. **Thereafter**, the department of employment security shall refer to community providers those individuals deemed needing assistance with removing barriers to employment. When child care is identified as a barrier to employment, the department of employment security or the community provider shall refer the individual to available child care service programs, including specifically the child care scholarship program administered by the department of health and human services.

IV. In addition to employer subsidies **authorized under this section**, TANF or other funds allocated to the granite workforce program shall be used to pay for other services that eliminate barriers to work as established through rulemaking.

342:6 Granite Workforce; Network of Education and Training.

I. If after the assessment conducted by the department of employment security additional job training, education, or skills development is necessary prior to job placement, the department of employment security shall address those needs by:

(a) Referring individuals to training and apprenticeship opportunities offered by the community college system of New Hampshire;

(b) Referring individuals to the department of business and economic affairs to utilize available training funds and support services;

(c) Referring individuals to education and employment programs for youth available through the department of education; or

of the Internal Revenue Code.

342:5 Granite Workforce; Referral for Barriers to Employment.

I. The department of health and human services, in consultation with the department of employment security, shall issue a request for applications for community providers interested in offering case management services to participants with barriers to employment.

II. Participants shall be identified by the department of employment security using an assessment process that screens for barriers to employment, including but not limited to transportation, child care, substance use, mental health, and domestic violence.

III. The department of employment security shall refer to community providers individuals with identified barriers to employment. When child care is identified as a barrier to employment, the department of employment security or the community provider shall refer the individual to available child care service programs, including the child care scholarship program administered by the department of health and human services.

IV. In addition to employer subsidies, TANF and other funds allocated to the granite workforce program shall be used to fund other services that eliminate barriers to work, as established through rulemaking.

342:6 Granite Workforce; Network of Education and Training.

I. If after the assessment conducted by the department of employment security additional job training, education, or skills development is necessary prior to job placement, the department of employment security shall address those needs by:

(a) Referring individuals to training and apprenticeship opportunities offered by the community college system of New Hampshire;

(b) Referring individuals to the department of business and economic affairs to utilize available training funds and support services;

(c) Referring individuals to education and employment programs for youth available through the department of education; or

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(d) Referring individuals to training available through other colleges and training programs.

II. All industry specific skills and training will be provided for jobs in high need areas, as determined by the department of employment security based upon workforce shortages.

342:7 Granite Workforce; Job Placement. Upon determining the participant is job ready, the department of employment security shall place individuals into jobs with employers in high need areas, as determined by the department of employment security based upon workforce shortages. This includes, but is not limited to, high labor need jobs in the fields of healthcare, advanced manufacturing, construction/building trades, information technology, and hospitality. Training and job placement shall focus on:

I. Supporting health care/safety issues: **training/jobs** to combat the opioid crisis, including nurses, nursing assistants, clinicians, social workers, and treatment providers at the licensed alcohol and drug addictions counselor and licensed mental health counselor levels. Additionally, jobs to address long term care needs, home healthcare services, and expanding mental/behavioral health services.

II. Advanced manufacturing to meet employer needs: **training/jobs** that include computer aided drafting and design, electronic and mechanical engineering, precision welding, computer numerical controlled precision machining, robotics, and automation.

III. Construction/building trades to address critical infrastructure needs: **training/jobs** for building roads, bridges, municipality infrastructure, and ensuring safe drinking water.

IV. Information technology: **training/jobs** to allow businesses to excel in an ever increasing network dependent business environment.

V. Hospitality training/jobs to address the workforce shortage and support New Hampshire's tourism industry, to include but not be limited to hotel workers, restaurant workers, campground workers, lift operators, state park workers, and amusement park workers.

342:8 Reporting Requirement; Measurement of Outcomes.

I. The department of health and human services shall prepare a report on the outcomes of

(d) Referring individuals to training available through other colleges and training programs.

II. Any industry specific skills and training shall be provided for jobs in high need areas, as determined by the department of employment security based upon workforce shortages.

342:7 Granite Workforce; Job Placement. Upon determining the participant is job ready, the department of employment security shall place individuals into jobs with employers in high need areas, as determined by the department of employment security based upon workforce shortages. High need areas include but are not limited to jobs in the fields of healthcare, advanced manufacturing, construction/building trades, information technology, and hospitality. Training and job placement shall focus on:

I. Supporting health care/safety issues: **training and jobs** to combat the opioid crisis, including nurses, nursing assistants, clinicians, social workers, and treatment providers at the licensed alcohol and drug addictions counselor and licensed mental health counselor levels. Additionally, jobs to address long term care needs, home healthcare services, and expanding mental/behavioral health services.

II. Advanced manufacturing to meet employer needs: **training and jobs** that include computer aided drafting and design, electronic and mechanical engineering, precision welding, computer numerical controlled precision machining, robotics, and automation.

III. Construction/building trades to address critical infrastructure needs: **training and jobs** for building roads, bridges, municipality infrastructure, and ensuring safe drinking water.

IV. Information technology: **training and jobs** to allow businesses to excel in an ever increasing network dependent business environment.

V. Hospitality **training and jobs** to support New Hampshire's tourism industry, to include but not be limited to hotel workers, restaurant workers, campground workers, lift operators, state park workers, and amusement park workers.

342:8 Reporting Requirement; Measurement of Outcomes.

I. The department of health and human services shall prepare a report on the outcomes of

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the granite workforce program using appropriate standard common performance measures. Program partners, as a condition of participation, shall be required to provide the department with the relevant data. Metrics to be measured shall include, but are not limited to:

- (a) Degree of participation.
- (b) Progress with overcoming barriers.
- (c) Entry into employment.
- (d) Job retention.
- (e) Earnings gain.

(f) Movement within established federal poverty level measurements, including the Supplemental Nutrition Assistance Program (SNAP) and the New Hampshire granite advantage health care program under RSA 126-AA.

- (g) Attainment of education or training, including credentials.

II. The report shall be issued to the speaker of the house of representatives, the president of the senate, the governor, the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program established under RSA 126-AA:4, and the state library on or before December 1, 2019.

the granite workforce program using appropriate standard common performance measures. Program partners, as a condition of participation, shall be required to provide the department with the relevant data. Metrics to be measured shall include, but are not limited to:

- (a) Degree of participation.
- (b) Progress with overcoming barriers.
- (c) Entry into employment.
- (d) Job retention.
- (e) Earnings gain.

(f) Movement within established federal poverty level measurements, including the Supplemental Nutrition Assistance Program (SNAP) and the New Hampshire granite advantage health care program under RSA 126-AA.

- (g) Attainment of education or training, including credentials.

II. The report shall be issued to the speaker of the house of representatives, the president of the senate, the governor, the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program established under RSA 126-AA:4, and the state library on or before December 1, 2019.

342:9 Termination of Granite Workforce Program.

I. The commissioner of the department of health and human services shall be responsible for determining, every 3 months commencing no later than December 31, 2018, whether available TANF reserve funds total at least \$5,000,000. If at any time the commissioner determines that available TANF reserve funds have fallen below \$5,000,000, the commissioners of the departments of health and human services and employment security shall, within 20 business days of such determination, terminate the Granite Workforce program. The commissioners shall notify the governor, the speaker of the house of representatives, the president of the senate, the chairperson of the fiscal committee of the general court, and Granite Workforce participants of the program's pending termination.

II. If at any time the New Hampshire granite advantage health care program, established under RSA 126-AA, terminates, the commissioners of the departments of health and human services

	<p>and employment security shall terminate the Granite Workforce program. The date of the Granite Workforce program's termination shall align with that of the New Hampshire granite advantage health care program.</p>
<p>172 Department of Natural and Cultural Resources; Exemption from Transfer Restrictions. Amend RSA 9:16-a, II-a(d) as follows:</p> <p>(d) The following account units within the department of natural and cultural resources shall be exempt from the transfer restrictions in subparagraphs (a), (b), and (c): 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 03-35-35-351510-3717, and 03-35-35-351510-3703, and 03-35-35-351510-4016.</p>	<p>178 Department of Natural and Cultural Resources; Exemption from Transfer Restrictions. Amend RSA 9:16-a, II-a(d) as follows:</p> <p>(d) The following account units within the department of natural and cultural resources shall be exempt from the transfer restrictions in subparagraphs (a), (b), and (c): 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 03-35-35-351510-3717, and 03-35-35-351510-3703, and 03-35-35-351510-4016.</p>
<p>173 Motor Vehicles; Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as follows:</p> <p>I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. The director of the division of motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine</p>	<p>179 Motor Vehicles; Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as follows:</p> <p>I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. The director of the division of motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine</p>

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amount which is credited [~~as agency income~~] *to the highway fund* and not out of the penalty assessment charged by the district court. The director of the division of motor vehicles shall remit the penalty assessments collected to the state treasurer to be credited and continually appropriated to the state general fund and to the victims' assistance fund and the judicial branch information technology fund in the percentages and manner prescribed in RSA 106-L:10. Fines shall be paid over to the state treasurer, and shall be credited [~~as agency income by the department of safety~~] *to the highway fund* within 14 days of their receipt [~~and shall not lapse to the general fund until the second year of each biennium~~].

amount which is credited [~~as agency income~~] *to the highway fund* and not out of the penalty assessment charged by the district court. The director of the division of motor vehicles shall remit the penalty assessments collected to the state treasurer to be credited and continually appropriated to the state general fund and to the victims' assistance fund and the judicial branch information technology fund in the percentages and manner prescribed in RSA 106-L:10. Fines shall be paid over to the state treasurer, and shall be credited [~~as agency income by the department of safety~~] *to the highway fund* within 14 days of their receipt [~~and shall not lapse to the general fund until the second year of each biennium~~].

174 Business Finance Authority Revenue Bonds; Additional State Guarantees. Amend RSA 162-I:9-b, I(a) to read as follows:

I.(a) The governor and council may award an unconditional state guarantee of the principal of and interest on bonds issued under this chapter. The full faith and credit of the state shall be pledged for any such guarantee, but the total amount of bonds guaranteed by the state under this section [~~shall not exceed in the aggregate at any time \$10,000,000, plus interest, provided that such amount shall be increased to \$20,000,000 plus interest on January 1, 1993, to \$30,000,000 plus interest on January 1, 1994, to \$40,000,000 plus interest on January 1, 1995, and to \$50,000,000 plus interest on January 1, 1996. In addition, the amount of bonds guaranteed by the state under this section~~] shall not cause the contingent credit limit under RSA 162-A:22 to be exceeded. The governor, with the advice and consent of the council, is authorized to draw his warrant for such sum as may be necessary out of any money in the treasury not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed bond by an endorsement signed by the state treasurer in substantially the following form:

The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal and interest on the within bond and for the performance of such guarantee the full faith and credit of the state are pledged.

180 Business Finance Authority Revenue Bonds; Additional State Guarantees. Amend RSA 162-I:9-b, I(a) to read as follows:

I.(a) The governor and council may award an unconditional state guarantee of the principal of and interest on bonds issued under this chapter. The full faith and credit of the state shall be pledged for any such guarantee, but the total amount of bonds guaranteed by the state under this section [~~shall not exceed in the aggregate at any time \$10,000,000, plus interest, provided that such amount shall be increased to \$20,000,000 plus interest on January 1, 1993, to \$30,000,000 plus interest on January 1, 1994, to \$40,000,000 plus interest on January 1, 1995, and to \$50,000,000 plus interest on January 1, 1996. In addition, the amount of bonds guaranteed by the state under this section~~] shall not cause the contingent credit limit under RSA 162-A:22 to be exceeded. The governor, with the advice and consent of the council, is authorized to draw his warrant for such sum as may be necessary out of any money in the treasury not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed bond by an endorsement signed by the state treasurer in substantially the following form:

The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal and interest on the within bond and for the performance of such guarantee the full faith and credit of the state are pledged.

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<p>_____</p> <p>State Treasurer</p>	<p>_____</p> <p>State Treasurer</p>
<p>175 Repeal. RSA 162-I:9-b, II, relative to the total amount of state guarantees issued by the business finance authority, is repealed.</p>	<p>181 Repeal. RSA 162-I:9-b, II, relative to the total amount of state guarantees issued by the business finance authority, is repealed.</p>
<p>176 Business Finance Authority; Unified Contingent Credit Limit. Amend RSA 162-A:22 to read as follows:</p> <p>162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, [RSA 162-I:9-a,] and RSA 162-I:9-b shall not exceed in the aggregate at any time \$50,000,000 plus interest, provided that such amount shall be increased to \$80,000,000 plus interest on January 1, 1993, to \$95,000,000 plus interest on January 1, 1994, and to \$115,000,000 plus interest on May 1, 2015. [After May 1, 2015, an amount not to exceed \$30,000,000 plus interest may be used solely for bonds guaranteed pursuant to RSA 162 I:9 a, and an amount not to exceed the remaining \$85,000,000 plus interest may be used solely for bonds issued pursuant to sections other than RSA 162 I:9 a.]</p>	<p>182 Business Finance Authority; Unified Contingent Credit Limit. Amend RSA 162-A:22 to read as follows:</p> <p>162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, [RSA 162 I:9 a,] and RSA 162-I:9-b shall not exceed in the aggregate at any time \$50,000,000 plus interest, provided that such amount shall be increased to \$80,000,000 plus interest on January 1, 1993, to \$95,000,000 plus interest on January 1, 1994, and to \$115,000,000 plus interest on May 1, 2015. [After May 1, 2015, an amount not to exceed \$30,000,000 plus interest may be used solely for bonds guaranteed pursuant to RSA 162 I:9 a, and an amount not to exceed the remaining \$85,000,000 plus interest may be used solely for bonds issued pursuant to sections other than RSA 162 I:9 a.]</p>
<p>177 Repeal. The following are repealed:</p> <p>I. RSA 12-G:33, relative to submission of a comprehensive development plan by the Pease development authority.</p> <p>II. RSA 12-G:35, relative to loans to Pease development authority to enable the authority to obtain matching funds.</p>	<p>183 Repeal. The following are repealed:</p> <p>I. RSA 12-G:33, relative to submission of a comprehensive development plan by the Pease development authority.</p> <p>II. RSA 12-G:35, relative to loans to Pease development authority to enable the authority to obtain matching funds.</p>
<p>178 Office of Professional Licensure and Certification; Fees. Amend RSA 310-A:1-e, I(b) to read as follows:</p> <p>(b) There is hereby established the office of professional licensure and certification fund</p>	<p>184 Office of Professional Licensure and Certification; Fees. Amend RSA 310-A:1-e, I(b) to read as follows:</p> <p>(b) There is hereby established the office of professional licensure and certification fund</p>

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<p>into which the fees collected under subparagraph (a) shall be deposited. [The fund shall be a separate, nonlapsing fund, continually appropriated to the office for the purpose of paying all costs and salaries associated with the office] After paying all costs and salaries associated with the office, moneys in this fund shall lapse to the general fund at the close of each fiscal year.</p>	<p>into which the fees collected under subparagraph (a) shall be deposited. [The fund shall be a separate, nonlapsing fund, continually appropriated to the office for the purpose of paying all costs and salaries associated with the office] After paying all costs and salaries associated with the office, moneys in this fund shall lapse to the general fund at the close of each fiscal year.</p>
<p>179 New Paragraphs; Department of Justice; Director of the Office of Victim/Witness Assistance. Amend RSA 21-M:3 by inserting after paragraph X the following new paragraphs:</p> <p>XI. The attorney general, subject to the approval of the governor and council, may appoint a director of the office of victim/witness assistance, within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such office may be filled for the unexpired term. The director of the office of victim/witness assistance may be removed only as provided by RSA 4:1.</p> <p>XII. The attorney general, subject to the approval of the governor and council, may appoint a director of communications within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such office may be filled for the unexpired term. The director of communications may be removed only as provided by RSA 4:1.</p>	<p>185 New Paragraphs; Department of Justice; Director of the Office of Victim/Witness Assistance. Amend RSA 21-M:3 by inserting after paragraph X the following new paragraphs:</p> <p>XI. The attorney general, subject to the approval of the governor and council, may appoint a director of the office of victim/witness assistance, within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such office may be filled for the unexpired term. The director of the office of victim/witness assistance may be removed only as provided by RSA 4:1.</p> <p>XII. The attorney general, subject to the approval of the governor and council, may appoint a director of communications within the limits of the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy in such office may be filled for the unexpired term. The director of communications may be removed only as provided by RSA 4:1.</p>
<p>180 Department of Justice; Office of Victim/Witness Assistance. Amend the introductory paragraph in RSA 21-M:8-b, II to read as follows:</p> <p>II. There is hereby established within the criminal justice bureau of the department of justice, the office of victim/witness assistance. The office shall be supervised by the director of victim/witness assistance who shall be appointed by the attorney general in accordance with the provisions of RSA 21-M:3, XI and who shall carry out the duties imposed by this section under the supervision of the attorney general and perform such other work as the attorney general may assign. The office shall provide information and services to victims and witnesses in criminal cases prosecuted by the attorney general and shall develop and coordinate a statewide victim/witness rights information program. The victim/witness rights information</p>	<p>186 Department of Justice; Office of Victim/Witness Assistance. Amend the introductory paragraph in RSA 21-M:8-b, II to read as follows:</p> <p>II. There is hereby established within the criminal justice bureau of the department of justice, the office of victim/witness assistance. The office shall be supervised by the director of victim/witness assistance who shall be appointed by the attorney general in accordance with the provisions of RSA 21-M:3, XI and who shall carry out the duties imposed by this section under the supervision of the attorney general and perform such other work as the attorney general may assign. The office shall provide information and services to victims and witnesses in criminal cases prosecuted by the attorney general and shall develop and coordinate a statewide victim/witness rights information program. The victim/witness rights information</p>

<p>program shall:</p>	<p>program shall:</p>
<p>181 New Paragraph; Department of Justice; Officer-Involved Deadly Force Investigator Position Established. Amend RSA 21-M:8 by inserting after paragraph III the following new paragraph:</p> <p>IV.(a) To assist the attorney general in his or her duty to exercise general supervision of officer-involved use of deadly force investigations and to provide training to local law enforcement officers, the department of justice may hire an unclassified full-time investigator assigned the bureau, who shall work on officer-involved use of deadly force investigations.</p> <p>(b) There is established within the department of justice an unclassified full-time investigator position for the purpose of working on officer-involved use of deadly force investigations as required in this paragraph. Notwithstanding RSA 14:14-c and RSA 94:1-d, the salary for the full-time investigator position shall be established as a labor grade BB pursuant to RSA 94:1-a, I(a).</p>	<p>187 New Paragraph; Department of Justice; Officer-Involved Deadly Force Investigator Position Established. Amend RSA 21-M:8 by inserting after paragraph III the following new paragraph:</p> <p>IV.(a) To assist the attorney general in his or her duty to exercise general supervision of officer-involved use of deadly force investigations and to provide training to local law enforcement officers, the department of justice may hire an unclassified full-time investigator assigned the bureau, who shall work on officer-involved use of deadly force investigations.</p> <p>(b) There is established within the department of justice an unclassified full-time investigator position for the purpose of working on officer-involved use of deadly force investigations as required in this paragraph. Notwithstanding RSA 14:14-c and RSA 94:1-d, the salary for the full-time investigator position shall be established as a labor grade BB pursuant to RSA 94:1-a, I(a).</p>
<p>182 Department of Justice; Position Reclassified and Established.</p> <p>I. The position of administrator II-public/legislative information officer, position number 18030, within the department of justice shall be designated as an unclassified position.</p> <p>II. There is established within the department of justice the unclassified position of director of communications. The salary of the director of communications shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the director of communications, position number 18030 shall be abolished to allow for the transition of its available appropriations into the unclassified position of director of communications. Funding shall be transferred into the proper unclassified expenditure class for the attorney general accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general’s nomination for the unclassified position of director of communications.</p>	<p>188 Department of Justice; Position Reclassified and Established.</p> <p>I. The position of administrator II-public/legislative information officer, position number 18030, within the department of justice shall be designated as an unclassified position.</p> <p>II. There is established within the department of justice the unclassified position of director of communications. The salary of the director of communications shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the director of communications, position number 18030 shall be abolished to allow for the transition of its available appropriations into the unclassified position of director of communications. Funding shall be transferred into the proper unclassified expenditure class for the attorney general accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general’s nomination for the unclassified position of director of communications.</p>

<p>183 Department of Justice; Position Reclassified and Established.</p> <p>I. The position of attorney III-assistant director of charitable trust, position number 10321, within the department of justice shall be designated as an unclassified position.</p> <p>II. There is established within the department of justice the unclassified position of assistant attorney general. The salary of the assistant attorney general is established in RSA 94:1-a, I-c. Upon completion of this action and appointment of the assistant attorney general, position number 10321 shall be abolished to allow for the transition of its available appropriations into the unclassified position of assistant attorney general. Funding shall be transferred into the proper unclassified expenditure class for the charitable trust accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general’s nomination for the unclassified position of assistant attorney general.</p>	<p>189 Department of Justice; Position Reclassified and Established.</p> <p>I. The position of attorney III-assistant director of charitable trusts, position number 10321, within the department of justice shall be designated as an unclassified position.</p> <p>II. There is established within the department of justice the unclassified position of assistant attorney general. The salary of the assistant attorney general is established in RSA 94:1-a, I-c. Upon completion of this action and appointment of the assistant attorney general, position number 10321 shall be abolished to allow for the transition of its available appropriations into the unclassified position of assistant attorney general. Funding shall be transferred into the proper unclassified expenditure class for the charitable trust accounting unit. The incumbent in the abolished classified position shall be offered the opportunity to seek the attorney general’s nomination for the unclassified position of assistant attorney general.</p>
<p>184 Department of Administrative Services; Rehiring of Laid Off Classified State Employees.</p> <p>I. For purposes of this section, “laid off” means any person in a classified position as described in RSA 21-I:49 who receives written notice of the state’s intent to lay him or her off or who is laid off between July 1, 2019 and June 30, 2021, as a result of reorganization or downsizing of state government.</p> <p>II. It is the intent of the general court that any classified position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she does not receive a promotion as a result of the rehire.</p> <p>III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2019 and June 30, 2021, to the director of the division of personnel within 10 days of the layoff.</p>	<p>190 Department of Administrative Services; Rehiring of Laid Off Classified State Employees.</p> <p>I. For purposes of this section, “laid off” means any person in a classified position as described in RSA 21-I:49 who receives written notice of the state’s intent to lay him or her off or who is laid off between July 1, 2019 and June 30, 2021, as a result of reorganization or downsizing of state government.</p> <p>II. It is the intent of the general court that any classified position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she does not receive a promotion as a result of the rehire.</p> <p>III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2019 and June 30, 2021, to the director of the division of personnel within 10 days of the layoff.</p>

185 Appropriation; State Treasurer; Municipal Aid.

The sum of \$12,500,000 for the fiscal year ending June 30, 2021 is hereby appropriated to the state treasurer for the purpose of providing municipal aid to each city, town, and unincorporated place in the state. The treasurer shall distribute the municipal aid pursuant to the formula established in RSA 31-A:4, notwithstanding its suspension in this act, but without regard to annual appropriation and distribution requirements set forth therein, to each city, town, and unincorporated place in the state by September 1, 2020. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Notwithstanding RSA 31:95-b or any other provision of law no such additional municipal aid shall be considered unanticipated money from the state.

AMENDED BY THE SENATE

191 Appropriation; State Treasurer; Municipal Aid.

I. The sum of \$40,000,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the state treasurer for the purpose of providing municipal aid to each city, town, and unincorporated place in the state. The treasurer shall distribute \$20,000,000 of the municipal aid to each city, town, and unincorporated place in the state by October 1 of the fiscal year ending June 30, 2020 and \$20,000,000 of the municipal aid to each city, town, and unincorporated place in the state by October 1 of the fiscal year ending June 30, 2021. The proportion of municipal aid distributed to each municipality pursuant to this paragraph shall be calculated pursuant to paragraph II. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. The appropriation in this section shall not lapse until June 30, 2021. Municipal aid received by October 1, 2019 may be considered unanticipated revenue under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV whether or not a town has adopted the provisions of RSA 31:95-b.

II. For each fiscal year of the biennium beginning July 1, 2019, the state treasurer shall reserve the amount in the treasury as determined in paragraph I. Such moneys shall not be used for any purpose other than to distribute grants to municipalities. From such funds, the treasurer shall disburse to each municipality in the state:

(a) Twenty percent of such funds for the determination year shall be distributed to municipalities on the basis of the ratio that each municipality's average daily membership in residence bears to the statewide total membership in residence, as determined by the department and provided to the treasurer.

(b) Eighty percent of such funds for the determination year shall be distributed to municipalities on the basis of the ratio that each municipality's number of pupils in the municipality's average daily membership in residence eligible for a free or reduced-price meal bears to the total statewide membership in residence eligible for a free or reduced-price meal, as determined by the department and provided to the treasurer.

	<p>III. The grant determined in this section shall be distributed to each municipality in one payment of 100 percent on or before October 1 of the fiscal year.</p> <p>IV. For purposes of this section:</p> <p>(a) "Average daily membership in residence" or "ADMR" means the average daily membership in attendance of pupils who are legal residents of the school district, pursuant to RSA 193:12 or RSA 193:27, IV, in kindergarten through grade 12 in the determination year and attend a state-approved public or nonpublic school as assigned by the school district in which the pupil resides, or by the state, or attend an approved chartered public school, and who are educated at the school district's expense, which may include costs of attendance at public academies or out-of-district placements.</p> <p>(b) "Department" means the department of education.</p> <p>(c) "Determination year" means the school year immediately preceding the school year for which aid is determined.</p> <p>(d) "Eligible for a free or reduced-price meal" means the ADMR of pupils in kindergarten through grade 12 who are eligible for the federal free or reduced-price meal program.</p> <p>(e) "Municipality" means a city, town, or unincorporated place.</p>
<p>186 New Section; Community Development Fund for New Hampshire Established. Amend RSA 162-L by inserting after section 4 the following new section:</p> <p>162-L:4-a Community Development Fund for New Hampshire. There is hereby established in the state treasury the community development fund for New Hampshire, which shall be kept distinct and separate from all other funds. All moneys in the fund shall be nonlapsing and continually appropriated to the community development finance authority. In addition to any state appropriations, the community development finance authority may except gifts, grants, and donations from other sources, including contributions and loans from businesses, for deposit into the fund. The fund shall be used to provide flexible loan capital for community development initiatives and for one-time capital infrastructure revitalization and strategic investments.</p>	<p>192 New Section; Community Development Fund for New Hampshire Established. Amend RSA 162-L by inserting after section 4 the following new section:</p> <p>162-L:4-a Community Development Fund for New Hampshire. There is hereby established in the state treasury the community development fund for New Hampshire, which shall be kept distinct and separate from all other funds. All moneys in the fund shall be nonlapsing and continually appropriated to the community development finance authority. In addition to any state appropriations, the community development finance authority may except gifts, grants, and donations from other sources, including contributions and loans from businesses, for deposit into the fund. The fund shall be used to provide flexible loan capital for community development initiatives and for one-time capital infrastructure revitalization and strategic investments.</p>

<p>187 New Subparagraph; Dedicated Funds or Accounts; Community Development Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the community development fund for New Hampshire established in RSA 162-L:4-a.</p>	<p>193 New Subparagraph; Dedicated Funds or Accounts; Community Development Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the community development fund for New Hampshire established in RSA 162-L:4-a.</p>
<p>188 Appropriation; Community Development Finance Authority; Community Development Fund for New Hampshire. There is hereby appropriated to the community development finance authority the sum of \$1,000,000 for the biennium ending June, 30 2021, for deposit in the community development fund for New Hampshire established in RSA 162-L:4-a. The governor is authorized to draw a warrant for such sum from any money in the treasury not otherwise appropriated.</p>	<p>194 Appropriation; Community Development Finance Authority; Community Development Fund for New Hampshire. There is hereby appropriated to the community development finance authority the sum of \$1,000,000 for the biennium ending June, 30 2021, for deposit in the community development fund for New Hampshire established in RSA 162-L:4-a. The governor is authorized to draw a warrant for such sum from any money in the treasury not otherwise appropriated.</p>
<p>189 State Aid Grant Program; Appropriation to Department of Environmental Services.</p> <p>I. The sum of \$2,877,449 for the fiscal year ending June 30, 2020, is hereby appropriated to the department of environmental services for the purpose of funding state aid grant programs under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580 with substantial project completion dates on or before December 1, 2018. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p> <p>II. The sum of \$2,815,482 for the fiscal year ending June 30, 2021, is hereby appropriated to the department of environmental services for the purpose of funding state aid grant programs under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580 with substantial project completion dates on or before December 1, 2018. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>	<p>AMENDED BY THE SENATE</p> <p>195 State Aid Grant Program; Appropriation to Department of Environmental Services.</p> <p>I. The sum of \$3,652,347 for the fiscal year ending June 30, 2020, is hereby appropriated to the department of environmental services for the purpose of funding state aid grant programs under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p> <p>II. The sum of \$3,781,024 for the fiscal year ending June 30, 2021, is hereby appropriated to the department of environmental services for the purpose of funding state aid grant programs under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>190 Department of Justice; Victim/Witness Specialist Positions Reclassified and Established. The positions of victim/witness specialist position numbers 18674, 19419, 9T2817, and 9T2811,</p>	<p>196 Department of Justice; Victim/Witness Specialist Positions Reclassified and Established. The positions of victim/witness specialist position numbers 18674, 19419, 9T2817, and 9T2811,</p>

within the department of justice shall be designated as unclassified positions. There are hereby established within the department of justice 4 unclassified victim/witness specialist positions. The salary of the victim/witness specialist positions shall be determined after assessment and review of the appropriate temporary letter grade allocation for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointments to the unclassified positions, position numbers 18674, 19419, 9T2817, and 9T2811 shall be abolished to allow for the transition of the available appropriations to the unclassified positions. Funding shall be transferred into the proper unclassified expenditure class in the victim witness general accounting unit. The incumbents in the abolished classified positions shall be offered the opportunity to seek the attorney general’s nomination for the unclassified victim/witness specialist positions.

within the department of justice shall be designated as unclassified positions. There are hereby established within the department of justice 4 unclassified victim/witness specialist positions. The salary of the victim/witness specialist positions shall be determined after assessment and review of the appropriate temporary letter grade allocation for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointments to the unclassified positions, position numbers 18674, 19419, 9T2817, and 9T2811 shall be abolished to allow for the transition of the available appropriations to the unclassified positions. Funding shall be transferred into the proper unclassified expenditure class in the victim witness general accounting unit. The incumbents in the abolished classified positions shall be offered the opportunity to seek the attorney general’s nomination for the unclassified victim/witness specialist positions.

191 New Paragraphs; Department of Justice; Criminal Justice Bureau; Victim/Witness Specialist Positions Established. Amend RSA 21-M:8 by inserting after **paragraph III** the following new paragraphs:

IV. The attorney general, subject to the approval of the governor and council, may appoint permanent victim/witness specialists within the limits of the appropriation made for the appointments, who shall hold office for a term of 5 years. Any vacancy in such position may be filled for the unexpired term. The victim/witness specialists may be removed only as provided by RSA 4:1.

V. The attorney general, subject to the approval of the governor and council, may appoint unclassified, full-time temporary victim/witness specialists within the federal appropriations made for the appointment, who shall hold office subject to continuation of the federal grant funds supporting the victims/witness program. Any vacancy shall be filled in the same manner as the original appointment. The victim/witness specialists may be removed only as provided by RSA 4:1, or if the federal appropriation no longer supports the positions.

AMENDED BY THE SENATE

197 New Paragraphs; Department of Justice; Criminal Justice Bureau; Victim/Witness Specialist Positions Established. Amend RSA 21-M:8 by inserting after **paragraph IV** the following new paragraphs:

V. The attorney general, subject to the approval of the governor and council, may appoint permanent victim/witness specialists within the limits of the appropriation made for the appointments, who shall hold office for a term of 5 years. Any vacancy in such position may be filled for the unexpired term. The victim/witness specialists may be removed only as provided by RSA 4:1.

VI. The attorney general, subject to the approval of the governor and council, may appoint unclassified, full-time temporary victim/witness specialists within the federal appropriations made for the appointment, who shall hold office subject to continuation of the federal grant funds supporting the victims/witness program. Any vacancy shall be filled in the same manner as the original appointment. The victim/witness specialists may be removed only as provided by RSA 4:1, or if the federal appropriation no longer supports the positions.

VII. There is established within the department of justice an unclassified full-time elections

	attorney. The salary of the elections attorney is established in RSA 94:1-a, I(c).
<p>192 New Paragraph; Department of Justice; Elections Attorney Position Established. Amend RSA 21-M:8 by inserting after paragraph III the following new paragraph:</p> <p>IV. There is established within the department of justice an unclassified full-time elections attorney. The salary of the elections attorney shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p>	AMENDED BY THE SENATE (See Above, Senate Section 197)
<p>193 Department of Natural and Cultural Resources; Curatorial Responsibilities Suspended. Due to inadequate funding and staffing resources at the department of natural and cultural resources, the commissioner of the department of natural and cultural resources may suspend the requirements of RSA 227-C and RSA 12-A relative to curatorial responsibilities, for each year of the biennium ending June 30, 2021.</p>	<p>198 Department of Natural and Cultural Resources; Curatorial Responsibilities Suspended. Due to inadequate funding and staffing resources at the department of natural and cultural resources, the commissioner of the department of natural and cultural resources may suspend the requirements of RSA 227-C and RSA 12-A relative to curatorial responsibilities, for each year of the biennium ending June 30, 2021.</p>
<p>194 Statewide Public Boat Access Fund; Appropriation to Department of Natural and Cultural Resources. Amend RSA 233-A:13 to read as follows:</p> <p>233-A:13 Statewide Public Boat Access Fund Established. There is hereby established a nonlapsing statewide public boat access fund. The \$5 boat registration surcharge collected pursuant to RSA 270-E:5, II(d) and any other public access funds donated to the state shall be placed in this fund. [A] Funds received under this section are continually appropriated to the fish and game department for the purposes of the statewide public boat access program established under this chapter, <i>except for sufficient funds which are hereby appropriated to the department of natural and cultural resources for payment of principal and interest on bonds and notes for the Mount Sunapee state park beach boat ramp project.</i></p>	<p>199 Statewide Public Boat Access Fund; Appropriation to Department of Natural and Cultural Resources. Amend RSA 233-A:13 to read as follows:</p> <p>233-A:13 Statewide Public Boat Access Fund Established. There is hereby established a nonlapsing statewide public boat access fund. The \$5 boat registration surcharge collected pursuant to RSA 270-E:5, II(d) and any other public access funds donated to the state shall be placed in this fund. [A] Funds received under this section are continually appropriated to the fish and game department for the purposes of the statewide public boat access program established under this chapter, <i>except for sufficient funds which are hereby appropriated to the department of natural and cultural resources for payment of principal and interest on bonds and notes for the Mount Sunapee state park beach boat ramp project.</i></p>
<p>195 Appropriation; Department of Natural and Cultural Resources; Fort Stark Historic Site.</p>	NOT INCLUDED IN SENATE AMENDMENT

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The sum of \$100,000 for the fiscal year ending June 30, 2021, is hereby appropriated to the department of natural and cultural resources for the purpose of redevelopment and improvement projects at the Fort Stark historic site, including alleviating life safety issues that exist due to the type of buildings found at Fort Stark and their current condition, redeveloping the parking area by raising the grade to improve drainage and maximize capacity, providing historical interpretation and administrative rules that apply to the site, and aesthetically enhancing the site through landscape improvements including security lighting, benches, and hardscape. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

196 Department of State; Archives and Records Management; Appointment of Director. Amend RSA 5:28 to read as follows:

5:28 Appointment of Director. The secretary of state, with the approval of governor and council, shall appoint the director of the division of archives and records management, who shall be known as the state archivist and who shall be an unclassified state employee. The director shall have a minimum of a master's degree in library science [☒], history, **or equivalent** or 10 years prior experience as an archivist or experience in a related field. The term of office for the state archivist shall be for 4 years. Any vacancy shall be filled for the unexpired term. The salary of the state archivist shall be as specified in RSA 94:1-a.

197 Department and Secretary of State; Election Fund. Amend RSA 5:6-d, I-III to read as follows:

I. There is established in the office of the state treasurer a nonlapsing fund to be known as the election fund which shall be kept distinct and separate from all other funds. The election fund is established to meet the requirements of section 254(b) of the Help America Vote Act, Public Law 107-252 **and the 2018 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law 115-141, hereafter referred to as the "2018 Election Reform Program"**.

II. The treasurer shall deposit in the election fund all monies received by the state pursuant

200 Department of State; Archives and Records Management; Appointment of Director. Amend RSA 5:28 to read as follows:

5:28 Appointment of Director. The secretary of state, with the approval of governor and council, shall appoint the director of the division of archives and records management, who shall be known as the state archivist and who shall be an unclassified state employee. The director shall have a minimum of a master's degree in library science [☒], history, **or equivalent** or 10 years prior experience as an archivist or experience in a related field. The term of office for the state archivist shall be for 4 years. Any vacancy shall be filled for the unexpired term. The salary of the state archivist shall be as specified in RSA 94:1-a.

201 Department and Secretary of State; Election Fund. Amend RSA 5:6-d, I-III to read as follows:

I. There is established in the office of the state treasurer a nonlapsing fund to be known as the election fund which shall be kept distinct and separate from all other funds. The election fund is established to meet the requirements of section 254(b) of the Help America Vote Act, Public Law 107-252 **and the 2018 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law 115-141, hereafter referred to as the "2018 Election Reform Program"**.

II. The treasurer shall deposit in the election fund all monies received by the state pursuant

to the Help America Vote Act of 2002, Public Law 107-252 *and the 2018 Election Reform Program*. The treasurer shall also deposit in the election fund such other funds received under state or federal law, or donated to the state by private parties, for the purposes of conducting elections, voter and election official education, election law enforcement, and related information technology projects and improvements, and shall credit any interest or income earned on monies on deposit to the fund.

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of equipment that complies with the Help America Vote Act of 2002, Public Law 107-252, or with RSA 659:13, V, reimbursing the department of safety for the actual cost of voter identification cards, election law enforcement, *enhancing election technology, making election security improvements*, and improvements to related information technology, including acquisition and operation of an automated election management system. *With the exception of federal and state portions of funds associated with the 2018 Election Reform Program*, the secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 12 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

198 Appropriation; Department of State. The sum of \$155,113 for the biennium ending June 30, 2021 is hereby appropriated to the department of state to meet the requirements of the 2018 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law 115-141, pursuant to RSA 5:6-d. Said sum shall not lapse and may also be used for the purposes of the Help America Vote Act of 2002, Public Law 107-252. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

NO COMPARABLE HOUSE SECTION

to the Help America Vote Act of 2002, Public Law 107-252 *and the 2018 Election Reform Program*. The treasurer shall also deposit in the election fund such other funds received under state or federal law, or donated to the state by private parties, for the purposes of conducting elections, voter and election official education, election law enforcement, and related information technology projects and improvements, and shall credit any interest or income earned on monies on deposit to the fund.

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of equipment that complies with the Help America Vote Act of 2002, Public Law 107-252, or with RSA 659:13, V, reimbursing the department of safety for the actual cost of voter identification cards, election law enforcement, *enhancing election technology, making election security improvements*, and improvements to related information technology, including acquisition and operation of an automated election management system. *With the exception of federal and state portions of funds associated with the 2018 Election Reform Program*, the secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 12 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

NOT INCLUDED IN SENATE AMENDMENT

202 Short Title. Sections 203-209 of this act shall be known as the Granite State Jobs Act of

	2019.
<p>NO COMPARABLE HOUSE SECTION</p>	<p>203 Findings. The general court finds it is in the public interest to enhance public-private partnerships to recruit, train, and re-employ workers in order to meet New Hampshire's skills gap and worker shortage, efficiently and timely assisting Granite state businesses and Granite staterers looking for work, including those in recovery.</p>
<p>199 Unemployment Compensation; Contribution Rates. Amend RSA 282-A:87, IV(a) to read as follows:</p> <p>(a)(1) Each employer subject to payment of contributions pursuant to RSA 282-A:69, I shall have its rate reduced by [2/10] 3/10 of one percent beginning in the [second] third quarter of [2007] 2019. An administrative contribution equal to the amount of this reduction shall be paid by all such employers.</p> <p>(2) Commencing [July] October 1, [2007] 2019, after deduction of all costs incurred in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to exceed [\$2,000,000] \$2,500,000 annually, shall be deposited each quarter in the fund established by RSA 282-A:138-a and shall be expended only as provided by and for the purposes provided in that section. The remaining quarterly administrative contribution collected shall be deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes provided in that section, and not for any other purpose.</p>	<p>AMENDED BY THE SENATE</p> <p>204 Unemployment Compensation; Contribution Rates. Amend RSA 282-A:87, IV(a) to read as follows:</p> <p>IV.(a)(1) Each employer subject to payment of contributions pursuant to RSA 282-A:69, I shall have its rate reduced by [2/10] 2/5 of one percent beginning in the [second] fourth quarter of [2007] 2019. An administrative contribution equal to the amount of this reduction shall be paid by all such employers.</p> <p>(2) Commencing [July 1, 2007] January 1, 2020, after deduction of all costs incurred in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to exceed [\$2,000,000] \$6,000,000 annually, shall be deposited each quarter in the fund established by [RSA 282-A:138-a] RSA 282-A:182 and shall be expended only as provided by and for the purposes provided in that section and shall lapse to the unemployment trust fund account established in RSA 282-A:104, I(b) if unspent or unencumbered at the end of the relevant program year. The remaining quarterly administrative contribution collected shall be divided so that the proportional share of the quarterly administrative contribution resulting from the increase over 2/10 of one percent shall be deposited in the unemployment compensation fund established in RSA 282-A:103 and the remaining amount deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes provided in that section, and not for any other purpose.</p>

200 **New Subdivision**; Job Training Program **for Economic Growth**. Amend RSA 282-A by inserting after section 180 the following new subdivision:

Job Training Program **for Economic Growth**

282-A:181 Job Training Program **for Economic Growth**. The purpose of this program is to:

I. Enhance the state's economic growth and vitality by offering assistance to privately owned businesses and industries in preparing and training a new workforce and retraining existing employees to implement new technologies, creating new jobs, and in retaining and upgrading existing jobs.

II. Expand the state's labor force by addressing job readiness and job placement needs of underserved populations, by providing training, reemployment services, subsidized employment, and employment supports for individuals who are underemployed or unemployed.

III. Provide technical education, training, and related supports to help individuals secure employment in order to continue to expand the labor force and to include those individuals not currently eligible for other federal or state workforce training programs.

IV. Be flexible and responsive to the training needs of business and industry in New Hampshire.

282-A:182 Training Programs. Training programs may include, but shall not be limited to:

- I.** Structured, on-site laboratory or classroom training.
- II.** Basic skills.
- III.** Technical skills.
- IV.** Quality improvement.
- V.** Safety.
- VI.** Management and supervision.
- VII.** English as a second language.

282-A:183 Administration; Rulemaking. The department of employment security shall administer this program. The commissioner of the department of employment security shall adopt

AMENDED BY THE SENATE

205 **Department of Employment Security**; Job Training Program. Amend RSA 282-A by inserting after section 180 the following new subdivision:

Job Training Program

282-A:181 Job Training Program. **The department of employment security shall administer the job training program in this subdivision. The commissioner of the department of employment security shall adopt rules under RSA 541-A, relative to the grant award process and general administration of this subdivision.**

I. Training programs may include, but shall not be limited to:

- (a)** Structured, on-site laboratory or classroom training.
- (b)** Basic skills.
- (c)** Technical skills.
- (d)** Quality improvement.
- (e)** Safety.
- (f)** Management and supervision.
- (g)** English as a second language.

II. No more than \$500,000 annually, from sources other than the WorkReadyNH program, shall be provided to support programs offered as of January 1, 2019, and, in addition to programs

rules under RSA 541-A, relative to the administration of this subdivision.

282-A:184 Eligibility for Training Grants.

I. In this subdivision, "grant recipient" means the business entity that receives funds from the department and which provides funds to the training provider.

II. Only those businesses that are physically located in or intend to be physically located in the state and that are in compliance with state laws and regulations may be grant recipients under this subdivision.

III. Only unemployed or underemployed residents of New Hampshire or individuals who work for a business that is located in or intends to locate in the state shall be eligible for training, reemployment services, subsidized employment, and employment supports under this subdivision.

IV. A business entity that receives a training grant under this subdivision shall match no less than one dollar for each dollar provided through the grant award. The matching funds shall include only those costs extraordinary to the regular employee expenses incurred by the business and shall be directly related to training.

V. Priority shall be given for grants to small businesses for the implementation of technological innovations.

VI. Intent to locate within the state shall be established to the satisfaction of the commissioner of the department of employment security. Intent shall be established by:

(a) Proof of substantial investment or a binding contractual obligation consistent with such intent;

(b) The lease or purchase of real estate or equipment within the state necessary for the planned move; or

(c) Such other requirements as may be established under rules adopted by the commissioner of the department of employment security.

VII. Submission of documents to substantiate proof of intent by a business to locate within the state shall be in accordance with rules adopted by the commissioner of the department of employment security.

offered as of January 1, 2019, funding shall be provided for:

(a) Training individuals not otherwise eligible for state or federal training funds available as of January 1, 2019, including the cost of certificate programs, apprenticeship programs as defined under 29 C.F.R. Part 29, and occupational skills training in order to fill current, in-demand employment in New Hampshire with employers having immediate employment needs, with a priority for jobs identified through the state's sector partnership initiative and for employers who pay individuals during training periods.

(b) Enhanced support services, including child care and transportation assistance, which would not otherwise be available through any other state, federal, or other programs, with such assistance limited to income eligible individuals with an identified career path and who are determined to be in need of such support services to successfully compete for employment opportunities;

(c) The WorkReadyNH program established by the community college system of New Hampshire in an amount not to exceed \$500,000 annually.

(d) Certificate programs, apprenticeship programs as defined under 29 C.F.R. Part 29, and occupational skills training opportunities for New Hampshire high school students upon graduation in order to fill current, in-demand employment in New Hampshire.

(e) Marketing of New Hampshire's workforce development initiatives to employers and business community representatives in New Hampshire.

(f) Recruitment and coordination of services provided in this section to populations with higher than average unemployment in New Hampshire, including persons in need of training to change careers, persons with substance use disorders who are in recovery programs, persons with disabilities, inmates transitioning to the general population, persons who are homeless, senior citizens, legal immigrants and speakers of languages other than English, including documented outreach to and priority given to persons with substance use disorders who are in recovery programs.

VIII. No grant shall be made to the state, including the university system of New Hampshire, except that the New Hampshire department of employment security may expend job training funds to the university system of New Hampshire, state community college system, and other public and private training providers to address job readiness and job placement needs of underserved populations by providing for training, education, reemployment services, subsidized employment, and employment supports for individuals who are not employed, or are underemployed, and not eligible for other state or federal workforce training programs.

IX. No grant shall be made to any county, city, town, or other political subdivision which has not currently elected to pay contributions pursuant to RSA 282-A:71, II.

X. No grant shall be made to any organization or group of organizations, described in section 501(c)(3) and exempt under section 501(a) of the Internal Revenue Code, which has not currently elected to pay contributions pursuant to RSA 282-A:69, II except that such entity may be eligible to receive job training funds in connection with training, education, reemployment services, subsidized employment, and employment supports provided for individuals who are unemployed or underemployed and not eligible for other state or federal workforce training programs.

282-A:185 Eligible Costs.

I. To be eligible for a training grant under this subdivision, a cost shall be necessary and reasonable for the proper and efficient delivery of training to the employees of the grant recipient.

II. The following costs shall not be eligible for training grants:

(a) Costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.

(b) Entertainment costs.

(c) Administrative costs.

(d) Salaries and wages of employees in training.

III. Funds for training grants shall supplement, and not replace, funds available through existing programs conducted by the business entity, or other public or private training programs.

IV. The department may use no more than 10 percent, or \$250,000, of any moneys received

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from the training fund established in RSA 282-A:188, whichever is less, to administer this program.

282-A:186 Training Facilities.

I. Training provided to unemployed or underemployed individuals through this program shall include training and education opportunities offered by the university system of New Hampshire and the community college system of New Hampshire as well as training available through other colleges and public and private training programs.

II. The provider shall be specified in the grant award.

282-A:187 Performance; Report.

I. The grant review committee shall establish performance criteria. The committee shall submit no later than 60 days after the close of each fiscal year, to the commissioner of the department of business and economic affairs, the commissioner of the department of employment security, the governor, the senate president, the speaker of the house of representatives, and the fiscal committee of the general court, a report indicating the level of performance achieved through the program.

II. The department shall evaluate the performance level for each training grant provided to a business.

III. The grant recipient shall file the information required under paragraphs I and II, as requested by the commissioner.

282-A:188 Training Fund.

I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2020, the moneys in this fund may be used, solely as determined by the commissioner of employment security in accordance with rules and guidelines adopted by the commissioner of employment security, for funding training under the job training program for economic growth, established under RSA 282-A:181 through RSA 282-A:187. Rulemaking authority relative to administration of the grant award process shall be with the commissioner of employment security pursuant to RSA 282-A:183.

II. The commissioner of employment security shall act as the fiscal agent for moneys

282-A:182 Training Fund.

I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2020, the moneys in this fund shall be used solely as determined by the commissioner of the department of employment security in accordance with rules and guidelines adopted by the department for funding training under the job training program established in this subdivision. The commissioner of the department of employment security shall make rules relative to administration of the grant award process under this subdivision.

II. The commissioner shall act as the fiscal agent for moneys deposited in the training fund.

deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the training fund shall be paid from such fund.

III. Any interest earned on the moneys in this fund shall remain in the fund and shall be expended as provided in paragraph I.

IV. Any moneys paid into the training fund during a calendar year, which are either not obligated by June 30 of the following year or spent by June 30 of the year thereafter, shall be continually appropriated and shall not lapse.

All costs incurred by the commissioner acting as fiscal agent of the training fund shall be paid from such fund.

III. Any interest earned on the moneys in this fund shall remain in the fund and shall be expended as provided in paragraph I.

IV. Any moneys paid into the training fund during a calendar year, which are either not obligated by June 30 of the following year or spent by June 30 of the year thereafter, shall be continually appropriated and shall not lapse.

282-A:183 Expenditure for Job Training Program. The department of employment security shall use no more than 10 percent, or \$600,000, of any moneys received from the training fund established in RSA 282-A:182, whichever is less, to administer the job training program in this subdivision, including support for the sector partnership initiative.

282-A:184 Report. The commissioner shall annually submit a report to the governor's state workforce innovation board, the speaker of the house of representatives, the president of senate, the chairperson of the senate committee with jurisdiction over commerce issues, and the chairperson of the house committee with jurisdiction over labor issues concerning the effectiveness of the job training program established in this subdivision.

201 Commission to Review and Evaluate Workforce and Job Training Programs in New Hampshire. Amend RSA 273:28, IV(g)(12) to read as follows:

(12) Department of ~~business and economic affairs~~ **employment security**, job training program **for economic growth** pursuant to RSA ~~[12-O:30-37]-RSA 282-A:181 through RSA 282-A:187.~~

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206 Commission to Review and Evaluate Workforce and Job Training Programs in New Hampshire. Amend RSA 273:28, IV(g)(12) to read as follows:

(12) Department of ~~business and economic affairs~~ **employment security**, job training program ~~[for economic growth]~~ pursuant to RSA ~~[12-O:30-37]~~**282-A:181-184.**

202 Application of Receipts. Amend RSA 6:12, I(b)(74) to read as follows:

(74) Moneys deposited in the training fund established by RSA ~~[282-A:138-a]~~ **282-**

AMENDED BY THE SENATE

207 Application of Receipts. Amend RSA 6:12, I(b)(74) to read as follows:

(74) Moneys deposited in the training fund established by RSA ~~[282-A:138-a]~~ **282-**

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<p>A:188.</p>	<p>A:182.</p>
<p>203 New Hampshire Workforce Opportunity Fund. Amend RSA 12-O:45, V to read as follows:</p> <p>V. In accordance with RSA [12-O:30] 282-A:181 through RSA [12-O:37] 282-A:187, the commissioner of the department of employment security shall have the authority to make grants to New Hampshire employers for the purpose of training employees in accordance with this chapter, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.</p>	<p>AMENDED BY THE SENATE</p> <p>208 New Hampshire Workforce Opportunity Fund. Amend RSA 12-O:45, V to read as follows:</p> <p>V. In accordance with RSA [12-O:30] 282-A:181 through RSA [12-O:37] 282-A:184, the commissioner of the department of employment security shall have the authority to make grants to New Hampshire employers for the purpose of training employees in accordance with this chapter, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.</p>
<p>204 Unemployment Compensation Rates. Amend RSA 282-A:87, IV(a)(2) to read as follows:</p> <p>(2) Commencing July 1, 2007, after deduction of all costs incurred in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to exceed \$2,000,000 annually, shall be deposited each quarter in the fund established by RSA [282-A:138-a] 282-A:188 and shall be expended only as provided by and for the purposes provided in that section. The remaining quarterly administrative contribution collected shall be deposited in the fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes provided in that section, and not for any other purpose.</p>	<p>NO COMPARABLE SECTION IN THE SENATE</p>
<p>205 Repeal. The following are repealed:</p> <p>I. RSA 12-O:30 through RSA 12-O:37, relative to the job training program for economic growth.</p> <p>II. RSA 282-A:138-a, relative to the training fund.</p>	<p>209 Repeal. The following are repealed:</p> <p>I. RSA 12-O:30 through RSA 12-O:37, relative to the job training program for economic growth.</p> <p>II. RSA 282-A:138-a, relative to the training fund.</p>

<p>206 Appropriation; Affordable Housing Fund. The sum of \$5,000,000 for the fiscal year ending June 30, 2020, is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established in RSA 204-C:57, for the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>	<p>210 Appropriation; Affordable Housing Fund. The sum of \$5,000,000 for the fiscal year ending June 30, 2020, is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established in RSA 204-C:57, for the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>207 New Section; Special Account. Amend RSA 432 by inserting after section 30 the following new section:</p> <p>432:30-a Special Account. There is established a separate account to which shall be credited all funds appropriated or acquired to provide financial and technical assistance associated with this subdivision. This shall be a nonlapsing account, and funds in said account are hereby appropriated for the purpose of this subdivision.</p>	<p>211 New Section; Special Account. Amend RSA 432 by inserting after section 30 the following new section:</p> <p>432:30-a Special Account. There is established a separate account to which shall be credited all funds appropriated or acquired to provide financial and technical assistance associated with this subdivision. This shall be a nonlapsing account, and funds in said account are hereby appropriated for the purpose of this subdivision.</p>
<p>208 Appropriation. Department of Agriculture, Markets and Food. There is hereby appropriated to the department of agriculture, markets and food the sum of \$250,000 for the fiscal year ending June 30, 2020 and \$500,000 for the fiscal year ending June 30, 2021 for deposit in the special account established in RSA 432:30-a. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>	<p>212 Appropriation. Department of Agriculture, Markets and Food. There is hereby appropriated to the department of agriculture, markets and food the sum of \$250,000 for the fiscal year ending June 30, 2020 and \$500,000 for the fiscal year ending June 30, 2021 for deposit in the special account established in RSA 432:30-a. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>209 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the special account for agriculture development rights under RSA 432:30-a.</p>	<p>213 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the special account for agriculture development rights under RSA 432:30-a.</p>
<p>210 State Demographer. For the biennium ending June 30, 2021, the provisions of RSA 4-C:36</p>	<p>214 State Demographer. For the biennium ending June 30, 2021, the provisions of RSA 4-C:36</p>

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<p>and RSA 14:46, VII are hereby suspended. For said biennium, the director of the office of strategic initiatives may provide assistance to the commission on demographic trends established pursuant to RSA 4-C:37, the department of health and human services pursuant to RSA 9:9-e, or the legislative budget assistant pursuant to RSA 9:9-f, in place of the state demographer.</p>	<p>and RSA 14:46, VII are hereby suspended. For said biennium, the director of the office of strategic initiatives may provide assistance to the commission on demographic trends established pursuant to RSA 4-C:37, the department of health and human services pursuant to RSA 9:9-e, or the legislative budget assistant pursuant to RSA 9:9-f, in place of the state demographer.</p>
<p>211 Board of Tax and Land Appeals; Staff. Amend RSA 71-B:14 to read as follows: 71-B:14 Staff. The board shall have upon its staff [2] at least one review [appraisers] appraiser who shall be a classified state [employees] employee and who shall be competent to review the value of property for tax and eminent domain purposes. In addition, the board shall have such clerical and technical staff as may be necessary within the limits of appropriation made therefor.</p>	<p>215 Board of Tax and Land Appeals; Staff. Amend RSA 71-B:14 to read as follows: 71-B:14 Staff. The board shall have upon its staff [2] at least one review [appraisers] appraiser who shall be a classified state [employees] employee and who shall be competent to review the value of property for tax and eminent domain purposes. In addition, the board shall have such clerical and technical staff as may be necessary within the limits of appropriation made therefor.</p>
<p>212 Coos County Job Creation Tax Credit Extended. Amend RSA 77-E:3-c, II to read as follows: II. [The initial job creation tax credit allowed under this paragraph shall not apply to any tax period ending prior to the effective date of this section, or to any tax period ending after December 31, 2018.] After being initially granted, the tax credit shall be renewable for 4 consecutive additional years, provided that no additional tax credit shall be granted under this chapter for any tax period after December 31, [2022] 2027.</p>	<p>216 Coos County Job Creation Tax Credit Extended. Amend RSA 77-E:3-c, II to read as follows: II. [The initial job creation tax credit allowed under this paragraph shall not apply to any tax period ending prior to the effective date of this section, or to any tax period ending after December 31, 2018.] After being initially granted, the tax credit shall be renewable for 4 consecutive additional years, provided that no additional tax credit shall be granted under this chapter for any tax period after December 31, [2022] 2027.</p>
<p>213 Business Profits Tax; Imposition of Tax; 2019. RSA 77-A:2 is repealed and reenacted to read as follows: 77-A:2 Imposition of Tax. A tax is imposed at the rate of 7.9 percent upon the taxable business profits of every business organization.</p>	<p>217 Business Profits Tax; Imposition of Tax; 2019. RSA 77-A:2 is repealed and reenacted to read as follows: 77-A:2 Imposition of Tax. A tax is imposed at the rate of 7.9 percent upon the taxable business profits of every business organization.</p>
<p>214 Business Enterprise Tax; Imposition of Tax; 2019. RSA 77-E:2 is repealed and reenacted to read as follows: 77-E:2 Imposition of Tax. A tax is imposed at the rate of .675 percent upon the taxable</p>	<p>218 Business Enterprise Tax; Imposition of Tax; 2019. RSA 77-E:2 is repealed and reenacted to read as follows: 77-E:2 Imposition of Tax. A tax is imposed at the rate of .675 percent upon the taxable</p>

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enterprise value tax base of every business enterprise.	enterprise value tax base of every business enterprise.
<p>215 Repeal of Prospective Amendments. The following are repealed:</p> <p>I. 2017, 156:215; relative to the rate of the business profits tax in 2021.</p> <p>II. 2017, 156:216; relative to the rate of the business enterprise tax in 2021.</p> <p>III. 2017, 156:217, II, relative to the applicability of the 2021 rates changes.</p>	<p>219 Repeal of Prospective Amendments. The following are repealed:</p> <p>I. 2017, 156:215, relative to the rate of the business profits tax in 2021.</p> <p>II. 2017, 156:216, relative to the rate of the business enterprise tax in 2021.</p> <p>III. 2017, 156:217, II, relative to the applicability of the 2021 rates changes.</p>
<p>216 Applicability. Sections 213 and 214 of this act shall apply to taxable periods ending on or after December 31, 2019.</p>	<p>220 Applicability. Sections 217 and 218 of this act shall apply to taxable periods ending on or after December 31, 2019.</p>
<p>217 Education Trust Fund. Amend the introductory paragraph of RSA 198:39, I to read as follows:</p> <p>I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than to distribute adequate education grants to municipalities' school districts and to approved charter schools pursuant to RSA 198:42, to distribute school building aid to school districts and approved chartered public schools pursuant to RSA 198:15-b, to distribute tuition and transportation funds to school districts for students attending career and technical education programs pursuant to RSA 188-E:9, to distribute special education aid to school districts pursuant to RSA 186-C:18, and to provide low and moderate income homeowners property tax relief under RSA 198:56-198:61, and to fund kindergarten programs as may be determined by the general court]. The state treasurer shall deposit into this fund immediately upon receipt:</p>	<p>AMENDED BY THE SENATE</p> <p>221 Education Trust Fund. Notwithstanding RSA 198:39, I, for the biennium ending June 30, 2021, the education trust fund may be used for the purpose of distributing school building aid to school districts and approved chartered public schools pursuant to RSA 198:15-b, distributing tuition and transportation funds to school districts for students attending career and technical education programs pursuant to RSA 188-E:9, and distributing special education aid to school districts pursuant to RSA 186-C:18.</p>
<p>218 New Section; The Budget; Transmission to the Legislature; Changes to Statutory Law. Amend RSA 9 by inserting after section 2 the following new section:</p> <p>9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15 of the first year of each biennial legislative session, the governor shall transmit to the legislature a</p>	<p>222 New Section; The Budget; Transmission to the Legislature; Changes to Statutory Law. Amend RSA 9 by inserting after section 2 the following new section:</p> <p>9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15 of the first year of each biennial legislative session, the governor shall transmit to the legislature a</p>

<p>document to be known as the trailer bill containing any changes to statutory law deemed necessary for the ensuing biennium. This document shall be separate from the document known as the budget as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II, article 18-a of the New Hampshire constitution. This document shall be available in printed format and at least one electronic computer file format in common use at the time.</p>
<p>219 Department of Safety; Deputy Director of Administration; Position Established. There is established within the department of safety the unclassified position of deputy director of administration. The deputy director of administration shall be qualified to hold that position by reason of education and experience, and shall be appointed by and serve at the pleasure of the commissioner of safety. The deputy director of administration shall assist the director of administration in carrying out the duties of the department of safety. The salary of the deputy director of administration shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 012, within accounting unit 02-23-23-232015-2310.</p>
<p>220 New Section; Department of Safety; Deputy Director of Administration. Amend RSA 21-P by inserting after section 6 the following new section:</p> <p>21-P:6-a Deputy Director of Administration.</p> <p>I. The commissioner of safety shall nominate a deputy director of administration for appointment by the governor, with the consent of the council. The deputy director of administration shall serve a term of 4 years, and may be reappointed. The deputy director of administration shall be qualified to hold that position by reason of education and experience.</p> <p>II. The deputy director of administration shall perform such duties as are assigned by the director of administration. The deputy director of administration shall assume the duties of the director of administration in the event that the director of administration is unable for any reason to</p>

<p>document to be known as the trailer bill containing any changes to statutory law deemed necessary for the ensuing biennium. This document shall be separate from the document known as the budget as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II, article 18-a of the New Hampshire constitution. This document shall be available in printed format and at least one electronic computer file format in common use at the time.</p>
<p>223 Department of Safety; Deputy Director of Administration; Position Established. There is established within the department of safety the unclassified position of deputy director of administration. The deputy director of administration shall be qualified to hold that position by reason of education and experience, and shall be appointed by and serve at the pleasure of the commissioner of safety. The deputy director of administration shall assist the director of administration in carrying out the duties of the department of safety. The salary of the deputy director of administration shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class 012, within accounting unit 02-23-23-232015-2310.</p>
<p>224 New Section; Department of Safety; Deputy Director of Administration. Amend RSA 21-P by inserting after section 6 the following new section:</p> <p>21-P:6-a Deputy Director of Administration.</p> <p>I. The commissioner of safety shall nominate a deputy director of administration for appointment by the governor, with the consent of the council. The deputy director of administration shall serve a term of 4 years, and may be reappointed. The deputy director of administration shall be qualified to hold that position by reason of education and experience.</p> <p>II. The deputy director of administration shall perform such duties as are assigned by the director of administration. The deputy director of administration shall assume the duties of the director of administration in the event that the director of administration is unable for any reason to</p>

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<p>perform such duties.</p> <p>III. The salary of the deputy director of administration shall be as specified in RSA 94:1-a.</p>	<p>perform such duties.</p> <p>III. The salary of the deputy director of administration shall be as specified in RSA 94:1-a.</p>
<p>221 Assistant Director of Division of Fire Standards and Training and Emergency Medical Services; Membership in New Hampshire Retirement System. Notwithstanding any provision of RSA 100-A to the contrary, the current assistant director of the division of fire standards and training and emergency medical services, department of safety, shall be considered to have been properly enrolled as a member in group II of the New Hampshire retirement system as of his original date of hire with the division of fire standards and training and emergency medical services and he shall retain such membership for the duration of service in his present capacity.</p>	<p>225 Assistant Director of Division of Fire Standards and Training and Emergency Medical Services; Membership in New Hampshire Retirement System. Notwithstanding any provision of RSA 100-A to the contrary, the current assistant director of the division of fire standards and training and emergency medical services, department of safety, shall be considered to have been properly enrolled as a member in group II of the New Hampshire retirement system as of his original date of hire with the division of fire standards and training and emergency medical services and he shall retain such membership for the duration of service in his present capacity.</p>
<p>222 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15, II to read as follows:</p> <p>II. The department may issue a copy of any motor vehicle record upon the request of an insurance company or any other authorized agent, and notwithstanding RSA 91-A shall require payment by the insurance company or authorized agent of a fee of [\$12] \$13 for email or other computer-generated requests where payment is debited against an account established with the department, or \$15 for all other requests, which shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.</p>	<p>226 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15, II to read as follows:</p> <p>II. The department may issue a copy of any motor vehicle record upon the request of an insurance company or any other authorized agent, and notwithstanding RSA 91-A shall require payment by the insurance company or authorized agent of a fee of [\$12] \$13 for email or other computer-generated requests where payment is debited against an account established with the department, or \$15 for all other requests, which shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.</p>
<p>223 Motor Vehicles; Drivers' Licenses; Real ID Compliant; Fee. Amend RSA 263:42, I to read as follows:</p> <p>I. For each original driver's license and examination or driver's license renewal, other than for a commercial vehicle or motorcycle- \$60 for a Real ID Act compliant license under RSA 263:14-b or \$50 for each other license; for each license issued under RSA 263:5-f- \$10; for each youth operator's license and examination- \$10 per year, not to exceed \$50; for each license issued to a nonresident alien for less than 5 years- \$10 per year or portion thereof; for each original commercial</p>	<p>227 Motor Vehicles; Drivers' Licenses; Real ID Compliant; Fee. Amend RSA 263:42, I to read as follows:</p> <p>I. For each original driver's license and examination or driver's license renewal, other than for a commercial vehicle or motorcycle- \$60 for a Real ID Act compliant license under RSA 263:14-b or \$50 for each other license; for each license issued under RSA 263:5-f- \$10; for each youth operator's license and examination- \$10 per year, not to exceed \$50; for each license issued to a nonresident alien for less than 5 years- \$10 per year or portion thereof; for each original commercial</p>

driver license and examination or commercial driver license renewal- \$60; for each commercial driver license reexamination in a one-year period- \$20; for each commercial vehicle endorsement, renewal of an endorsement, or removal of a restriction- \$10; for each special motorcycle original license and examination or special motorcycle license renewal- \$50; for each original motorcycle endorsement- \$25; for each 3-wheeled motorcycle endorsement- \$25; for each motorcycle endorsement and 3-wheeled motorcycle endorsement renewal- no charge. For each original driver's license issued, \$5 shall be credited to the driver training fund established by RSA 263:52. Except as provided in RSA 263:5-f, I, RSA 263:14, and RSA 263:39-a, III, every license shall expire on the licensee's birthdate in the fifth year following the issuance of such license. No fee collected under this paragraph shall be refunded once an examination has been taken or a license issued, except as provided in RSA 263:43.

driver license and examination or commercial driver license renewal- \$60; for each commercial driver license reexamination in a one-year period- \$20; for each commercial vehicle endorsement, renewal of an endorsement, or removal of a restriction- \$10; for each special motorcycle original license and examination or special motorcycle license renewal- \$50; for each original motorcycle endorsement- \$25; for each 3-wheeled motorcycle endorsement- \$25; for each motorcycle endorsement and 3-wheeled motorcycle endorsement renewal- no charge. For each original driver's license issued, \$5 shall be credited to the driver training fund established by RSA 263:52. Except as provided in RSA 263:5-f, I, RSA 263:14, and RSA 263:39-a, III, every license shall expire on the licensee's birthdate in the fifth year following the issuance of such license. No fee collected under this paragraph shall be refunded once an examination has been taken or a license issued, except as provided in RSA 263:43.

224 Department of Transportation; Capital Corridor Rail Expansion. The department of transportation is hereby authorized to access the Boston Urbanized Area Formula Funding program of the Federal Transit Administration, 49 U.S.C. section 5307, identified in the 2019-2028 Ten Year Transportation Improvement Plan, to complete the project development phase of the project named Nashua-Manchester-Concord, project number 40818. The department may use toll credits pursuant to RSA 228:12-a for this project.

228 Department of Transportation; Capital Corridor Rail Expansion. The department of transportation is hereby authorized to access the Boston Urbanized Area Formula Funding program of the Federal Transit Administration, 49 U.S.C. section 5307, identified in the 2019-2028 Ten Year Transportation Improvement Plan, to complete the project development phase of the project named Nashua-Manchester-Concord, project number 40818. The department may use toll credits pursuant to RSA 228:12-a for this project.

225 Department of Transportation; Use of Toll Credits. Amend RSA 228:12-a to read as follows:
 228:12-a Use of Toll Credits. The department may use toll credits as a match for federal highway funds solely for the funding of highway and road projects, [Ø] projects concerning the travel of motor vehicles on such highways and roads, **and the completion of the project development phase of the project named Nashua-Manchester-Concord, project number 40818, in the 2019-2028 Ten Year Transportation Improvement Plan.** Any other use of toll credits shall require approval of the joint legislative capital budget overview committee, established in RSA 17-J:1, prior to moving the project forward for approval in the state 10-year transportation improvement program.

229 Department of Transportation; Use of Toll Credits. Amend RSA 228:12-a to read as follows:
 228:12-a Use of Toll Credits. The department may use toll credits as a match for federal highway funds solely for the funding of highway and road projects, [Ø] projects concerning the travel of motor vehicles on such highways and roads, **and the completion of the project development phase of the project named Nashua-Manchester-Concord, project number 40818, in the 2019-2028 Ten Year Transportation Improvement Plan.** Any other use of toll credits shall require approval of the joint legislative capital budget overview committee, established in RSA 17-J:1, prior to moving the project forward for approval in the state 10-year transportation improvement program.

<p>226 Department of Transportation; Appropriation. There is hereby appropriated to the department of transportation the sum of \$1,640,000 for the fiscal year ending June 30, 2020, for the purpose of demolition and environmental mitigation of structures on state-owned property. Such funds shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>	<p>AMENDED BY THE SENATE</p> <p>230 Department of Transportation; Appropriation. There is hereby appropriated to the department of transportation the sum of \$1,870,000 for the fiscal year ending June 30, 2019, for the purpose of demolition and environmental mitigation of structures on state-owned property. Such funds shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>227 Rulemaking Exception; Medicaid Rate of Reimbursement Methodology for Nursing Facilities. Amend RSA 541-A:21 by inserting after paragraph III the following new paragraph:</p> <p>III-a. Rules adopted relative to the budget adjustment factor contained within the Medicaid rate of reimbursement methodology for nursing facilities shall be exempt from the provisions of 541-A:5 through 541-A:14 provided that the budget adjustment factor applied to the reimbursement methodology is equal to or less than 28.76 percent. If the budget adjustment factor to be applied to the reimbursement methodology is greater than 28.76 percent, the provisions of 541-A shall apply.</p>	<p>231 Rulemaking Exception; Medicaid Rate of Reimbursement Methodology for Nursing Facilities. Amend RSA 541-A:21 by inserting after paragraph III the following new paragraph:</p> <p>III-a. Rules adopted relative to the budget adjustment factor contained within the Medicaid rate of reimbursement methodology for nursing facilities shall be exempt from the provisions of 541-A:5 through 541-A:14 provided that the budget adjustment factor applied to the reimbursement methodology is equal to or less than 28.76 percent. If the budget adjustment factor to be applied to the reimbursement methodology is greater than 28.76 percent, the provisions of 541-A shall apply.</p>
<p>228 Alcohol Abuse Prevention and Treatment Fund; Disbursements. Amend RSA 176-A:1, III to read as follows:</p> <p>III. Moneys received from all other sources other than the liquor commission pursuant to RSA 176:16, III, <i>including any community benefit contribution made by New Hampshire's hospitals</i>, shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1 <i>and shall not be diverted for any other purposes</i>. Funds disbursed shall be used for alcohol and other drug abuse prevention, treatment, and recovery services, and other purposes related to the duties of the commission under RSA 12-J:3; provided, however, that funds received from any source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support the New Hampshire granite advantage health care program and shall not be deposited into the fund</p>	<p>232 Alcohol Abuse Prevention and Treatment Fund; Disbursements. Amend RSA 176-A:1, III to read as follows:</p> <p>III. Moneys received from all other sources other than the liquor commission pursuant to RSA 176:16, III, <i>including any community benefit contribution made by New Hampshire's hospitals</i>, shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1 <i>and shall not be diverted for any other purposes</i>. Funds disbursed shall be used for alcohol and other drug abuse prevention, treatment, and recovery services, and other purposes related to the duties of the commission under RSA 12-J:3; provided, however, that funds received from any source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support the New Hampshire granite advantage health care program and shall not be deposited into the fund</p>

<p>established in RSA 126-AA:3.</p>	<p>established in RSA 126-AA:3.</p>
<p>229 Appropriation; Department of Health and Human Services; Construction of Designated Receiving Facility Beds. There is hereby appropriated to the department of health and human services the sum of \$2,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the purpose of funding rate increases for and construction of designated receiving facility beds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>230 Appropriation; Department of Health and Human Services; Inpatient Psychiatric Treatment Facility.</p> <p>There is hereby appropriated the sum of \$5,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, to the department of health and human services for the purpose of obtaining and renovating a new treatment facility for children who are in need of acute inpatient psychiatric treatment. The plans for developing such facility shall be completed by December 31, 2019, and the facility shall be operational by December 31, 2020. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>	<p>AMENDED BY THE SENATE</p> <p>233 Appropriation; Department of Health and Human Services; Inpatient Psychiatric Treatment Facility for Children.</p> <p>I. There is hereby appropriated the sum of \$6,000,000 for the fiscal year ending June 30, 2019, which shall be nonlapsing, to the department of health and human services for the purpose of obtaining and renovating a new treatment facility for children who are in need of acute inpatient psychiatric treatment. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p> <p>II. There is hereby appropriated the sum of \$5,500,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, to the department of health and human services for the purpose of operating the psychiatric treatment facility under paragraph I. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p> <p>III.(a) Upon completion of the design of the facility authorized in paragraph I, and before entering into any contractual obligation regarding the facility, the commissioner of the department of health and human services shall prepare a report which describes how the design and operational plan shall certify and provide for:</p> <ul style="list-style-type: none"> (1) Continued Joint Commission accreditation; (2) Age- and developmentally- appropriate education, recreation, and rehabilitation

	<p>services; and</p> <p>(3) Backup staffing and security services so that the capacity for response to staffing shortages and emergencies, including psychiatric emergencies of children, is no less effective and no less protective than now exists at New Hampshire hospital.</p> <p>(b) The report shall be provided to the governor, the speaker of the house of representatives, the president of the senate, and the fiscal committee of the general court no later than 30 days before the issuance of a request for proposals or the entrance into any contractual obligation for the construction, renovation, or development of the facility.</p> <p>(c) In addition, the commissioner shall ensure that the facility is operated consistently with the principles and requirements of RSA 135-F, regarding the system of care for children’s mental health.</p>
<p>231 Appropriation; Department of Health and Human Services; New Hampshire Hospital Repurposing. There is hereby appropriated to the department of health and human services the sum of \$4,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the purpose of repurposing the children’s unit at New Hampshire Hospital for adult beds. The plans for repurposing the unit shall be developed by the department in consultation with the advisory council on patients civilly committed to the secure psychiatric unit, established in RSA 622:52-a, and shall be completed by June 1, 2020. The unit shall be operational for adult patients by June 1, 2021. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>	<p>AMENDED BY THE SENATE</p> <p>234 Appropriation; Department of Health and Human Services; New Hampshire Hospital Repurposing. There is hereby appropriated to the department of health and human services the sum of \$4,000,000 for the fiscal year ending June 30, 2019, which shall be nonlapsing, for the purpose of repurposing the children’s unit at New Hampshire Hospital for up to 48 adult beds. Of this amount, \$3,000,000 shall be a charge against the state general fund, and \$1,000,000 shall be a charge against trust funds established for the benefit of New Hampshire Hospital. The unit shall be operational for adult patients by June 1, 2021. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated. The appropriation made in this section shall be contingent upon the department submitting and presenting a plan to the fiscal committee of the general court.</p>
<p>232 Appropriation; Department of Health and Human Services; Transitional Housing Beds. There is hereby appropriated to the department of health and human services the sum of \$2,500,000</p>	<p>AMENDED BY THE SENATE</p> <p>235 Appropriation; Department of Health and Human Services; Transitional Housing Beds. There is hereby appropriated to the department of health and human services the sum of \$5,000,000</p>

for the fiscal year ending June 30, 20~~20~~, which shall be nonlapsing, for the purpose of funding 20 new transitional housing beds for forensic patients and/or patients with complex behavioral health conditions including those transitioning from the New Hampshire hospital. The plans for constructing such beds shall be completed by January 1, 2020, and the beds shall be operational by June 1, 2021. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

for the fiscal year ending June 30, 20~~19~~, which shall be nonlapsing, for the purpose of funding 40 new transitional housing beds for forensic patients and/or patients with complex behavioral health conditions including those transitioning from the New Hampshire hospital. The plans for constructing such beds shall be completed by January 1, 2020, and the beds shall be operational by June 1, 2021. **The appropriation made in this section shall be contingent upon the department submitting and presenting a plan to the fiscal committee of the general court.** The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

233 Appropriation; Department of Health and Human Services; Patients Residing in Hospital Emergency Rooms. There is hereby appropriated to the department of health and human services the sum of \$**1,000,000** for the fiscal year ending June 30, 2019, which shall be nonlapsing, and shall be expended for the purpose of providing assistance to hospitals in addressing the immediate needs of involuntary emergency admissions patients currently residing in emergency rooms in hospitals further than 30 miles from an established New Hampshire mobile crisis team or a designated receiving facility; provided that no hospital shall receive more than \$100,000. The commissioner of the department of health and human services shall establish the application process for such funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

AMENDED BY THE SENATE

236 Appropriation; Department of Health and Human Services; Patients Residing in Hospital Emergency Rooms. There is hereby appropriated to the department of health and human services the sum of \$**500,000** for the fiscal year ending June 30, 2019, which shall be nonlapsing, and shall be expended for the purpose of providing assistance to hospitals in addressing the immediate needs of involuntary emergency admissions patients currently residing in emergency rooms in hospitals further than 30 miles from an established New Hampshire mobile crisis team or a designated receiving facility; provided that no hospital shall receive more than \$100,000. **The appropriation made in this section shall only cover the portion of costs not reimbursable by insurance carriers.** The commissioner of the department of health and human services shall establish the application process for such funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

234 Transfer of Funds for Operation of the Sununu Youth Services Center. Notwithstanding RSA 9:16-a and RSA 9:16-c, for the biennium ending June 30, 2021, prior approval of the fiscal committee of the general court shall be required for any transfer of funds required for the operation of the Sununu youth services center.

237 Transfer of Funds for Operation of the Sununu Youth Services Center. Notwithstanding RSA 9:16-a and RSA 9:16-c, for the biennium ending June 30, 2021, prior approval of the fiscal committee of the general court shall be required for any transfer of funds required for the operation of the Sununu youth services center.

235 Medicaid Managed Care Program; Dental Benefits. Amend RSA 126-A:5, XIX(a) to read as follows:

XIX.(a) The commissioner shall employ a managed care model for administering the Medicaid program and its enrollees to provide for managed care services for all Medicaid populations throughout New Hampshire consistent with the provisions of 42 U.S.C. section 1396u-2. Models for managed care may include, but not be limited to, a traditional capitated managed care organization contract, an administrative services organization, an accountable care organization, or a primary care case management model, or a combination thereof, offering the best value, quality assurance, and efficiency, maximizing the potential for savings, and presenting the most innovative approach compared to other externally administered models. The department shall present the opportunities of the various models or combination of models with a recommendation for the best managed care model for New Hampshire, no later than July 15, 2011, to the fiscal committee of the general court which shall consult with the oversight committee on health and human services. Services to be managed within the model shall include all mandatory Medicaid covered services and may include, but shall not be limited to, care coordination, utilization management, disease management, pharmacy benefit management, provider network management, quality management, and customer services. ~~The model shall not include mandatory dental services.~~ The commissioner shall issue a 5-year request for proposals to enter into contracts with the vendors that demonstrate the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings. The request for proposals shall be released no later than October 15, 2011. The vendors of the managed care model or combination of models demonstrating the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings shall be selected no later than January 15, 2012 with final contracts submitted to the governor and council no later than March 15, 2012 unless this date is extended by the fiscal committee. After the bidding process, the commissioner shall establish a capitated rate based on the bids by the appropriate model for the contract that is full risk to the vendors. The capitated rate shall be broken down into rate cells for each population including, but

AMENDED BY THE SENATE

238 Medicaid Managed Care Program; Dental Benefits. RSA 126-A:5, XIX(a) is repealed and reenacted to read as follows:

XIX.(a) The commissioner shall employ a managed care model for administering the Medicaid program and its enrollees to provide for managed care services for all Medicaid populations throughout New Hampshire consistent with the provisions of 42 U.S.C. section 1396u-2. Models for managed care may include, but not be limited to, a traditional capitated managed care organization contract, an administrative services organization, an accountable care organization, or a primary care case management model, or a combination thereof, offering the best value, quality assurance, and efficiency, maximizing the potential for savings, and presenting the most innovative approach compared to other externally administered models.

Services to be managed within the model shall include all mandatory Medicaid covered services and may include, but shall not be limited to, care coordination, utilization management, disease management, pharmacy benefit management, provider network management, quality management, and customer services. The commissioner shall enter into contracts with the vendors that demonstrate the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings. The commissioner shall establish rates based on the appropriate model for the contract that is full risk to the vendors.

The rates shall be established in rate cells or other appropriate units for each population or service

not limited to, the persons eligible for temporary assistance to needy families (TANF), aid for the permanently and totally disabled (APTD), breast and cervical cancer program (BCCP), home care for children with severe disabilities (HC-CSD), and those residing in nursing facilities. The capitated rate shall be approved by the fiscal committee of the general court. The managed care model or models' selected vendors providing the Medicaid services shall establish medical homes and all Medicaid recipients shall receive their care through a medical home.

In contracting for a managed care model and the various rate cells, the department shall ensure no reduction in the quality of care of services provided to enrollees in the managed care model and shall exercise all due diligence to maintain or increase the current level of quality of care provided. The target date for implementation of the contract is July 1, 2012. The commissioner may, in consultation with the fiscal committee, adopt rules, if necessary, to implement the provisions of this paragraph. The department shall seek, with the approval of the fiscal committee, all necessary and appropriate waivers to implement the provisions of this paragraph.

NO COMPARABLE HOUSE SECTION

provided including, but not limited to, persons eligible for temporary assistance to needy families (TANF), aid for the permanently and totally disabled (APTD), breast and cervical cancer program (BCCP), home care for children with severe disabilities (HC-CSD), and those residing in nursing facilities. The rates and/or payment models for the program shall be presented to the fiscal committee of the general court on an annual basis. The managed care model or models' selected vendors providing the Medicaid services shall emphasize patient-centered, value-based care and include enhanced care management of high-risk populations as identified by the department.

In contracting for the managed care program, the department shall ensure no reduction in the quality of care of services provided to enrollees in the managed care model and shall exercise all due diligence to maintain or increase the current level of quality of care provided. The commissioner may, in consultation with the fiscal committee, adopt rules, if necessary, to implement the provisions of this paragraph. The department shall seek, with the approval of the fiscal committee, all necessary and appropriate waivers to implement the provisions of this paragraph.

239 Department of Health and Human Services; Adult Dental Benefit; Development of Plan. The department of health and human services shall develop a plan for the incorporation of an adult dental benefit into a value-based care platform, as follows:

I. In this section, "value-based care" means an oral health care delivery model in which providers are paid based upon making positive health outcomes while reducing costs.

II. No later than 30 days after the effective date of this section, the department shall convene a working group consisting, at a minimum, of representatives of the following stakeholders: each managed care plan under contract with the state, the New Hampshire Oral Health Coalition, a public health dentist and a solo private practice dentist recommended by the New Hampshire Dental Society, the New Hampshire Dental Hygienist Association, and the Bi-State Primary Care Association, a representative of a New Hampshire dental insurance carrier designated by the governor, 2 members of the house of representatives, one of whom shall be from the majority party

	<p>and one of whom shall be from the minority party, appointed by the speaker of the house of representatives, 2 members of the senate, one of whom shall be from the majority party and one of whom shall be from the minority party, appointed by the president of the senate, a member of the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program designated by the commission, and 2 members of the New Hampshire medical care advisory committee, one of whom shall be a consumer advocate, designated by the committee.</p> <p>III. The working group shall be convened by the commissioner of health and human services and shall be subject to RSA 91-A. The department, in consultation with the working group, shall prepare a plan for the incorporation of an adult dental benefit into a value-based care platform. The adult dental benefit shall become effective on July 1, 2021. Each plan shall include, at a minimum, a detailed description of the following: eligibility and enrollment covered benefits and scope of services, cost benefit analysis including projected expenditures and anticipated cost savings, transition planning, prior authorization, transportation, pharmacy, case management, network adequacy, credentialing, quality metrics and outcome measurements, patient safety, utilization management, finance and reimbursement, rates and payment, grievance and appeals, and office of ombudsman. Each plan shall also address how the incorporation of the services into a value-based care platform shall achieve the legislative intent of providing value, quality, efficiency, innovation, and savings.</p> <p>IV. Under no circumstances shall a fee for service model be included in the plan. The plan shall promote the development of an adult value-based dental benefit and/or an alternative payment model.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>240 Reports.</p> <p>I. The department of health and human services shall present an update on the status of the plan preparation each month to the fiscal committee of the general court and the oversight committee on health and human services, established in RSA 126-A:13, until the plan has been implemented. The department's updates shall also include managed care organization and department readiness for implementation.</p>

	<p>II. No later than October 1, 2019, the commissioner shall submit to the speaker of the house of representatives, the president of the senate, and the governor, all proposed changes to state law the commissioner believes may be necessary for the incorporation of an adult dental benefit into a value-based care platform.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>241 Repeal. RSA 126-A:5, XIX(b), relative to relative to enrollment in the managed care program, is repealed.</p>
<p>236 New Subdivision; Child Abuse Specialized Medical Evaluation Program. Amend RSA 169-C by inserting after section 39-k the following new subdivision:</p> <p style="text-align: center;">Child Abuse Specialized Medical Evaluation Program</p> <p>169-C:39-1 Child Abuse Specialized Medical Evaluation Program Established. A child abuse specialized medical evaluation program is hereby established in the department. The program shall include the following elements:</p> <p>I. Child protective service workers shall have on-call access, 24 hours a day and 7 days a week, to an experienced health care professional who is trained in and can advise on the standardized diagnostic methods, treatment, and disposition of suspected child sexual abuse and physical abuse.</p> <p>II. Department nurses and child protective service workers performing screenings and assessments of reported cases of child abuse shall receive pre-service training in the standardized medical diagnostic methods, treatment, and disposition as well as periodic in-service training by health care providers experienced in child abuse and neglect.</p> <p>III. Annually, a limited number of designated health care providers geographically distributed shall be trained in nationally recognized curricula to respond to initial presentations of child sexual abuse, physical abuse, and neglect.</p> <p>IV. Health care professionals who participate in the training or are members of a multidisciplinary team, working with the department of health and human services or law</p>	<p>242 New Subdivision; Child Abuse Specialized Medical Evaluation Program. Amend RSA 169-C by inserting after section 39-k the following new subdivision:</p> <p style="text-align: center;">Child Abuse Specialized Medical Evaluation Program</p> <p>169-C:39-1 Child Abuse Specialized Medical Evaluation Program Established. A child abuse specialized medical evaluation program is hereby established in the department. The program shall include the following elements:</p> <p>I. Child protective service workers shall have on-call access, 24 hours a day and 7 days a week, to an experienced health care professional who is trained in and can advise on the standardized diagnostic methods, treatment, and disposition of suspected child sexual abuse and physical abuse.</p> <p>II. Department nurses and child protective service workers performing screenings and assessments of reported cases of child abuse shall receive pre-service training in the standardized medical diagnostic methods, treatment, and disposition as well as periodic in-service training by health care providers experienced in child abuse and neglect.</p> <p>III. Annually, a limited number of designated health care providers geographically distributed shall be trained in nationally recognized curricula to respond to initial presentations of child sexual abuse, physical abuse, and neglect.</p> <p>IV. Health care professionals who participate in the training or are members of a multidisciplinary team, working with the department of health and human services or law</p>

enforcement, shall participate in periodic peer or expert reviews of their evaluations and undertake continuing education in the medical evaluation of child abuse and neglect according to professional standards.

V. The department shall contract with a health care provider with experience in child abuse and neglect to administer the program in collaboration with participating private and public entities.

VI. Reimbursement rates for health care providers who participate in the program shall reflect the average cost to deliver such services, including the participation in multidisciplinary team activities and associated court proceedings. The rates shall be periodically reviewed and, if necessary, revised.

VII. The commissioner of the department shall adopt rules, under RSA 541-A, relative to the medical evaluation program, training and continuing education requirements, and reimbursement rates.

enforcement, shall participate in periodic peer or expert reviews of their evaluations and undertake continuing education in the medical evaluation of child abuse and neglect according to professional standards.

V. The department shall contract with a health care provider with experience in child abuse and neglect to administer the program in collaboration with participating private and public entities.

VI. Reimbursement rates for health care providers who participate in the program shall reflect the average cost to deliver such services, including the participation in multidisciplinary team activities and associated court proceedings. The rates shall be periodically reviewed and, if necessary, revised.

VII. The commissioner of the department shall adopt rules, under RSA 541-A, relative to the medical evaluation program, training and continuing education requirements, and reimbursement rates.

237 Delinquent Children; Dispositional Hearing; Commitment of Minors. RSA 169-B:19, VI is repealed and reenacted to read as follows:

VI.(a) A minor committed to the youth development center pursuant to this section shall be promptly evaluated by the center to determine whether a safe, therapeutic, and cost-effective placement may be made as an alternative to the youth development center. Such evaluation is not required if the minor has been committed for a serious violent offense as defined in RSA 169-B:31-c, II.

(b) If the commissioner determines that an alternative placement for a minor would be safe, therapeutic, and cost-effective, the commissioner may place the minor in a residential treatment facility that the commissioner has certified for the immediate transfer of committed minors. If the commissioner determines that an alternative placement for a minor would be safe, therapeutic, and cost-effective, but decides not to make an alternative placement, the commissioner shall notify the court within 5 business days of the decision to not pursue an alternative placement, along with the basis for the decision not to place the minor outside the youth development center.

NOT INCLUDED IN THE SENATE AMENDMENT

Within 2 business days of receiving notice, the court shall provide a copy of the notice to the parent or guardian of the minor and to the attorney who represented the minor at the time of the commitment to the youth development center.

(c) The commissioner shall notify the court of an alternative placement made pursuant to this paragraph within 5 business days of the placement. The commissioner shall notify the court of any change in placement to another facility made during the period of commitment. All such notices shall include a description of the basis for the change in placement, and shall be provided to the parent or guardian of the minor and to the attorney who represented the minor at the time of the commitment to the youth development center.

(d) The commissioner shall certify at least 2 facilities for the immediate transfer of committed minors pursuant to this paragraph. Only facilities which are eligible for Medicaid reimbursement may be certified for immediate transfers. The process for certification of residential treatment facilities under this subparagraph shall include consultation with the operators of existing facilities in the state about their physical and programmatic capacity, as well as the identification of any necessary enhancements in programming or rate structure so that the certified facilities are appropriate to receive minors immediately following their commitment to the youth development center.

(e) The commissioner shall notify the administrative justice of the circuit court and the fiscal committee of the general court if a facility is certified for alternative placements pursuant to this paragraph within 10 business days of the certification.

(f) The commissioner shall maximize the utilization of facilities other than the youth development center and reserve the use of the youth development center for the confinement of only those minors who are so dangerous to themselves or to the public that no other safe placement is available. The commissioner shall pursue the same objectives in complying with the requirements of all provisions of this chapter and the provisions of RSA 621.

NOT INCLUDED IN THE SENATE AMENDMENT

238 Applicability. RSA 169-B:19, VI, as amended by section 237 of this act, shall apply to

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children committed to the youth development center on or after November 1, 2019.

239 Federal Family Planning Funding. If the proposed federal rule on Compliance with Statutory Program Integrity Requirements, 83 Fed. Reg. 25,502 (to be codified at 42 C.F.R. pt 59) does not go into effect and federal family planning funds are made available to the providers funded out of account 05-95-90-902010-5530, the unused portion of general funds appropriated to that account for the purpose of replacing lost federal funds shall lapse to the general fund.

240 New Section; Commission to Study School Funding. Amend RSA 193-E by inserting after section 2-d the following new section:

193-E:2-e Commission Established.

I. There is established a commission to study school funding.

II. The members of the commission shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

(c) Six members of the public, 3 of whom shall be appointed by the president of the senate and 3 of whom shall be appointed by the speaker of the house of representatives.

(d) One member appointed by the governor.

(e) Three members appointed by the chairperson of the commission pursuant to paragraph V.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall:

(a) Review the education funding formula and make recommendations to ensure a uniform and equitable design for financing the cost of an adequate education for all public school

243 Federal Family Planning Funding. If the proposed federal rule on Compliance with Statutory Program Integrity Requirements, 83 Fed. Reg. 25,502 (to be codified at 42 C.F.R. pt 59) does not go into effect and federal family planning funds are made available to the providers funded out of account 05-95-90-902010-5530, the unused portion of general funds appropriated to that account for the purpose of replacing lost federal funds shall lapse to the general fund.

AMENDED BY THE SENATE

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III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

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(a) Review the education funding formula and make recommendations to ensure a uniform and equitable design for financing the cost of an adequate education for all public school

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students in the state.

(b) Determine whether the New Hampshire school funding formula complies with court decisions mandating the opportunity for an adequate education for all students, with a revenue source that is uniform across the state.

(c) Identify trends and disparities across the state in student performance in kindergarten through grade 12 based on current school funding options.

(d) Re-establish the baseline for the costs, programs, staffing, and facilities needed to provide the opportunity for an adequate education.

(e) Act as an independent commission.

(f) Consider other policy issues as the committee deems necessary. The commission may consult with outside resources and state agencies, including but not limited to the department of education, the department of revenue administration, and the legislative budget office.

V. The members of the study commission shall elect a chairperson from among the members. The chairperson shall appoint 3 individuals to be members of the commission. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 60 days of the effective date of this section. Eight members of the commission shall constitute a quorum. The commission shall establish a calendar to meet on a regular basis.

VI. The commission shall establish a budget and hire staff with an understanding of school finance options. Such staff shall be independent of government agencies.

VII. The commission shall make an initial report to the speaker of the house of

students in pre-kindergarten through grade 12 in the state.

(b) Determine whether the New Hampshire school funding formula complies with court decisions mandating the opportunity for an adequate education for all students in pre-kindergarten through grade 12, with a revenue source that is uniform across the state.

(c) Identify trends and disparities across the state in student performance in pre-kindergarten through grade 12 based on current school funding options.

(d) Re-establish the baseline for the costs, programs, staffing, and facilities needed to provide the opportunity for an adequate education.

(e) Act as an independent commission.

(f) Study and produce recommendations regarding all costs and existing funding for special education, including listing any currently unfunded special education mandates issued to date by the state department of education.

(g) Study integrating into the education funding adequacy formula a factor that accounts for the number of Class A, B, and C properties in a community, and the distribution of education funding costs across those numbers and classes of properties.

(h) Consider other policy issues as the committee deems necessary. The commission may consult with outside resources and state agencies, including but not limited to the department of education, the department of revenue administration, and the legislative budget office.

V. The members of the study commission shall elect a chairperson from among the members. The chairperson shall appoint 3 individuals to be members of the commission. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 60 days of the effective date of this section. Eight members of the commission shall constitute a quorum. The commission shall establish a calendar to meet on a regular basis.

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<p>representatives, the president of the senate, the senate clerk, the house clerk, the governor, and the state library 9 months after its first meeting, with a subsequent report to the house clerk, the senate clerk, the governor, and the state library on or before September 1, 2020. The commission shall remain active until and when the general court addresses its recommendations.</p>	<p>representatives, the president of the senate, the senate clerk, the house clerk, the governor, and the state library 9 months after its first meeting, with a subsequent report to the house clerk, the senate clerk, the governor, and the state library on or before September 1, 2020. The commission shall remain active until and when the general court addresses its recommendations.</p>
<p>241 Appropriation. The sum of \$500,000 for the biennium ending June 30, 2021 is hereby appropriated to the commission to study school funding established in RSA 193-E:2-e for the purpose of administration, staffing, and the utilization of independent school finance experts. Notwithstanding restrictions on the use of moneys in the education trust fund in RSA 198:39, said appropriation shall be a charge against the education trust fund and shall be nonlapsing.</p>	<p>245 Appropriation. The sum of \$500,000 for the biennium ending June 30, 2021 is hereby appropriated to the commission to study school funding established in RSA 193-E:2-e for the purpose of administration, staffing, and the utilization of independent school finance experts. Notwithstanding restrictions on the use of moneys in the education trust fund in RSA 198:39, said appropriation shall be a charge against the education trust fund and shall be nonlapsing.</p>
<p>242 Interest and Dividends Tax; Exemptions Increased; Capital Gain Income. Amend RSA 77:3, I to read as follows:</p> <p>I. Taxable income is that <i>interest, dividend, and capital gain</i> income, <i>as defined in RSA 77:4</i>, received [from interest and dividends] during the tax year prior to the assessment date by:</p> <p>(a) Individuals who are inhabitants or residents of this state for any part of the taxable year whose gross interest [and], <i>gross</i> dividend [income from all sources], <i>and capital gain income, as defined in RSA 77:4</i>, including income from a qualified investment company pursuant to RSA 77:4, V, exceeds [\$2,400] <i>\$5,000</i> during that taxable period.</p> <p>(b) Partnerships, limited liability companies, and associations, the beneficial interest in which is not represented by transferable shares, whose gross interest [and], <i>gross</i> dividend, [income from all sources] <i>and capital gain income, as defined in RSA 77:4</i>, exceeds [\$2,400] <i>\$5,000</i> during the taxable year, but not including a qualified investment company as defined in RSA 77-A:1, XXI, or a trust comprising a part of an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section 3.</p> <p>(c) Executors deriving their appointment from a court of this state whose gross interest</p>	<p>NOT INCLUDED IN SENATE AMENDMENT</p>

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<p>[and], gross dividend, [income from all sources] and capital gain income, as defined in RSA 77:4, exceeds [\$2,400] \$5,000 during the taxable year.</p>	
<p>243 Taxation of Incomes; What Taxable. Amend RSA 77:4, IV and V to read as follows:</p> <p>IV. [Dividends, other than that portion of a dividend declared by corporations to be a return of capital and considered by the federal internal revenue service to be such, the exemption of which is permitted by RSA 77:7.] The capital gain reported on the taxpayer's federal income tax return which shall be the amount, if any, that is equal to the positive sum of the net short-term capital gain or loss and the net long-term capital gain or loss reported on that return.</p> <p>V. Amounts reported and taxed federally as [dividends or interest] interest, dividend, or capital gain income to a holder of an ownership interest in a qualified investment company as defined in RSA 77-A:1, XXI, a mutual fund, or a unit investment trust.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>244 Taxation of Incomes; Exclusion of Certain Income; Employee Benefit Plans. Amend RSA 77:4-b to read as follows:</p> <p>77:4-b [Interest and Dividend] Income of Employee Benefit Plans and Tax Deferred Investments Not Taxable. Notwithstanding any provisions of RSA 77:4 to the contrary, [interest and dividend income] interest, dividend, and capital gain income, as defined in RSA 77:4, received by an employee benefit plan as defined by the Employee Retirement Income Security Act of 1974, section 3, or any successor act enacted for the purpose of regulating employee benefit plans, or an individual retirement arrangement, Keogh plan or any other arrangement pursuant to which payment of federal tax on the income thereof and of the plan sponsors, participants and beneficiaries is deferred, shall at no time be considered taxable income under RSA 77:4, either to the plan or arrangement or to its sponsors, participants or beneficiaries, irrespective of when or whether all or any portion of such income is accumulated or expended for the benefit of, or distributed in any form or manner to, such sponsors, participants or beneficiaries.</p>	NOT INCLUDED IN SENATE AMENDMENT

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<p>245 Taxation of Incomes; Exclusion of Certain Income; Qualified Investment Companies, Mutual Funds, and Unit Investment Trusts. Amend the introductory paragraph of RSA 77:4-d to read as follows:</p> <p>77:4-d Special Rule for Qualified Investment Companies, Mutual Funds, and Unit Investment Trusts. Notwithstanding any other provision of RSA 77:4, the following income items shall not be treated as [dividends or interest] income taxable under this chapter:</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>246 Taxation of Incomes; Exclusion of Certain Income; College Tuition Savings Plans. Amend RSA 77:4-e to read as follows:</p> <p>77:4-e Interest [and Dividends], Dividend, and Capital Gain Income from Funds Invested in College Tuition Savings Plan Not Taxable. Notwithstanding any provision of RSA 77:4, income and distributions from any qualified tuition program as defined in the Internal Revenue Code of 1986, as amended, shall not be taxable under this chapter to the plan or to its sponsors, participants, or beneficiaries to the extent that the same is exempt from federal income taxation under section 529 of the Internal Revenue Code of 1986, as amended, as that section was in effect on July 1, 2003.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>247 Taxation of Incomes; Excess Compensation. Amend RSA 77:4-g to read as follows:</p> <p>77:4-g [Dividend] Excess Compensation. Excess compensation determined by audit of the department shall not be considered [a dividend] taxable income under this chapter unless such determination is accepted by the Internal Revenue Service.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>248 Taxation of Incomes; ABLE Plans. Amend RSA 77:4-h to read as follows:</p> <p>77:4-h Interest [and Dividends], Dividend, and Capital Gain Income from Funds Invested in Achieving a Better Life Experience (ABLE) Plan Not Taxable. Notwithstanding any provision of RSA 77:4, income and distributions from any Achieving a Better Life Experience (ABLE) plan as defined in the Internal Revenue Code of 1986, as amended, shall not be taxable under this chapter to the plan or its sponsors, participants, or beneficiaries to the extent that the same is exempted from</p>	NOT INCLUDED IN SENATE AMENDMENT

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federal income taxation under section 529A of the Internal Revenue Code of 1986, as amended.	
<p>249 Exemptions Increased. Amend RSA 77:5 to read as follows:</p> <p>77:5 Exemptions. Each taxpayer shall have the following exemptions:</p> <p>I. Income of [\$2,400] \$5,000.</p> <p>II. An additional [\$1,200] \$7,500 if either or both taxpayers are 65 years of age or older on the last day of the tax year.</p> <p>III. An additional [\$1,200] \$2,500 if either or both taxpayers are blind.</p> <p>IV. An additional [\$1,200] \$2,500 if either or both taxpayers are disabled, unable to work, and have not yet reached their sixty-fifth birthday.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>250 Taxation of Incomes; Married Taxpayers; Joint Returns. Amend RSA 77:5-a to read as follows:</p> <p>77:5-a Married Taxpayers; Joint Returns. A married taxpayer may claim the exemptions provided in RSA 77:5 for both self and spouse, regardless of the ownership of the [income from interest or dividends,] interest, dividend, or capital gain income, as defined in RSA 77:4, provided that both [husband and wife] spouses file a joint return.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>251 Taxation of Incomes; Decedents Estates. Amend RSA 77:9 to read as follows:</p> <p>77:9 Decedents' Estates. The estates of deceased persons who last dwelt in this state shall be subject to the taxes imposed by this chapter upon all taxable income received by such persons during their lifetime, which has not already been taxed. The [income] interest, dividend, or capital gain income, as defined in RSA 77:4, received by such estates during administration shall be taxable to the estate, except such proportion thereof as equals the proportion of the estate to be distributed to non-taxable persons or organizations. The commissioner of revenue administration and executors and administrators of estates may effect a settlement by compromise of any question of doubt or dispute arising under this section.</p>	NOT INCLUDED IN SENATE AMENDMENT

<p>252 Taxation of Incomes; Income From Trusts. Amend RSA 77:10 to read as follows:</p> <p>77:10 Income From Trusts. [Interest and dividend income] <i>The interest, dividend, and capital gain income</i>, received by estates held by trustees treated as grantor trusts under section 671 of the United States Internal Revenue Code shall be included in the return of their grantor, to the extent that the grantor is an inhabitant or resident of this state. Income reported by, and taxed federally as interest [or dividends to], <i>dividend, or capital gain income to</i> a trust beneficiary who is an individual inhabitant or resident of this state with respect to distributions from a trust that is not treated as a grantor trust under section 671 of the United States Internal Revenue Code shall be included as interest [or dividends], <i>dividend, or capital gain income</i> in the return of such beneficiary and subject to taxation in accordance with the provisions of this chapter.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>253 Taxation of Incomes; Returns and Declaration. Amend RSA 77:18, IV(a) and (b) to read as follows:</p> <p>(a) Every individual whose total [interest and dividend income] <i>interest, dividend, or capital gain income, as defined in RSA 77:4</i>, is less than [\$2,400] <i>\$5,000</i> for a taxable period.</p> <p>(b) For joint filers whose total [interest and dividend income] <i>interest, dividend, or capital gain income, as defined in RSA 77:4</i>, is less than [\$4,800] <i>\$10,000</i> for a taxable period.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>254 Repeals. The following are repealed:</p> <p>I. RSA 77:4-c, relative to sale or exchange of transferable shares not taxable.</p> <p>II. RSA 77:7, relative to capital distribution.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>255 Applicability. Sections 242-254 of this act shall be applicable to tax periods ending on and after December 31, 2020.</p>	NOT INCLUDED IN SENATE AMENDMENT
<p>256 Education Trust Fund; Revenue From Tax on Interest and Dividends. Amend RSA 198:39,</p>	NOT INCLUDED IN SENATE AMENDMENT

<p>I, (l) to read as follows:</p> <p>(l) <i>\$150,000,000 of funds collected and paid to the state treasurer by the commissioner of the department of revenue administration pursuant to RSA 77 relative to the tax on interest and dividends and capital gains.</i></p> <p>(m) Any other moneys appropriated from the general fund.</p>	
<p>257 School Money; Definitions. Amend RSA 198:38, I(a) to read as follows:</p> <p>(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year[-, provided that no kindergarten pupil shall count as more than 1/2 day attendance per school year]. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.</p>	<p>246 School Money; Definitions. Amend RSA 198:38, I(a) to read as follows:</p> <p>(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year[-, provided that no kindergarten pupil shall count as more than 1/2 day attendance per school year]. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.</p>
<p>258 Repeal. RSA 198:48-c, III, relative to distribution of a kindergarten grant based on Keno revenue, is repealed.</p>	<p>247 Repeal. RSA 198:48-c, III, relative to distribution of a kindergarten grant based on Keno revenue, is repealed.</p>
<p>259 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, III to read as follows:</p> <p>III. The sum total calculated under paragraph II shall be the cost of an <i>opportunity for an</i> adequate education. The department shall determine the cost of an <i>opportunity for an</i> adequate education for each municipality based on the ADMA of pupils who reside in that municipality.</p> <p>IV. <i>A school district which receives adequate education aid under this section for schools within its jurisdiction shall separately account for such aid as part of its financial</i></p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

accounting procedures. Such aid may also be used to provide enhanced programs in schools within its jurisdiction for which such aid has been allocated that are known to improve pupil achievement, including but not limited to: pre-kindergarten programs, full-day kindergarten programs, extended learning time, professional development opportunities for teachers, hiring of additional instructional and non-instructional personnel, programs designed to reduce class size, parental involvement programs, additional technology resources, dropout prevention programs, principal incentive programs, and curriculum enrichment programs. The school district shall determine which programs are most needed and most appropriate for their pupils. The department shall annually review and update the list of approved programs from which a school district may choose.

V. A school district which receives adequate education aid under this section for use in schools within its jurisdiction shall annually submit a report to the commissioner documenting for each school within its jurisdiction for which such aid has been allocated, the enhanced programs selected for implementation, an explanation of the specific educational needs which the program is intended to address, an explanation of how the program will be implemented in the school, and an estimate of the cost of implementing the program. The commissioner shall review these reports to ensure that adequate education aid will be used to provide programs approved under paragraph I.

VI. A school district which receives adequate education aid for schools within its jurisdiction pursuant to this section shall direct such aid to the schools for which such aid was calculated. A school district which receives adequate education aid for pupils that attend schools in another school district, shall direct such aid to the school district where its pupils are being educated. Any adequate education aid directed from one school district to another pursuant to this paragraph shall be a credit against any existing financial liability between the school districts.

260 School Money; Additional Aid Based on Free or Reduced-Price Meals; Fiscal Capacity Disparity Aid. RSA 198:40-b and 40-c are repealed and reenacted to read as follows:

198:40-b Additional Aid Based on Free or Reduced-Price Meals.

I. In a school district in which 48 percent or more of the ADMA is eligible to receive a free or reduced-priced meal, an additional \$3,708 for each pupil in the ADMA who is eligible for a free or reduced-priced meal.

II. In a school district in which at least 12 percent but less than 48 percent of the ADMA is eligible to receive a free or reduced-priced meal, an amount equal to \$927 plus \$0.7725 for each 0.01 percent that its free or reduced-priced meal eligibility rate exceeds 12 percent, for each pupil in the ADMA who is eligible for a free or reduced-priced meal.

III. A school district in which less than 12 percent of the ADMA is eligible to receive a free or reduced-priced meal shall receive no additional aid under this section.

198:40-c Fiscal Capacity Disparity Aid.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each biennium the commissioner shall calculate fiscal capacity disparity aid and provide that amount of aid in each year of the biennium to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil of \$350,000 or less shall receive \$6,000 per pupil in the municipality's ADMA.

(b) A municipality with an equalized valuation per pupil between \$350,001 and \$999,999 shall receive a grant equal to .0092 cents for each dollar of difference between its equalized valuation per pupil and \$1,000,000, per pupil in the municipality's ADMA.

(c) A municipality with an equalized valuation per pupil of \$1,000,000 or more shall receive no fiscal capacity disparity aid.

II. Fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

III. In this section, "equalized valuation per pupil" means a municipality's equalized

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248 School Money; Fiscal Capacity Disparity Aid. RSA 198:40-c is repealed and reenacted to read as follows:

198:40-c Fiscal Capacity Disparity Aid.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each biennium the commissioner shall calculate fiscal capacity disparity aid and provide that amount of aid in each year of the biennium to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil of \$350,000 or less shall receive \$675 per pupil in the municipality's ADMA.

(b) A municipality with an equalized valuation per pupil between \$350,001 and \$899,999 shall receive a grant equal to \$0.0012 for each dollar of difference between its equalized valuation per pupil and \$900,000, per pupil in the municipality's ADMA.

(c) A municipality with an equalized valuation per pupil of \$900,000 or more shall receive no fiscal capacity disparity aid.

II. Fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

III. In this section, "equalized valuation per pupil" means a municipality's equalized

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<p>valuation, including properties subject to taxation under RSA 82 and RSA 83-F, as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 ADMA in the determination year.</p>	<p>valuation, including properties subject to taxation under RSA 82 and RSA 83-F, as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year, divided by the school district's kindergarten through grade 12 ADMA in the determination year.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>250 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1)(A) to read as follows:</p> <p>(b)(1)(A) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, II(a)-(c) and (e) plus an additional grant of \$3,286 to all chartered public schools for the fiscal year ending June 30, 2018, and \$3,411 to all chartered public schools for the fiscal year ending June 30, 2019, and \$3,785 to all chartered public schools for the fiscal year ending June 30, 2020 and each fiscal year thereafter, except for the Virtual Learning Academy Charter School, directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district.</p>
<p>261 School Money; Consumer Price Index Adjustment. Amend RSA 198:40-d to read as follows:</p> <p>198:40-d Consumer Price Index Adjustment.</p> <p>I. Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the cost of an adequate education under RSA 198:40-a based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

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months before the beginning of the biennium for which the calculation is to be performed.

II. Beginning July 1, 2021 and every biennium thereafter, the department of education shall adjust the additional aid based on free or reduced-price meals as provided in RSA 198:40-b based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the biennium for which the calculation is to be performed.

262 Determination of Adequate Education Grants. Amend RSA 198:41, I to read as follows:

I. Except for municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for the municipality as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year;
and

(c) Add the municipality's additional aid for free or reduced-price meals pursuant to RSA 198:40-b and fiscal capacity disparity aid pursuant to RSA 198:40-c.

NOT INCLUDED IN THE SENATE AMENDMENT

263 Determination of Education Grants. RSA 198:41, III is repealed and reenacted to read as follows:

III.(a) No municipality shall receive a total education grant which is less than the total education grant received in the preceding fiscal year. This subparagraph shall not apply to a municipality in which the education tax revenue collected pursuant to RSA 76 exceeds the municipality's total cost of an adequate education or to a municipality in which the ADMA is equal to

NOT INCLUDED IN THE SENATE AMENDMENT

zero.

(b) For the fiscal year ending June 30, 2021, the department of education shall adjust a municipality's total education grant to an amount not to exceed 120 percent of the total education grant it received in the preceding fiscal year or an amount equal to its calculated cost of an opportunity for an adequate education under RSA 198:40-a less the amount of its education tax, whichever is greater. However, if a municipality received no education grant in the preceding fiscal year because the municipality's education tax revenue collected pursuant to RSA 76 exceeded its total cost of an adequate education, the commissioner of the department of education shall adjust the municipality's total education grant to an amount not to exceed 120 percent of the amount of its education tax revenue collected in the preceding fiscal year.

(c) For the fiscal year ending June 30, 2022, and every fiscal year thereafter, the department of education shall adjust a municipality's total education grant to an amount not to exceed 102 percent of the total education grant it received in the preceding fiscal year or an amount equal to its calculated cost of an opportunity for an adequate education under RSA 198:40-a less the amount of its education tax, whichever is greater.

264 Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 ~~and each fiscal year thereafter~~ **through fiscal year 2019**, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year ~~thereafter~~ **through fiscal year 2019**.

(e) **For fiscal year 2020, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant to**

AMENDED BY THE SENATE

249 Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

(d) For fiscal year 2017 **and each fiscal year thereafter**, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 96 percent for fiscal year 2017, ~~and shall be reduced by 4 percent of the amount of the 2012 education grant for each fiscal year thereafter~~ **92 percent for fiscal year 2018, 88 percent for fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter**. No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the

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<p><i>that municipality for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2016 stabilization grant, if any, distributed to the municipality.</i> No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.</p>	<p>total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMA is zero.</p>
<p>265 Repeal. RSA 198:41, IV, relative to stabilization grants, is repealed.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>266 General Fund Surplus; Revenue Stabilization Reserve Account. Notwithstanding RSA 9:13-e, after transferring \$5,000,000 to the revenue stabilization reserve account at the close of the fiscal biennium ending June 30, 2019, the remainder of the general fund surplus for said biennium shall remain in the general fund.</p>	<p>251 General Fund Surplus; Revenue Stabilization Reserve Account. Notwithstanding RSA 9:13-e, after transferring \$5,000,000 to the revenue stabilization reserve account at the close of the fiscal biennium ending June 30, 2019, the remainder of the general fund surplus for said biennium shall remain in the general fund.</p>
<p>267 Appropriation; Internet Crimes Against Children Fund; Reductions.</p> <p>I. The sum of \$250,000 for the fiscal year ending June 30, 2020, and \$250,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the New Hampshire Internet crimes against children fund established in RSA 21-M:17. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p> <p>II. In order to offset sums appropriated under paragraph I, the department of education shall reduce state general fund appropriations to account 06-56-56-567010-3058, expenditure class 631-building aid lease, by \$300,000 for the fiscal year ending June 30, 2020.</p>	<p>252 Appropriation; Internet Crimes Against Children Fund; Reductions.</p> <p>I. The sum of \$250,000 for the fiscal year ending June 30, 2020, and \$250,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the New Hampshire Internet crimes against children fund established in RSA 21-M:17. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p> <p>II. In order to offset sums appropriated under paragraph I, the department of education shall reduce state general fund appropriations to account 06-56-56-567010-3058, expenditure class 631-building aid lease, by \$300,000 for the fiscal year ending June 30, 2020.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>253 Governor's Commission on Disability; Analysis and Report. The governor's commission on disability, established in RSA 275-C, shall analyze the state's system of support for individuals with developmental disabilities and recommend reforms and improvements to ensure that the state's service delivery model is structured to provide maximum benefit and tailored services to individuals</p>

	<p>with developmental disabilities. The governor's commission on disability shall consult with the university of New Hampshire institute on disability, the department of health and human services, the New Hampshire council on developmental disabilities, Granite State Independent Living, Community Support Network, Inc., Disability Rights Center-NH, the developmental services quality council of the department of health and human services, and any other relevant stakeholders including individuals with developmental disabilities and their families and/or guardians, and may accept and expend any applicable federal funds, and any gifts, grants, or donations that may be available for the purposes of this section. The commission shall also coordinate with the New Hampshire council on developmental disabilities to secure any funds that may be used for this purpose under the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 (PL 106-402) and in conjunction with the development and amendment of the state plan goals and objectives. The governor's commission on disability shall report its findings to the governor, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, and the state library on or before November 1, 2019.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>254 Department of Administrative Services; Study of Personnel System.</p> <p>I. In order to ensure that the state is as effective an organization as possible in the 21st century to deliver quality public services to the people of New Hampshire while also operating as model employer for its workforce, the department of administrative services shall conduct a comprehensive study of the state's personnel system. The study shall include a review of all laws, administrative rules, and collective bargaining agreements related thereto, and by November 1, 2019, the commissioner of the department of administrative services shall issue a report with recommendations to the governor, the speaker of the house of representatives, and the president of the senate.</p> <p>II. The sum of \$150,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of administrative services for the purpose of a study of the state's personnel system as specified in paragraph I of this section. Said sum shall not lapse until June 30, 2021. The</p>

	governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
NO COMPARABLE HOUSE SECTION	255 Appropriation; Department of Administrative Services. The sum of \$1,300,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of administrative services for the purpose of obtaining scheduling software. Said sum shall not lapse until June 30, 2021. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
NO COMPARABLE HOUSE SECTION	256 Joint Legislative Historical Committee; Annual Appropriation. Amend RSA 17-I:5 to read as follows: 17-I:5 Annual Appropriation. There is hereby appropriated annually the sum of [\$10,000] \$25,000 to the joint legislative historical committee established in RSA 17-I for deposit in the nonlapsing historical fund established under RSA 177:8, II for the purpose of carrying out its statutory duties. The governor is authorized to draw [his] a warrant for said sum out of any money in the treasury not otherwise appropriated.
NO COMPARABLE HOUSE SECTION	257 Legislative Branch; Special Account. Amend 2011, 224:217, II(c), as amended by 2013, 144:102, 2015, 276:214, and 2017, 156:129 to read as follows: (c) [Beginning in] For fiscal year 2017 and [for each] fiscal year [thereafter] 2018 , unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount. (d) Beginning in fiscal year 2019 and for each year thereafter, any unexpended and unencumbered appropriations of the house of representatives, senate, joint offices, and office of legislative budget assistant remaining at the close of the fiscal year shall not lapse.
NO COMPARABLE HOUSE SECTION	258 Office of Professional Licensure and Certification; Division Directors. Amend RSA 310-A:1-c to

[This section is blank in the House version of the bill.]

NO COMPARABLE HOUSE SECTION

read as follows:

310-A:1-c Division Directors~~[- Positions Transferred]~~.

I. There is established in the office of professional licensure and certification 2 ~~[classified positions, at salary grade 35, of]~~ **unclassified directors:** *The director of the division of technical professions and director of the division of health professions. Each director shall be qualified to hold that position by reason of education and experience and shall perform such duties as the executive director from time to time may authorize.*

II. The executive director shall nominate for appointment by the governor, with the consent of the council, each unclassified division director, each of whom shall serve for a term of 4 years.

~~[II. Every classified or unclassified state employee position authorized in the boards, councils, and commissions under RSA 310 A:1 a shall be transferred to the office of professional licensure and certification and subject to the supervisory authority of the executive director.~~

~~III. The authority granted to the executive director of the real estate commission under RSA 331 A:8, relative to the issuance and denial of licenses, hearing and procedures on denial of licenses, the hiring of clerical, administrative, and investigative staff, maintenance of the official record, and implementation of a program for consumer education, is hereby transferred to the executive director of the office of professional licensure and certification.~~

~~IV. The unclassified position of executive director of the real estate commission shall be converted from an unclassified position to a similar classified position when the incumbent serving as the executive director of the real estate commission upon transfer to the office of professional licensure and certification vacates the position. Any funds appropriated for the compensation of the unclassified position of executive director of the real estate commission shall be used for compensation of the classified position at the office of professional licensure and certification.]~~

259 Division Directors; Salary; OPLC.

I. The salary of the unclassified director of the division of technical professions and director

	<p>of the division of health professions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p> <p>II. Upon completion of the action in paragraph I, and appointment of the director of the division of technical professions, position number 44018 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of director of the division of technical professions. Funding shall be transferred into a new expenditure class number 11 within accounting unit 01-21-21-212010-2405. The incumbent in the abolished classified position shall be offered the opportunity to seek the executive director’s appointment to the unclassified position of director of the division of technical professions.</p> <p>III. Upon completion of the action in paragraph I, and appointment of the director of the division of health professions, position number 44019 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of director of the division of health professions. Funding shall be transferred into a new expenditure class number 11 within accounting unit 01-21-21-215010-2406. The incumbent in the abolished classified position shall be offered the opportunity to seek the executive director’s appointment to the unclassified position of director of the division of health professions.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>260 Board of Nursing. Amend RSA 326-B:3, VI to read as follows:</p> <p>VI. No more than one 2 board member members shall be associated with a particular agency, corporation, or other enterprise or subsidiary at one time.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>261 Controlled Drug Prescription Health and Safety Program; Definitions. Amend the introductory paragraph of RSA 318-B:31, IV to read as follows:</p> <p>IV. "Dispenser" means a person or entity who is lawfully authorized to deliver a schedule II-IV controlled substance, but does not include:</p>

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NO COMPARABLE HOUSE SECTION	<p>262 New Paragraph; Controlled Drug Prescription Health and Safety Program; Definitions. Amend RSA 318-B:31 by inserting after paragraph IV the following new paragraphs:</p> <p>IV-a. "Executive director" means the executive director of the office of professional licensure and certification.</p> <p>IV-b. "Office" means office of professional licensure and certification, established in RSA 310-A.</p>
NO COMPARABLE HOUSE SECTION	<p>263 Controlled Drug Prescription Health and Safety Program Established. RSA 318-B:32 is repealed and reenacted to read as follows:</p> <p>318-B:32 Controlled Drug Prescription Health and Safety Program Established.</p> <p>I. The office shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the confidential sharing of information relating to the prescribing and dispensing of schedule II-IV controlled substances, by prescribers and dispensers within the state.</p> <p>II. The office may establish fees for the establishment, administration, operations and maintenance of the program. The program may also be supported through grants and gifts. The fee charged to individuals requesting their own prescription information shall not exceed the actual cost of providing that information.</p> <p>III. Prescription information relating to any individual shall be deleted 3 years after the initial prescription was dispensed. All de-identified data may be kept for statistical and analytical purposes for perpetuity.</p> <p>IV. The executive director shall establish an advisory council, as provided in RSA 318-B:38.</p>
NO COMPARABLE HOUSE SECTION	<p>264 Controlled Drug Prescription Health and Safety Program Operation. Amend RSA 318-B:33, I to read as follows:</p> <p>I. The board office shall develop a system of registration for all prescribers and dispensers of schedule II-IV controlled substances within the state. The system of registration shall be</p>

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	established by rules adopted by the [board] office , pursuant to RSA 541-A.
NO COMPARABLE HOUSE SECTION	<p>265 Controlled Drug Prescription Health and Safety Program; Confidentiality. Amend RSA 318-B:34, II and III to read as follows:</p> <p>II. The [board] office shall establish and maintain procedures to ensure the privacy and confidentiality of patients and patient information.</p> <p>III. The [board] office may use and release information and reports from the program for program analysis and evaluation, statistical analysis, public research, public policy, and educational purposes, provided that the data are aggregated or otherwise de-identified.</p>
NO COMPARABLE HOUSE SECTION	<p>266 New Subparagraph; Controlled Drug Prescription Health and Safety Program; Providing Controlled Drug Prescription Health and Safety Information. Amend RSA 318-B:35, I(b) by inserting after subparagraph (4) the following new subparagraph:</p> <p>(5) A practitioner or consultant retained by the office to review the system information of an impaired practitioner program participant or a referral who has agreed to be evaluated or monitored through the program and who has separately agreed in writing to the consultant's access to and review of such information.</p>
NO COMPARABLE HOUSE SECTION	<p>267 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-B:35, I(b)(3) to read as follows:</p> <p>(3) Authorized law enforcement officials on a case-by-case basis for the purpose of investigation and prosecution of a criminal offense when presented with a court order based on probable cause. No law enforcement agency or official shall have direct access to [the] query program information.</p>
NO COMPARABLE HOUSE SECTION	<p>268 Controlled Drug Prescription Health and Safety Program; Providing Controlled Drug Prescription Health and Safety Information. Amend RSA 318-B:35, II to read as follows:</p>

	<p>II. The program shall notify the appropriate regulatory board listed in subparagraph I(b)(2) and the prescriber or dispenser at such regular intervals as may be established by the [board] office if there is reasonable cause to believe a violation of law or breach of professional standards may have occurred. The program shall provide prescription information required or necessary for an investigation.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>269 Controlled Drug Prescription Health and Safety Program; Unlawful Act and Penalties. Amend RSA 318-B:36, I and II to read as follows:</p> <p>I. Any [person] dispenser or prescriber who fails to submit the information required in RSA 318-B:33 or knowingly submits incorrect information shall be subject to a warning letter and provided with an opportunity to correct the failure. Any [person] dispenser or prescriber who subsequently fails to correct or fails to resubmit the information may be subject to discipline by the [board] appropriate regulatory board.</p> <p>II. Any [person] dispenser or prescriber whose failure to report the dispensing of a schedule II-IV controlled substance that conceals a pattern of diversion of controlled substances into illegal use shall be guilty of a violation and subject to the penalties established under RSA 318-B:26 and the [board's] office's and appropriate regulatory board's rules as applicable. In addition, such [person] dispenser or prescriber may be subject to appropriate criminal charges if the failure to report is determined to have been done knowingly to conceal criminal activity.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>270 Controlled Drug Prescription Health and Safety Program; Rulemaking. Amend the introductory paragraph of RSA 318-B:37 to read as follows:</p> <p>318-B:37 Rulemaking. [By June 30, 2013, the board] The office shall adopt rules, pursuant to RSA 541-A, necessary to implement and maintain the program including:</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>271 Controlled Drug Prescription Health and Safety Program; Advisory Council. RSA 318-B:38 is repealed and reenacted to read as follows:</p>

318-B:38 Advisory Council Established.

I. There is hereby established an advisory council to carry out the duties under this subdivision. Members of the council shall not be compensated for serving on the council, or serve on the council for more than 5 consecutive years except for the attorney general, or designee, or the commissioner of the department of health and human services, or designee. The members of the council shall be as follows:

(a) A member of the board of medicine, appointed by such board.

(b) A member of the pharmacy board, appointed by such board.

(c) A member of the board of dental examiners, appointed by such board.

(d) A member of the New Hampshire board of nursing, appointed by such board.

(e) A member of the board of veterinary medicine, appointed by such board.

(f) A physician appointed by the New Hampshire Medical Society.

(g) A dentist appointed by the New Hampshire Dental Society.

(h) A chief of police appointed by the New Hampshire Association of Chiefs of Police.

(i) A community pharmacist appointed jointly by the New Hampshire Pharmacists Association, the New Hampshire Independent Pharmacy Association, and the New Hampshire Association of Chain Drug Stores.

(j) Two public members appointed by the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, one of whom may be a member of the commission.

(k) A hospital administrator appointed by the New Hampshire Hospital Association.

(l) A nurse practitioner appointed by the New Hampshire Nurse Practitioner Association.

(m) The attorney general, or designee.

(n) The commissioner of the department of health and human services, or designee.

(o) A member of the senate, appointed by the president of the senate.

(p) Two members of the house of representatives, appointed by the speaker of the house of representatives.

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	<p>II. The council shall:</p> <p>(a) Make recommendations to the office relating to the design, implementation and maintenance of the program, including recommendations relating to:</p> <ul style="list-style-type: none"> (1) Rules. (2) Legislation. (3) Sources of funding, including grant funds and other sources of federal, private, or state funds; <p>(b) Review the program's annual report and make recommendations to the office regarding the operation of the program.</p> <p>(c) Provide ongoing advice and consultation on the implementation and operation of the program, including recommendations relating to:</p> <ul style="list-style-type: none"> (1) Changes in the program to reflect advances in technology and best practices. (2) Changes to statutory requirements. (3) The design and implementation of an ongoing evaluation component of the program. <p>(d) Advise the executive director regarding the implementation of this subdivision.</p> <p>(e) Adopt rules necessary for the operation of the council.</p> <p>(f) Develop a mission statement for the program and strategic goals for its implementation, develop metrics to measure the program's efficient operation, review the performance of the program against the metrics, and make recommendations to the program and ensure they are incorporated.</p> <p>III. The council shall meet at least quarterly to effectuate its goals. A chairperson shall be elected by the members. A majority of the members of the council constitutes a quorum for the transaction of business. Action by the council shall require the approval of a majority of the members of the council.</p> <p>IV. The council shall make a report, at least annually, commencing on November 1, 2019, to the senate president, the speaker of the house of representatives, the oversight committee on health</p>
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	and human services, established in RSA 126-A:13, and the licensing boards of all professions required to use the program relative to the effectiveness of the program.
NO COMPARABLE HOUSE SECTION	<p>272 Controlled Drug Prescription Health and Safety Program. Amend 2012, 196:3, I to read as follows:</p> <p>I. In the event that there is not adequate funding for the controlled drug prescription health and safety program established in section 2 of this act, the [pharmacy board] office may curtail, temporarily suspend, or cancel the program.</p>
NO COMPARABLE HOUSE SECTION	<p>273 Repeal. The following are repealed:</p> <p>I. RSA 318-B:31, I, relative to the definition of "board."</p> <p>II. 2012, 196:3, III, relative to a reporting requirement.</p>
NO COMPARABLE HOUSE SECTION	<p>274 Statement of Intent. The purpose of sections 275-278 of this act is to provide the public with a simpler, less expensive, and faster alternative process to resolve complaints under RSA 91-A.</p>
NO COMPARABLE HOUSE SECTION	<p>275 Right-to-Know; Violation. Amend RSA 91-A:7 to read as follows:</p> <p>91-A:7 Violation.</p> <p><i>I.</i> Any person aggrieved by a violation of this chapter may petition the superior court for injunctive relief. In order to satisfy the purposes of this chapter, the courts shall give proceedings under this chapter high priority on the court calendar. Such a petitioner may appear with or without counsel. The petition shall be deemed sufficient if it states facts constituting a violation of this chapter, and may be filed by the petitioner or his or her counsel with the clerk of court [or any justice thereof. Thereupon the clerk of court or any justice shall order service by copy of the petition on the person or persons charged. Subject to objection by either party, all documents filed with the petition and any response thereto shall be considered as evidence by the court. All documents submitted shall be provided to the opposing party prior to a hearing on the merits. When any justice shall find</p>

	<p>that time probably is of the essence, he or she may order notice by any reasonable means, and he or she shall have authority to issue an order ex parte when he or she shall reasonably deem such an order necessary to insure compliance with the provisions of this chapter].</p> <p><i>II. In lieu of the procedure under paragraph I, an aggrieved person may file a complaint with the ombudsman under RSA 91-A:7-b and in accordance with RSA 91-A:7-c.</i></p> <p><i>III. A person’s decision to petition the superior court forecloses the ability to file a complaint with the ombudsman pursuant to RSA 91-A:7-c.</i></p> <p><i>IV. A person’s decision to file a complaint with the ombudsman forecloses the ability to petition the superior court until the ombudsman issues a final ruling or the deadline for such a ruling has passed.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>276 New Sections; Citizens' Right-to-Know Appeals Commission; Office of the Ombudsman; Complaint Process; Appeals. Amend RSA 91-A by inserting after section 7 the following new sections:</p> <p>91-A:7-a Citizens' Right-to-Know Appeals Commission Established. There is established a commission to provide oversight for an alternative right-to-know complaint resolution process.</p> <p>I. The members of the commission shall be as follows:</p> <p>(a) One member of the senate, appointed by the president of the senate.</p> <p>(b) One member of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(c) Ten citizen members, one from each county, no more than 2 of whom shall be current, local, county, state or federal employees or currently serving in any elected or appointed capacity with any political subdivision, public agency or public institution, appointed by the governor with advice and consent of the council.</p> <p>II. The members of the commission shall serve without compensation, but shall be reimbursed for necessary travel and other necessary expenses. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.</p>

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III. Legislative members of the commission shall serve a term coterminous with their term in office. The members appointed under subparagraph I(c) shall serve for a term of 3 years, except that the initial appointment of such members shall be for staggered terms of one, 2, and 3 years. No member shall serve more than 3 consecutive terms. No member under subparagraph I(c) shall be a current lobbyist or an attorney for any entity subject to this chapter, or an attorney for any organization representing the interests of such entity. Nor shall any such member be employed by any such lobbyist or attorney.

IV.(a) The commission:

(1) Shall establish rules of procedure, pursuant to RSA 541-A, to establish the process to resolve complaints under this chapter consistent with the final report of the commission established in 2017, 126.

(2) Shall make recommendations to the legislature concerning proposed changes to this chapter.

(3) May provide educational materials relative to this chapter.

(b) The members of the commission shall act as a resource for all political subdivisions in the member's respective counties.

V. The members of the commission shall elect a chairperson and a vice chairperson annually from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Five members of the commission shall constitute a quorum.

VI. The commission and the ombudsman shall be administratively attached to the department of state.

VII. Beginning November 1, 2020, and each November 1 thereafter, the commission shall submit an annual report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, and the governor. The report shall also include the total number of complaints received, the number of complaints received concerning public records and public meetings, the number of complaints received concerning state

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and county agencies, municipalities, school administrative units, and other public entities, the number of complaints in which a ruling was rendered by the ombudsman, the number of violations of each provision of this chapter found by the ombudsman, and the number of ombudsman rulings that were appealed to the superior court, including whether the appeal was from a complainant or a public agency or official, and whether the ombudsman’s ruling was sustained before the superior court or overturned.

91-A:7-b Office Established. There is hereby established the office of the right-to-know ombudsman to be administratively attached to the department of state under RSA 21-G:10. The ombudsman shall work no more than 20 hours per week and may serve in such capacity on a pro bono basis. The ombudsman shall be appointed by the governor and council, after consultation with the commission, and shall have the following minimum qualifications:

- I. Be a member of the New Hampshire bar.
- II. Have a minimum of 10 years full-time practice of law in any jurisdiction.
- III. Be experienced with and knowledgeable of the provisions of this chapter, the federal Freedom of Information Act, and all state laws regarding right-to-know.
- IV. Annually, complete a minimum of 3 hours of continuing legal education courses or other training relevant to the provisions of this chapter.

91-A:7-c Complaint Process.

- I. Any party aggrieved by a violation of this chapter shall have the option to either petition the superior court or file a signed, written complaint, along with a \$25 fee, with the office of the ombudsman, established under RSA 91-A:7-b. The ombudsman shall have the discretion to waive the \$25 fee upon a finding of inability to pay. Any signed, written complaint filed with the ombudsman shall attach, if applicable, the request served on the public agency or official and the written response of the public agency or official. The complaint shall be deemed sufficient if it states facts constituting a violation of this chapter.
- II. Once a complaint has been filed and provided by the ombudsman to the public body or public agency, the public body or public agency shall have 20 calendar days to submit an

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acknowledgment of the complaint and an answer to the complaint, which shall include applicable law and, if applicable, a justification for any refusal to or delay in producing the requested information, access to meetings, or otherwise comply with the provisions of this chapter. This 20-day deadline may be reasonably extended by the ombudsman for good cause.

III. In reviewing complaints, the ombudsman shall be authorized to:

(a) Compel timely delivery of records within a reasonable time, regardless of medium and format, and conduct a confidential in-camera review of records where the ombudsman concludes that it is necessary and appropriate under the law.

(b) Compel interviews with the parties.

(c) Order attendance at hearings within a reasonable time if the ombudsman determines that a hearing is necessary. Such hearings shall be open subject to the provisions of RSA 91-A.

(d) Issue findings in writing to all parties.

(e) Order a public body or public agency to disclose requested records within a reasonable time, provide access to meetings, or otherwise comply with the provisions of this chapter, subject to appeal.

(f) Make any finding and order any other remedy to the same extent as provided by the court under RSA 91-A:8.

IV. The ombudsman may draw negative inferences from a party’s failure to participate and comply with orders during the review process.

V. In implementing the provisions of this section, the ombudsman shall follow the procedures established by the commission pursuant to RSA 541-A.

VI. The ombudsman shall determine whether there have been any violations of this chapter and issue a ruling within 30 calendar days following the deadline for receipt of the parties’ submissions. This 30-day deadline may be extended to a reasonable time frame by the ombudsman for good cause. The ombudsman may also expedite resolution of the complaint upon a showing of good cause. Rulings on expedited complaints shall be issued within 10 business days, or sooner where necessary.

VII. The ombudsman shall, where necessary and appropriate under the law, access governmental records in camera that a public body or public agency believes are exempt in order to make a ruling concerning whether the public body or public agency shall release the records or portions thereof to the public. The ombudsman shall maintain the confidentiality of records provided to the ombudsman by a public body or public agency under this section and shall return the records to the public body or public agency when the ombudsman's review is complete. All records submitted to the ombudsman for review shall be exempt from the public disclosure provisions of RSA 91-A during such review.

VIII. Nothing in this section shall affect the ability of a person to seek relief in superior court under RSA 91-A:7, I in lieu of this process.

91-A:7-d Appeal and Enforcement.

I. Any party may appeal the ombudsman's final ruling to the superior court by filing a notice of appeal in superior court no more than 30 calendar days after the ombudsman's ruling is issued. The ombudsman's ruling shall be attached to the document initiating the appeal, admitted as a full exhibit by the superior court, considered by the judge during deliberations, and specifically addressed in the court's written order. Citizen-initiated appeals shall have no filing fee or surcharge. The public body or public agency shall pay the sheriff's service costs if the public body or public agency, or its attorney, declines to accept service. Nothing in this section shall prevent a superior court from staying an ombudsman's decision pending appeal to the superior court.

II. A superior court appeal of the ombudsman's ruling shall review the ruling de novo.

III. If the ombudsman's final ruling is not appealed, the ombudsman shall, after the deadline has passed, follow up with all parties, as required, to verify compliance with rulings issued.

IV. The ombudsman's final rulings which are not appealed may be registered in the superior court as judgments and enforceable through contempt of court. If such action is necessary to enforce compliance, all costs and fees, including reasonable attorney fees, shall be paid by the noncompliant public body or public agency.

91-A:7-e Rulemaking. The commission shall adopt rules pursuant to RSA 541-A relative to:

	<p>I. Establishing procedures to streamline the process of resolving complaints under this chapter.</p> <p>II. Content of educational materials under RSA 91-A:7-a.</p> <p>III. Other matters necessary to the proper administration of RSA 91-A:7-a through RSA 91-A:7-d.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>277 Right-to-Know; Violation. Amend RSA 91-A:7 to read as follows:</p> <p>91-A:7 Violation.</p> <p>[F.] Any person aggrieved by a violation of this chapter may petition the superior court for injunctive relief. In order to satisfy the purposes of this chapter, the courts shall give proceedings under this chapter high priority on the court calendar. Such a petitioner may appear with or without counsel. The petition shall be deemed sufficient if it states facts constituting a violation of this chapter, and may be filed by the petitioner or his or her counsel with the clerk of court <i>or any justice thereof. Thereupon the clerk of court or any justice shall order service by copy of the petition on the person or persons charged. Subject to objection by either party, all documents filed with the petition and any response thereto shall be considered as evidence by the court. All documents submitted shall be provided to the opposing party prior to a hearing on the merits. When any justice shall find that time probably is of the essence, he or she may order notice by any reasonable means, and he or she shall have authority to issue an order ex parte when he or she shall reasonably deem such an order necessary to insure compliance with the provisions of this chapter.</i></p> <p>[H.] In lieu of the procedure under paragraph I, an aggrieved person may file a complaint with the ombudsman under RSA 91 A:7 b and in accordance with RSA 91 A:7 c.</p> <p>III. A person's decision to petition the superior court forecloses the ability to file a complaint with the ombudsman pursuant to RSA 91 A:7 c.</p> <p>IV. A person's decision to file a complaint with the ombudsman forecloses the ability to petition the superior court until the ombudsman issues a final ruling or the deadline for such a</p>

	ruling has passed.]
NO COMPARABLE HOUSE SECTION	278 Repeal. RSA 91-A:7-a through 91-A:7-e, relative to the citizen's right-to-know commission, office of the ombudsman, complaint process, appeal and enforcement, and rulemaking, is repealed.
NO COMPARABLE HOUSE SECTION	279 New Paragraph; Tax on Transfer of Real Property; Distribution of Funds. Amend RSA 78-B:13 by inserting after paragraph II the following new paragraph: III. Annually, on or before October 1, the commissioner shall direct the state treasurer to transfer the sum of \$5,000,000 from revenue collected pursuant to the tax imposed by RSA 78-B:1 to the affordable housing fund established in RSA 204-C:57.
NO COMPARABLE HOUSE SECTION	280 Business Profits Tax; Apportionment; 2021. Amend RSA 77-A:3, I(c) to read as follows: (c) The percentage of the total sales, including charges for services, made by the business organization everywhere as is made by it within this state[-] : (1) Sales of tangible personal property are made in this state if the property is delivered or shipped to a purchaser, other than the United States government, within this state regardless of f.o.b. point or other conditions of sale, or the property is shipped from an office, store, warehouse, factory or other place of storage in this state and [(1)] (A) the purchaser is the United States government, or [(2)] (B) the business organization is not taxable in the state of the purchaser. (2) Sales other than sales of tangible personal property are in this state if the [income producing activity is performed in this state, or the income producing activity is performed both in and outside this state and a greater proportion of the income producing activity is performed in this state than in any other state, based on costs of performance] <i>business organization's market for the sales is in this state, as follows:</i> (A) <i>In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;</i> (B) <i>In the case of rental, lease, or license of tangible personal property, if</i>

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	<p><i>and to the extent the property is located in this state;</i></p> <p style="padding-left: 40px;"><i>(C) In the case of sale of a service, if and to the extent the service is delivered to a location in this state;</i></p> <p style="padding-left: 40px;"><i>(D) In the case of sale, rental, lease, or license of intangible property, if and to the extent the property is used in this state;</i></p> <p style="padding-left: 40px;"><i>(E) In the case of interest income, if and to the extent the debtor or encumbered property is located in this state;</i></p> <p style="padding-left: 40px;"><i>(F) In the case of dividend income, if and to the extent the business organization’s commercial domicile is in this state; and</i></p> <p style="padding-left: 40px;"><i>(G) In the case of other income, if and to the extent the income is derived from sources in this state.</i></p> <p style="padding-left: 40px;"><i>(3) In the case of sales other than sales of tangible personal property, if the state or states of assignment cannot be determined, the state or states of assignment shall be reasonably approximated.</i></p> <p style="padding-left: 40px;"><i>(4) In the case of sales other than sales of tangible personal property, if the taxpayer is not taxable in a state to which a sale is assigned, or if the state of assignment cannot be determined or reasonably approximated, such sale shall be excluded from the denominator of the sales factor.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>281 Business Enterprise Tax; Apportionment of Dividends; 2021. Amend RSA 77-E:4, I(c)(3) to read as follows:</p> <p style="padding-left: 40px;">(3) The percentage of the total sales, including charges for services, made by the business enterprise everywhere as is made by it within this state[-]:</p> <p style="padding-left: 40px;">(A) Sales of tangible personal property are made in this state if the property is delivered or shipped to a purchaser, other than the United States government, within this state regardless of free on board point or other conditions of sale, or the property is shipped from an office, store, warehouse, factory or other place of storage in this state and [(A)] (i) the purchaser is the</p>

United States government, or ~~[(B)]~~ **(ii)** the business enterprise is not taxable in the state of the purchaser.

(B) Sales other than sales of tangible personal property are in this state if the ~~[revenue producing activity is performed in this state, or the revenue producing activity is performed both in and outside this state and a greater proportion of the revenue producing activity is performed in this state than in any other state, based on costs of performance]~~ **business enterprise’s market for the sales is in this state, as follows:**

(i) In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;

(ii) In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;

(iii) In the case of sale of a service, if and to the extent the service is delivered to a location in this state;

(iv) In the case of sale, rental, lease, or license of intangible property, if and to the extent the property is used in this state;

(v) In the case of interest income, if and to the extent the debtor or encumbered property is located in this state;

(vi) In the case of dividend income, if and to the extent the business enterprise’s commercial domicile is in this state; and

(vii) In the case of other income, if and to the extent the income is derived from sources in this state.

(C) In the case of sales other than sales of tangible personal property, if the state or states of assignment cannot be determined, the state or states of assignment shall be reasonably approximated.

(D) In the case of sales other than sales of tangible personal property, if the taxpayer is not taxable in a state to which a sale is assigned, or if the state of assignment cannot be determined or reasonably approximated, such sale shall be excluded

	<p><i>from the denominator of the sales factor.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>282 Business Profits Tax; Apportionment; 2022. Amend RSA 77-A:3, I-III to read as follows:</p> <p>I. A business organization which derives gross business profits from business activity both within and without this state, and which is subject to a net income tax, a franchise tax measured by net income, or a capital stock tax in another state or is subject to the jurisdiction of another state to impose a net income tax or capital stock tax upon it, whether or not such tax is actually imposed, shall apportion its gross business profits so as to allocate to this state a fair and equitable proportion of such business profits. Except as provided in this section, such apportionment shall be made on the basis of the following 3 factors in the following manner:</p> <p style="padding-left: 40px;">(a) For taxable periods ending before December 31, 2022:</p> <p style="padding-left: 80px;">(1) The business organization’s gross business profits shall be apportioned on the basis of the following 3 factors:</p> <p style="padding-left: 40px;">(a) (A) The percentage of value of the total real and tangible personal property owned, rented and employed by the business organization everywhere as is owned, rented and employed by it in the operation of its business in this state. Property owned by the business organization shall be valued at its original cost. Property rented by the business organization shall be valued at 8 times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the business organization less any annual rental rate received by the business organization from subrentals.</p> <p style="padding-left: 40px;">(b) (B) The percentage of total compensation paid by the business organization to employees everywhere as is paid by the business organization to employees for services rendered within this state. Such compensation is deemed to be disbursed for services in this state if the service is performed entirely within this state, or if the service is performed both within and without this state and the service performed without this state is incidental to the service within this state, or some of the service is performed in this state and (1) (i) the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in this state, or (2) (ii) the base of operations or the place from which the service is directed or controlled is not in any</p>

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	<p>state in which some part of the service is performed, but the individual performing such service resides within this state.</p> <p style="padding-left: 40px;">(C) (C) The percentage of the total sales, including charges for services, made by the business organization everywhere as is made by it within this state:</p> <p style="padding-left: 80px;">(i) (i) Sales of tangible personal property are made in this state if the property is delivered or shipped to a purchaser, other than the United States government, within this state regardless of f.o.b. point or other conditions of sale, or the property is shipped from an office, store, warehouse, factory or other place of storage in this state and (A) the purchaser is the United States government, or (B) the business organization is not taxable in the state of the purchaser.</p> <p style="padding-left: 80px;">(ii) (ii) Sales other than sales of tangible personal property are in this state if the business organization’s market for the sales is in this state, as follows:</p> <p style="padding-left: 120px;">(A) 1. In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;</p> <p style="padding-left: 120px;">(B) 2. In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;</p> <p style="padding-left: 120px;">(C) 3. In the case of sale of a service, if and to the extent the service is delivered to a location in this state;</p> <p style="padding-left: 120px;">(D) 4. In the case of sale, rental, lease, or license of intangible property, if and to the extent the property is used in this state;</p> <p style="padding-left: 120px;">(E) 5. In the case of interest income, if and to the extent the debtor or encumbered property is located in this state;</p> <p style="padding-left: 120px;">(F) 6. In the case of dividend income, if and to the extent the business organization’s commercial domicile is in this state; and</p> <p style="padding-left: 120px;">(G) 7. In the case of other income, if and to the extent the income is derived from sources in this state.</p> <p style="padding-left: 40px;">(iii) (iii) In the case of sales other than sales of tangible personal property, if the state or states of assignment cannot be determined, the state or states of assignment shall be</p>
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reasonably approximated.

~~[(4)]~~ *(iv)* In the case of sales other than sales of tangible personal property, if the taxpayer is not taxable in a state to which a sale is assigned, or if the state of assignment cannot be determined or reasonably approximated, such sale shall be excluded from the denominator of the sales factor.

~~[H.(a)]~~ *(2)* A fraction, the numerator of which shall be the property factor in subparagraph ~~[I.(a)]~~ *I(a)(1)(A)* plus the compensation factor in subparagraph ~~[I.(b)]~~ *I(a)(1)(B)* plus 2 multiplied by the sales factor in subparagraph ~~[I.(c)]~~ *I(a)(1)(C)* and the denominator of which is 4, shall be applied to the total gross business profits (less foreign dividends) of the business organization to ascertain its gross business profits in this state.

(b) For taxable periods ending on or after December 31, 2022, the business organization's gross business profits shall be apportioned by multiplying the total gross business profits (less foreign dividends) of the business organization by the sales factor in subparagraph I(a)(1)(C).

II.(a) If ~~this~~ *the applicable* method of apportionment *in paragraph I* does not fairly represent the business organization's business activity in this state, the business organization may petition for, or the commissioner may require, in respect to all or any part of the business organization's business activity, if reasonable~~[-]~~,

~~[(1) The exclusion of any one or more of the apportionment factors;~~

~~[(2) The inclusion of one or more additional apportionment factors which will fairly represent the business organization's business activity in the state; or~~

~~[(3)]~~ the employment of any other method to effect an equitable apportionment of the business organization's gross business profits.

(b) For foreign dividends from unitary sources, the following formula shall be used to modify factors relating to included dividends:

(1) Determine a percentage for each dividend payor consisting of dividends paid divided by taxable income which has been computed using United States standards.

	<p>(2) Apply this percentage to the dividend payor's foreign property, payroll, and sales <i>for taxable periods ending before December 31, 2022, or to the dividend payor's foreign sales for taxable periods ending on or after December 31, 2022.</i></p> <p>(3) Sum the results in subparagraph (2) for all dividend payors.</p> <p>(4) Add the result in subparagraph (3) to the denominators of the combined water's edge group. The numerator will remain the New Hampshire numerator.</p> <p>(5) Apply the resulting percentage to the foreign dividends.</p> <p>(6) Add this amount to the amount of New Hampshire taxable business profits computed pursuant to RSA 77-A:3, I [and II(a)].</p> <p>III. When 2 or more related business organizations are engaged in a unitary business, as defined in RSA 77-A:1, XIV, a part of which is conducted in this state by one or more members of the group, the income attributable to this state shall be determined by means of the applicable combined apportionment factors of the unitary business group in accordance with paragraphs I and II.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>283 Business Profits Tax; Qualified Manufacturing Research and Development Expenditures. Amend the introductory paragraph of RSA 77-A:5, XIII(b)(1) to read as follows:</p> <p>(1) The term “qualified manufacturing research and development expenditures” shall mean solely any wages paid or incurred to an employee of the business organization for services rendered by such employee within this state within the meaning of RSA [77-A:3, I(b)] 77-A:3, I(a)(1)(B), provided that:</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>284 Business Enterprise Tax; Application of Credit for Business Enterprise Tax Against Business Profits Tax. Amend RSA 77-E:13, I and II to read as follows:</p> <p>I. Determine a combined nexus group denominator for the [property, payroll and sales] applicable apportionment factors by adding the [property, payroll and sales] apportionment factor numerators of the individual members of the combined group subject to tax under RSA 77-A.</p>

	<p>II. Determine an individual apportionment percentage for each member of the combined group subject to tax under RSA 77-A by dividing such member's <i>applicable</i> individual New Hampshire [property, payroll and sales] <i>apportionment</i> factor numerators by the combined nexus group denominators determined in paragraph I.</p>
NO COMPARABLE HOUSE SECTION	<p>285 New Paragraph; Business Profits Tax; Definition. Amend RSA 77-A:1 by inserting after paragraph XVIII the following new paragraph:</p> <p>XVIII-a. "Foreign sales" as used in RSA 77-A:3, II means the sales data of overseas business organizations which have paid dividends to a member of the water's edge combined group.</p>
NO COMPARABLE HOUSE SECTION	<p>286 Applicability. Sections 280 and 281 of this act shall apply to taxable periods ending on or after December 31, 2021.</p>
NO COMPARABLE HOUSE SECTION	<p>287 New Subparagraph; Business Profits Tax; Definition; Internal Revenue Code. Amend RSA 77-A:1, XX by inserting after subparagraph (n) the following new subparagraph:</p> <p>(o) For all taxable periods beginning on or after January 1, 2020, the United States Internal Revenue Code of 1986 in effect on December 31, 2018, subject to RSA 77-A:3-b.</p>
NO COMPARABLE HOUSE SECTION	<p>288 Business Profits Tax; Adjustments; Internal Revenue Code Provisions. Amend RSA 77-A:3-b, II to read as follows:</p> <p>II. The United States Internal Revenue Code shall be applied without section [199] <i>951A</i> of such code.</p>
NO COMPARABLE HOUSE SECTION	<p>289 Communications Services Tax; Purpose; Basic Communications Services Deleted. Amend RSA 82-A:1 to read as follows:</p> <p>82-A:1 Statement of Purpose. It is the intent of the general court to impose a tax on those who use 2-way communications services and to source mobile telecommunications services to the place of</p>

	<p>primary use. It is also the intent of the general court that Internet access service [and basic communications services essential to public health, safety, and welfare] shall not be subject to the tax imposed by this chapter.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>290 Definitions; Communications Services. Amend the introductory paragraph of RSA 82-A:2, III to read as follows:</p> <p>III. "Communications services" means services for transmitting, emitting, or receiving signs, signals, writing, images, sounds or intelligence of any nature by any electromagnetic system capable of 2-way communication and includes, without limitation, messages or information transmitted through use of local, toll and wide area telephone service; private line services and networks, whether leased, rented or owned; channel services; telegraph services; teletypewriter services; cable television; computer exchange services; mobile telecommunications services; <i>prepaid wireless telecommunications services; VoIP;</i> facsimile services; specialized mobile radio; stationary 2-way radio; paging services; or any other form, whether stationary, portable or mobile, of 2-way communications; or any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber-optics, laser, microwave, radio, satellite or similar facilities. "Communications services" shall not include:</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>291 Definitions; Retailer. Amend RSA 82-A:2, X to read as follows:</p> <p>X. "Retailer" means and includes every person engaged in the business of making sales at retail as defined in this chapter. The department may, in its discretion, upon application, authorize the collection of the tax hereby imposed by any retailer not maintaining a place of business within this state, who, to the satisfaction of the department, furnishes adequate security to insure collection and payment of the tax. Such retailer shall be issued, without charge, a permit to collect such tax. When so authorized, it shall be the duty of such retailer to collect the tax upon all of the gross charges for communications services in this state in the same manner and subject to the same requirements as a retailer maintaining a place of business within this state. The permit may be</p>

	<p>revoked by the department at its discretion. <i>For purposes of the tax imposed by this chapter on prepaid wireless telecommunications service, “retailer” has the same meaning as “seller.”</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>292 New Paragraphs; Definitions; Prepaid Wireless Telecommunications Service; VoIP. Amend RSA 82-A:2 by inserting after paragraph XXVI the following new paragraphs:</p> <p>XXVII. “Prepaid wireless telecommunications service” means "prepaid commercial mobile radio service," as that term is defined in RSA 106-H:2, VIII-b.</p> <p>XXVIII. “Retail transaction” means the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale.</p> <p>XXIX. “Seller” means a person who sells prepaid wireless telecommunications service to another person.</p> <p>XXX. “Voice over Internet Protocol” or “VoIP” means any service that:</p> <ul style="list-style-type: none"> (a) Enables real-time, 2-way voice communications that originate from or terminate to the user’s location in Internet Protocol or any successor protocol; (b) Requires a broadband connection from the user’s location; and (c) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.
<p>NO COMPARABLE HOUSE SECTION</p>	<p>293 Imposition of Tax; Reference Added. Amend RSA 82-A:4 to read as follows:</p> <p>82-A:4 Imposition of Tax; Interstate Communications Services. Except as provided in RSA 82-A:4-b, <i>RSA 82-A:4-d, and RSA 82-A:4-e</i>, a tax is imposed upon interstate communications services and private communications services furnished to a person in this state and purchased at retail from a retailer by such person, at the rate of 7 percent of the gross charge when such service purchased on a call-by call basis originates in this state and terminates outside this state or originates outside this state and terminates in this state and the service address is in this state, or when such service purchased on a basis other than a call-by-call basis is provided to a person with a place of primary use in this state or when such private communications services are apportioned to this state in</p>

	<p>accordance with RSA 82-A:4-c. Provided however, a tax is imposed upon interstate paid calling service furnished to a person in this state and purchased at retail from a retailer by such person, at the rate of 7 percent of the gross charge when the origination point of the communications signal (as first identified by either (a) the seller’s telecommunications system, or (b) information received by the seller from its service provider, where the system used to transport such signals is not that of the seller) is in this state. To prevent actual multi-state taxation of communications services that are subject to taxation under this section, any taxpayer, upon proof that the taxpayer has paid a tax in another state on such services, shall be allowed a credit against the tax imposed in this section to the extent of the amount of such tax properly due and paid in such other state. However, such tax is not imposed on communications services to the extent such services may not, under the Constitution and statutes of the United States, be made the subject of taxation by the state.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>294 New Sections; Special Rules for VOIP Services and Prepaid Wireless Telecommunications Service. Amend RSA 82-A by inserting after section 4-c the following new sections:</p> <p>82-A:4-d Special Rules for VoIP Services. A tax is imposed on intrastate and interstate communications services that are VoIP services provided by a retailer to a person with a place of primary use in this state, regardless of where the VoIP services originate, terminate, or pass through. The tax shall be imposed on the gross charge at the rate specified in RSA 82-A:3 and RSA 82-A:4. No tax shall be imposed on a person whose place of primary use is outside this state.</p> <p>82-A:4-e Special Rules for Prepaid Wireless Telecommunications Service.</p> <p>I. A tax is imposed on each retail transaction in this state of intrastate and interstate communications services that are prepaid wireless telecommunications services. The tax shall be imposed on the gross charge at the rate specified in RSA 82-A:3 and 82-A:4.</p> <p>II. For purposes of paragraph I, a retail transaction is sourced to New Hampshire:</p> <p>(a) If the retail transaction occurs in person at a seller's location in New Hampshire; or</p> <p>(b) If subparagraph (a) does not apply, the prepaid wireless telecommunications service is evidenced by a physical item, such as a card, and the purchaser provides a New Hampshire</p>

	<p>delivery address for such item; or</p> <p>(c) If subparagraphs (a) and (b) do not apply, the consumer gives a New Hampshire address during the consummation of the sale, including the address associated with the consumer's payment instrument if no other address is available, and the address is not given in bad faith; or</p> <p>(d) If subparagraphs (a)-(c) do not apply, the consumer's mobile telephone number is associated with a postal zip code, telephone area code, or location within New Hampshire.</p> <p>III. The tax imposed by this section shall be collected by the seller from the consumer with respect to each retail transaction sourced to New Hampshire, in accordance with RSA 82-A:6; provided, however, the amount of the tax shall be either separately stated on an invoice, receipt, or other similar document that is provided by the seller to the consumer, or otherwise disclosed to the consumer.</p> <p>IV. If prepaid wireless telecommunications service is sold with one or more other products or services for a single, non-itemized charge, then the tax shall apply to the entire non-itemized charge except as provided in RSA 82-A:2, V(e).</p> <p>V. If a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device for a single, non-itemized charge, then the seller may elect not to apply the tax to such transaction. For purposes of this subparagraph, an amount of service denominated as 10 minutes or less, or \$5 or less, is minimal.</p> <p>VI. The seller shall be liable to remit all taxes required by this section that are collected from consumers, including all such taxes that the seller is deemed to collect where the amount of the tax has not been separately stated on an invoice, receipt, or other similar document provided by the seller to the consumer, in accordance with RSA 82-A:7.</p> <p>VII. The prepaid commercial mobile radio service E911 surcharge imposed under RSA 106-H:9, I-a shall not be subject to the tax imposed by this section.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>295 Applicability. Sections 289-294 of this act shall apply to taxable periods ending after December 31, 2019.</p>

NO COMPARABLE HOUSE SECTION

296 Findings. The general court declares that:

I. An adequate supply of housing that is affordable to a range of incomes is essential to New Hampshire’s economic and community development goals.

II. Access to an efficient and inexpensive legal appeals process is fundamental to protecting private property rights against unreasonable governmental regulation and processes.

III. Individual homeowners who are denied local permits for additions or other simple modifications to their homes often abandon their legal right to appeal because of the time and expense involved in a superior court appeal.

IV. Abutters and other parties with standing to appeal local land use decisions on housing developments often abandon their legal right to appeal because of the costs associated with court appeals.

V. There are several factors that inhibit builders’ ability to meet the demand for new housing in New Hampshire. Significant among these factors are local land use regulations and board practices that can arbitrarily thwart development or impose costly delays. These powers are delegated to municipalities by the state, and must be used in a manner that is consistent with state law.

VI. Builders may appeal local land use decisions to the superior court, but such appeals are expensive and time consuming, often leading builders to either abandon their appeals or completely avoid seeking development permits.

VII. The cost of litigating such matters in court is significant, and by establishing an alternative process, but without eliminating the option of court appeals, will help to reduce costs of litigation for all parties.

VIII. It is appropriate and necessary to establish an alternative track for review of local decisions on housing and housing development without diminishing anyone’s existing legal right to pursue a remedy in superior court and without affecting local control or changing the legal standards by which local decisions are adjudicated.

NO COMPARABLE HOUSE SECTION

297 New Chapter; Housing Appeals Board. Amend RSA by inserting after chapter 678 the following new chapter:

CHAPTER 679
HOUSING APPEALS BOARD

679:1 Board Established. There is hereby established a housing appeals board, hereinafter referred to as the board, which shall be composed of 3 members who shall individually and collectively be learned and experienced in questions of land use law or housing development or both. At least one member shall be an attorney licensed to practice law in the state of New Hampshire, and at least one member shall be either a professional engineer or land surveyor. The members of the board shall be full-time employees and shall not engage in any other employment, appointments, or duties during their terms that is in conflict with their duties as members of the board.

679:2 Appointment; Term; Chair. The members of the board shall be appointed by the supreme court and commissioned by the governor for a term of 5 years and until their successors are appointed and qualified; provided, however, that any vacancy on the board shall be filled for the unexpired term. The initial members of the board shall serve staggered terms of 3, 4, and 5 years. The supreme court shall designate one member as chair to serve in that capacity for the duration of his or her term.

679:3 Removal. Any member may be removed by the same authority for inefficiency, neglect of duty, or malfeasance in office; but, before removal, the member shall be furnished with a copy of the charges and have an opportunity to be heard in defense.

679:4 Compensation. Each member of the board shall receive the annual salary prescribed by RSA 94:1-a and reasonable expenses, including transportation, subject to the approval of the governor and council.

679:5 Authority; Duties.

I. It shall be the duty of the board and it shall have power and authority to hear and affirm, reverse, or modify, in whole or in part, appeals of final decisions of municipal boards, committees,

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and commissions regarding questions of housing and housing development. This includes, but is not limited to:

- (a) Planning board decisions on subdivisions or site plans.
- (b) Board of adjustment decisions on variances, special exceptions, administrative appeals, and ordinance administration.
- (c) The use of innovative land use controls.
- (d) Growth management controls and interim growth management controls.
- (e) Decisions of historic district commissions, heritage commissions, and conservation commissions.
- (f) Other municipal permits and fees applicable to housing and housing developments.
- (g) Matters subject to the board’s authority may include mixed-use combinations of residential and nonresidential uses. Such different uses may occur on separate properties, provided such properties are all part of a common scheme of development.

II. In exercising its authority under this chapter, the board shall have the power to award all remedies available to the superior courts in similar cases, including permission to develop the proposed housing.

III. Relative to RSA 674:58 through RSA 674:61, the board shall have the power and authority to hear and determine appeals of decisions of local land use boards regarding proposals for workforce housing, including but not limited to whether the municipality’s land use ordinances and regulations provide a reasonable and realistic opportunity for the development of workforce housing; whether the local land use board has imposed conditions of approval that render the proposal economically unviable; and whether a denial by a local land use board was unreasonable or unlawful.

IV. After local remedies have been exhausted, appeals may be brought before the board by an applicant to the municipal board, committee, or commission, or by any other aggrieved or injured party who can demonstrate legal standing to appeal pursuant to RSA 677:4 or RSA 677:15. The municipality shall be a party to the action. If the applicant is not the party initiating the action before the board, then the applicant shall automatically be an intervenor. The board shall grant

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intervenor status to abutters and to any other aggrieved or injured party who can demonstrate legal standing to appeal pursuant to RSA 677:4 or RSA 677:15.

679:6 Timing of Appeals and Board Proceedings.

I. Appeals shall be filed with the board within 30 days of the final decision of a municipal board, committee, or commission. At the same time an appeal is filed with the board, the applicant shall notify the municipal board, committee, or commission of such appeal.

II. The municipal board, committee, or commission shall within 30 days of receipt of such notice submit to the board a certified record of its proceedings on the matter subject to the appeal.

III. The board shall hold a hearing on the merits within 90 days of its receipt of a notice of appeal.

IV. The board shall make a decision on an appeal within 60 days after conducting a hearing on the merits.

679:7 Jurisdiction; Court Appeals.

I. In matters within its authority the board shall have concurrent, appellate jurisdiction with the superior court. An election by any party to bring an action before the board shall be deemed a waiver of any right to bring an action in the superior court, but shall not abrogate any party’s right to appeal decisions of the board to the supreme court; as such, the board shall retain jurisdiction of any matter originally brought before it. At any time during an appeal to the board, if the board determines that it does not have jurisdiction to hear the appeal, the appellant shall have 30 days to file an appeal with the superior court.

II. In an appeal of a local decision on housing or housing development, any claim that is within the board’s authority under RSA 679:5 and that has previously been or is subsequently included in an appeal in superior court by another party to the decision or by any other aggrieved or injured party who can demonstrate legal standing to appeal pursuant to RSA 677:4 or RSA 677:15 shall automatically be stayed by the court to provide the party with standing the opportunity to intervene in the matter before the board. If intervenor status is granted, the stay of the court action regarding those claims shall continue during the pendency of the appeal to the board. After the

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board has decided the appeal, the court shall dismiss the matter before it to the extent the matter has been resolved by the board. Any claim included in an appeal to superior court that is not within the board’s authority shall not be subject to automatic stay by the court.

679:8 Quorum; Disqualification; Temporary Members.

I. In all matters a majority of the board shall constitute a quorum to transact business.

II. No member of the board shall represent a party or testify as an expert witness or render any professional service for any party or interest before the board, and any member having an interest in the subject matter shall be disqualified to act therein.

III. If, in the event of a disqualification or temporary disability of a member or members of the board, it shall become necessary to do so, the board, subject to the approval of the supreme court, shall appoint such number of temporary board members as shall be necessary to meet the requirements herein imposed. Such temporary board members shall serve with respect to such matter until the same has been fully disposed of before the board.

IV. Temporary board members shall have the same qualifications as regular board members in whose place they are acting.

V. A temporary board member shall be compensated at the rate of \$75 for each day devoted to the work of the board and shall be reimbursed the necessary and reasonable expenses incurred by him or her in the performance of his or her duties.

VI. In the event of a vacancy on the board, the appellant may elect to continue the proceedings while awaiting the appointment of a successor board member.

679:9 Hearing Procedure; Standard of Review.

I. Appeals to the board shall be consistent with appeals to the superior court pursuant to RSA 677:4 through RSA 677:16. Appeals shall be on the certified record, and except in such cases as justice may warrant, in the sole discretion of the board, no additional evidence will be introduced. Consistent with the contested case provisions of RSA 541-A, the rules of evidence shall not strictly apply. In addition to the provisions of RSA 91-A, the board shall record the proceedings of any hearing before it and shall make such recording available to the public for inspection and recording

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from the date of the hearing to a date which is 15 working days after the board has made a final decision on the matter which is the subject of the hearing, or, if an appeal is made from such decision, the date upon which the matter has been finally adjudicated, whichever date is later.

II. The board shall not reverse or modify a decision except for errors of law or if the board is persuaded by the balance of probabilities, on the evidence before it, that said decision is unreasonable.

679:10 Representation by Nonattorneys. Nonattorneys, including professional engineers, architects, and land surveyors, may represent any party before the board. Nothing in this section shall prevent the board from denying representation by any individual it deems to be improper, inappropriate, or unable to adequately represent the interests of the applicant to the municipal board, committee, or commission.

679:11 Board Meetings. The board's deliberative processes in adjudicatory proceedings held pursuant to RSA 541-A shall be exempt from the public meeting and notice provisions of RSA 91-A. Decisions and orders in adjudicatory proceedings shall be publicly available, but only after they have been reduced to writing, signed by a quorum of the board, and served upon the parties, and shall set forth the board's rulings of law and findings of fact in support of its decisions. Discussions and actions by the board concerning procedural, administrative, legal, and internal matters shall be exempt from the meeting and notice provisions of RSA 91-A:2.

679:12 Rules and Regulations. The board may adopt rules under RSA 541-A necessary for carrying out its functions including but not limited to rules of procedure to be followed in hearings conducted by it not inconsistent with the provisions of this chapter.

679:13 Administration of Oaths, Subpoenas, Etc.; Fees. The board shall have authority to administer oaths and to compel the attendance of witnesses to proceedings before it. The board shall have the power to subpoena and subpoena duces tecum. Witnesses compelled to appear shall be paid the same fee and mileage that are paid to witnesses in the superior court of the state. A subpoena or subpoena duces tecum of the board may be served by any person designated in the subpoena or subpoena duces tecum to serve it. Any testimony given by a person duly sworn shall be subject to

	<p>the pains and penalties of perjury. All applications or petitions to the board for which no filing fee has been otherwise specified by statute shall be accompanied by a \$250 filing fee. Costs and attorney's fees may be taxed as in the superior court.</p> <p>679:14 Notice. The board shall serve notice in writing of the time, place, and cause of any hearing upon all parties at least 20 days prior to the date of the hearing.</p> <p>679:15 Appeal. Decisions of the board may be appealed to the supreme court by any party in accordance with the provisions of RSA 541 as from time to time amended.</p> <p>679:16 Enforcement of Decisions. After a decision of the board becomes final, the board shall, at the request of any party, file a certified abstract thereof in the Merrimack county superior court. The clerk of said court shall forthwith enter judgment thereon and such judgment may be enforced as with any final judgment of the superior court.</p> <p>679:17 Staff. The board shall have such clerical, administrative, and technical staff as may be necessary within the limits of the appropriation made therefor.</p> <p>679:18 Office. The board shall be provided with an office in Concord in which its records, documents, and books shall be kept, and with a suitable room in which it may hold hearings.</p> <p>679:19 Neglect to Comply With Board's Orders. Neglect or failure on the part of any municipality to comply with such orders shall be deemed willful neglect of duty, and it shall be subject to the penalties and damages provided by law in such cases.</p>						
<p>NO COMPARABLE HOUSE SECTION</p>	<p>298 Salaries Established; Amend RSA 94:1-a, I(b) by inserting in salary grade DD the following new positions:</p> <table border="0" data-bbox="1344 1153 2231 1234"> <tr> <td>DD</td> <td>housing appeals board</td> <td>member</td> </tr> <tr> <td>DD</td> <td>housing appeals board</td> <td>chair</td> </tr> </table>	DD	housing appeals board	member	DD	housing appeals board	chair
DD	housing appeals board	member					
DD	housing appeals board	chair					
<p>NO COMPARABLE HOUSE SECTION</p>	<p>299 Appropriation; Housing Appeals Board. The sums of \$415,000 for the fiscal year ending June 30, 2020 and \$415,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the housing appeals board established pursuant to RSA 679 for the proper administration of said</p>						

	<p>chapter. Said sums shall not lapse until June 30, 2021. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>300 Adequate Representation for Indigent Defendants in Criminal Cases; Repayment. RSA 604-A:9, I, I-a, I-b, and I-c are repealed and reenacted to read as follows:</p> <p>I.(a) Any adult defendant or juvenile respondent who has been assigned counsel or a public defender shall be subject to an order by the court, pursuant to this section, regarding payment to the state for counsel fees and expenses paid by the state on behalf of the defendant or juvenile, and regarding payment of an administrative service assessment. Any payment obligation shall apply only to a defendant who has been convicted or a juvenile who has been found delinquent.</p> <p>(b) Upon entering a judgment of conviction or a finding of delinquency, and the issuance of sentence or disposition, the court shall enter a separate written order setting forth the reasons for the court's conclusion regarding the financial ability of the defendant or the juvenile, including any person liable for the support of the juvenile pursuant to RSA 604-A:2-a, to make payment of counsel fees and expenses, and administrative service assessment. In its discretion, the court may conduct an ability-to-pay hearing to assist in its determination. If the court finds that there is an ability to pay some or all of the counsel fees and expenses and the assessment, either presently or in the future, it shall order payment in such amounts and upon such terms and conditions it finds equitable; any payment obligation shall not commence until the conviction and sentence or the finding of delinquency and disposition has become final. If the court finds that there is no such ability to pay, it shall so order, and any payment obligation shall terminate.</p> <p>(c) In assessing ability to pay upon or after the entering of a judgment of conviction and the issuance of a sentence, neither the court nor the office of cost containment shall consider income that is exempt from execution, levy, attachment, garnishment, or other legal process under any state or federal law, and shall be reduced only by the amount of expenses which are reasonably necessary for the maintenance of the defendant and his dependents.</p> <p>(d) If the court determines that the defendant is financially unable to repay any fees and</p>

	<p>expenses to the state, the repayment obligation shall be waived. A copy of each order finding that the defendant has an ability to pay fees and assessments shall be forwarded to the commissioner of the department of administrative services and the office of cost containment. An order waiving the repayment obligation shall not be forwarded. Neither the commissioner of the department of administrative services nor the office of cost containment shall have the authority to alter the court's determination that a repayment obligation is waived.</p> <p>(e) After the judgment of conviction is entered and a repayment order is issued, a defendant subject to a repayment order under this section may, if his or her circumstances have changed since the date of the court's order, petition the court for relief from the obligation imposed by this section, which may be granted upon a finding that the defendant is unable to comply with the terms of the court's order or any modification of the order by the court.</p> <p>(f) The maximum payment amount for counsel fees and expenses shall be according to a schedule established by the administrator of the office of cost containment with the approval of the administrative justices of the courts. Any payment obligation for fees and expenses shall not exceed the amount of the state's flat rate payable to a contract attorney as established pursuant to RSA 604-B. The administrative service assessment shall not exceed 10 percent of the counsel fees and expenses. Payment shall be made to the office of cost containment unless the defendant or juvenile is placed on probation or sentenced to a period of conditional discharge, in which case repayment shall be made to the state through the department of corrections. Any payment obligation attributable to a juvenile shall terminate when the juvenile reaches the age of majority, except when the juvenile has been certified and tried as an adult.</p> <p>(g) In a case where counsel has been appointed, and a repayment order issued, the defendant shall be required to notify the clerk of the court and the office of cost containment of each change of mail address and actual street address. Whenever notice to the defendant is required, notice to the last mail address on file shall be deemed notice to and binding on the defendant.</p>
NO COMPARABLE HOUSE SECTION	301 Adequate Representation for Indigent Defendants in Criminal Cases; Repayment. Amend

<p>expenses to the state, the repayment obligation shall be waived. A copy of each order finding that the defendant has an ability to pay fees and assessments shall be forwarded to the commissioner of the department of administrative services and the office of cost containment. An order waiving the repayment obligation shall not be forwarded. Neither the commissioner of the department of administrative services nor the office of cost containment shall have the authority to alter the court's determination that a repayment obligation is waived.</p> <p>(e) After the judgment of conviction is entered and a repayment order is issued, a defendant subject to a repayment order under this section may, if his or her circumstances have changed since the date of the court's order, petition the court for relief from the obligation imposed by this section, which may be granted upon a finding that the defendant is unable to comply with the terms of the court's order or any modification of the order by the court.</p> <p>(f) The maximum payment amount for counsel fees and expenses shall be according to a schedule established by the administrator of the office of cost containment with the approval of the administrative justices of the courts. Any payment obligation for fees and expenses shall not exceed the amount of the state's flat rate payable to a contract attorney as established pursuant to RSA 604-B. The administrative service assessment shall not exceed 10 percent of the counsel fees and expenses. Payment shall be made to the office of cost containment unless the defendant or juvenile is placed on probation or sentenced to a period of conditional discharge, in which case repayment shall be made to the state through the department of corrections. Any payment obligation attributable to a juvenile shall terminate when the juvenile reaches the age of majority, except when the juvenile has been certified and tried as an adult.</p> <p>(g) In a case where counsel has been appointed, and a repayment order issued, the defendant shall be required to notify the clerk of the court and the office of cost containment of each change of mail address and actual street address. Whenever notice to the defendant is required, notice to the last mail address on file shall be deemed notice to and binding on the defendant.</p>	
301 Adequate Representation for Indigent Defendants in Criminal Cases; Repayment. Amend	

	<p>RSA 604-A:9, II to read as follows:</p> <p style="padding-left: 40px;">II. All petitions for court appointed counsel shall bear the following words in capital letters: I UNDERSTAND THAT I MAY BE REQUIRED TO REPAY THE SERVICES PROVIDED TO ME BY COURT APPOINTED COUNSEL IF I AM CONVICTED UNLESS THE COURT FINDS THAT I AM OR WILL BE FINANCIALLY UNABLE TO PAY.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>302 Reference Change; Appointment of Counsel; Payment Obligation. Amend RSA 604-A:2-f, IV to read as follows:</p> <p style="padding-left: 40px;">IV. When the court appoints counsel to represent a defendant in a proceeding under this section, the court shall grant the defendant relief from the obligation to repay the state for appointed counsel fees under [RSA 604-A:9, I b] RSA 604-A:9, I(b), if the court determines that the defendant is financially unable to repay.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>303 New Paragraph; Department of Justice; Bureau of Civil Law; Authority to Hire Additional Staff for Campaign Finance, Election Law, Inaugural Committee Oversight, and Lobbying Matters. Amend RSA 21-M:11 by inserting after paragraph III the following new paragraph:</p> <p style="padding-left: 40px;">IV. To assist the attorney general in his or her duty to exercise supervision of campaign finance, election law, inaugural committee oversight, and lobbying matters, the department of justice may hire:</p> <p style="padding-left: 80px;">(a) An unclassified full-time investigator assigned to the bureau, who shall work exclusively on, campaign finance, election law, inaugural committee oversight, and lobbying matters. Notwithstanding RSA 14:14-c, the salary for the full-time investigator position shall be established as a salary grade BB.</p> <p style="padding-left: 80px;">(b) A classified full-time investigative paralegal assigned to the bureau, who shall work exclusively on campaign finance, election law, inaugural committee oversight, and lobbying matters. The classification shall be a paralegal II, labor grade 19.</p>

NO COMPARABLE HOUSE SECTION	<p>304 New Paragraph; FRM Victims' Contribution Recovery Fund. Amend RSA 359-P:2 by inserting after paragraph I the following new paragraph:</p> <p>I-a. In addition to the funds contributed under paragraph I, the fund shall also consist of the amount contributed under RSA 421-B:6-601(j).</p>
NO COMPARABLE HOUSE SECTION	<p>305 New Subparagraph; Uniform Securities Act; Administration of Chapter; Investor Education Fund. Amend RSA 421-B:6-601 by inserting after subparagraph (i) the following new subparagraph:</p> <p>(j) Any excess of the funds credited to the general fund pursuant to paragraph (h) up to \$500,000 per fiscal year shall be contributed to the FRM victims' contribution recovery fund established in RSA 359-P:2.</p>
NO COMPARABLE HOUSE SECTION	<p>306 Repeal. The following are repealed:</p> <p>I. RSA 359-P:2, I-a, relative to funds contributed pursuant to RSA 421-B:6-601(j).</p> <p>II. RSA 421-B:6-601(j), relative to moneys contributed to the FRM victims' contribution recovery fund.</p>
NO COMPARABLE HOUSE SECTION	<p>307 Off Highway Recreational Vehicles and Trails; Regulations of Political Subdivisions. Amend RSA 215-A:15, V to read as follows:</p> <p>V. Enforcement of paragraph paragraphs IV and VII shall be the joint responsibility of the city of Concord and the state of New Hampshire.</p>
NO COMPARABLE HOUSE SECTION	<p>308 New Paragraph; Off Highway Recreational Vehicles and Trails; Regulations of Political Subdivisions. Amend RSA 215-A:15 by inserting after paragraph VI the following new paragraph:</p> <p>VII. OHRVs shall be prohibited from traveling on Hoit Road Marsh in the city of Concord.</p>
NO COMPARABLE HOUSE SECTION	<p>309 Statement of Findings and Purpose. The general court hereby finds that outdoor recreation is vital to a diverse economy, is a delineating asset for the state in competition for workforce and</p>

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	<p>employer recruitment, represents an opportunity for communities of the state to connect to a statewide asset, and contributes to a healthy community. In furtherance of these objectives, the general court hereby establishes an office of outdoor recreation industry development in the department of business and economic affairs.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>310 New Section; Department of Business and Economic Affairs; Outdoor Recreation Industry Development; Office and Position Established. Amend RSA 12-O by inserting after section 23 the following new section:</p> <p>12-O:23-a Office of Outdoor Recreation Industry Development Established.</p> <p>I. There is established in the department the office of outdoor recreation industry development. The office shall be under the supervision of a classified director of the office of outdoor recreation industry development, who shall serve under the supervision of the commissioner. The director shall provide administrative oversight and ensure that the responsibilities of the office described in this section are fulfilled.</p> <p>II. The office of outdoor recreation industry development shall:</p> <p>(a) Coordinate outdoor recreation policy, management, and promotion among state and federal agencies and local government entities.</p> <p>(b) Promote economic development in the state by:</p> <p>(1) Coordinating with outdoor recreation stakeholders.</p> <p>(2) Using outdoor recreational infrastructure and industry to promote tourism and recruit members of the general workforce.</p> <p>(3) Working with stakeholders and academic institutions to develop relevant training and curricula for members of the outdoor industry and manufacturing workforce.</p> <p>(4) Improving motorized and nonmotorized recreational opportunities in cooperation with the department of natural and cultural resources.</p> <p>(5) Recruiting outdoor recreation business and industry.</p> <p>(c) Recommend policies and initiatives to enhance recreational amenities and</p>

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	<p>experiences in the state and help implement those policies and initiatives.</p> <ul style="list-style-type: none"> (d) Develop outcome-driven data regarding the effect of outdoor recreation in the state. (e) Promote the health and social benefits of outdoor recreation, especially to young people. (f) Advance sustainable land stewardship initiatives recognizing the relationship between outdoor recreation and its economic benefit to the state. <p>III. Provided that any federally funded programs managed by the department of natural and cultural resources, division of parks on the effective date of this section shall continue to be managed by the division of parks, the office of outdoor recreation industry development may:</p> <ul style="list-style-type: none"> (a) Seek federal grants or loans. (b) Seek private foundation partnerships. (c) Seek to participate in federal programs. (d) In accordance with applicable federal program guidelines, administer federally funded outdoor recreation programs.
<p>NO COMPARABLE HOUSE SECTION</p>	<p>311 New Paragraph; Community Recreation Service; Duties. Amend RSA 12-B:3 by inserting after paragraph X the following new paragraph:</p> <p>XI. To serve as liaison to the office of outdoor recreation industry development established pursuant to RSA 12-O:23-a.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>312 Appropriation; Department of Business and Economic Affairs. The sum of \$125,000 for the fiscal year ending June 30, 2020 and the sum of \$125,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of business and economic affairs for the purpose of supporting the small business development center and its programs. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>313 Fill and Dredge in Wetlands; Excavating and Dredging Permits. Amend RSA 482-A:3, I(b)</p>

and (c) as follows:

(b) The application fee for shoreline structure projects shall be [~~\$200~~] **\$400** plus an amount based on the area of dredge, fill, or dock surface area proposed, or a combination thereof, which shall be [~~\$2~~] **\$4** per square foot for permanent dock surface area; [~~\$1~~] **\$2** per square foot for seasonal dock surface area; and [~~\$.20~~] **\$.40** per square foot for dredge or fill surface area or both. For projects involving only the repair, reconstruction, or reconfiguration of an existing docking structure, the application fee shall be [~~\$200~~] **\$400**.

(c) The application fee shall be [~~\$200~~] **\$400** for minimum impact dredge and fill projects [~~under this chapter~~] **and for non-enforcement related publicly funded and supervised restoration projects as defined by rules, regardless of impact classification, if undertaken by other than the person or persons responsible for causing the restoration to be needed.** The application fee for all projects under this chapter which are not covered by subparagraph (b) or (c) or paragraphs IV-a, V, X through XII, XV, XVI, or XVII through XIX shall be [~~\$.20~~] **\$.40** per square foot of proposed impact, with a minimum fee of [~~\$200~~] **\$400** for all such projects that impact fewer than [~~1,000~~] **600** square feet.

and (c) as follows:

(b) The application fee for shoreline structure projects shall be [~~\$200~~] **\$400** plus an amount based on the area of dredge, fill, or dock surface area proposed, or a combination thereof, which shall be [~~\$2~~] **\$4** per square foot for permanent dock surface area; [~~\$1~~] **\$2** per square foot for seasonal dock surface area; and [~~\$.20~~] **\$.40** per square foot for dredge or fill surface area or both. For projects involving only the repair, reconstruction, or reconfiguration of an existing docking structure, the application fee shall be [~~\$200~~] **\$400**.

(c) The application fee shall be [~~\$200~~] **\$400** for minimum impact dredge and fill projects [~~under this chapter~~] **and for non-enforcement related publicly funded and supervised restoration projects as defined by rules, regardless of impact classification, if undertaken by other than the person or persons responsible for causing the restoration to be needed.** The application fee for all projects under this chapter which are not covered by subparagraph (b) or (c) or paragraphs IV-a, V, X through XII, XV, XVI, or XVII through XIX shall be [~~\$.20~~] **\$.40** per square foot of proposed impact, with a minimum fee of [~~\$200~~] **\$400** for all such projects that impact fewer than [~~1,000~~] **600** square feet.

NO COMPARABLE HOUSE SECTION

314 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Use of Fees. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), XII(c), and X are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to [~~the~~] wetlands [~~of the state~~] **under RSA 482-A, [and] protected shorelands under RSA 483-B, alteration of terrain under RSA 485-A:17,** conducting field investigations, and holding public hearings. Such fees **and any monetary grants, gifts, donations, or interest generated by these funds** shall be **deposited with and** held by the treasurer in a nonlapsing fund identified as the [~~wetlands and shorelands review~~] **water resources fund.**

NO COMPARABLE HOUSE SECTION	<p>315 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certain Fees. Amend RSA 482-A:3, X(a) to read as follows:</p> <p>(a) The maximum cash application fee for the New Hampshire department of transportation shall be [\$10,000] \$30,000 per application plus provisions for technical or consulting services or a combination of such services as necessary to meet the needs of the department. The department may enter into a memorandum of agreement with the New Hampshire department of transportation to accept equivalent technical or consulting services or a combination of such services in lieu of a portion of their standard application fees.</p>
NO COMPARABLE HOUSE SECTION	<p>316 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Review of Applications. Amend RSA 482-A:3, XIV(b)(1) to read as follows:</p> <p>(1) The time limits prescribed by this paragraph shall supersede any time limits provided in any other provision of law. <i>The time limits prescribed by this paragraph shall not apply to applications submitted by the department of transportation, for which time limits shall be set by a memorandum of agreement between the commissioner of the department of environmental services and the commissioner of the department of transportation.</i> If the department fails to act within the applicable time frame established in subparagraphs (a)(3), (a)(4), and (a)(5), the applicant may ask the department to issue the permit by submitting a written request. If the applicant has previously agreed to accept communications from the department by electronic means, a request submitted electronically by the applicant shall constitute a written request.</p>
NO COMPARABLE HOUSE SECTION	<p>317 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Review of Applications. Amend RSA 482-A:3, XIV(e) to read as follows:</p> <p>(e) <i>Any request for an amendment to an application or permit shall be submitted to the department on the appropriate amendment form.</i> Any request for a significant amendment to a pending application or an existing permit which changes the footprint of</p>

	<p>the permitted fill or dredge area shall be deemed a new application subject to the provisions of RSA 482-A:3, I and the time limits prescribed by this paragraph. "Significant amendment" means an amendment which changes the proposed or previously approved acreage of the permitted fill or dredge area by 20 percent or more, [relocates the proposed footprint of the permitted fill or dredge area,] includes a prime wetland, or [surface waters of the state, includes a wetland of a different classification as classified by the department, or includes non-wetland areas requiring permits for filling and dredging] elevates the project's impact classification. This meaning of "significant amendment" shall not apply to an application amendment that is in response to a request from the department.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>318 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Permit Duration and Extensions. Amend RSA 482-A:3, XIV-a to read as follows:</p> <p>XIV-a.(a) With the exception of permits issued under subparagraph (b) or paragraph XIV-b, all permits issued pursuant to this chapter shall be valid for a period of 5 years. Requests for extensions of such permits may be made to the department by submitting the information required in rules adopted by the department. The department shall grant one extension of up to 5 additional years, provided the applicant demonstrates all of the following:</p> <ol style="list-style-type: none"> (1) The permit for which extension is sought has not been revoked or suspended without reinstatement. (2) Extension would not violate a condition of law or rule other than that established in this paragraph relative to permit duration. (3) The project is proceeding towards completion in accordance with plans and other documentation referenced by the permit. (4) The applicant proposes reasonable mitigation measures to protect the public waters of the state from deterioration during the period of extension. <p>(b) Any permit issued to repair or replace shoreline structures to maintain the integrity and safety of such structures including, but not limited to docks, sea walls, breakwaters, riprap,</p>

	<p>access ramps and stairs, that are damaged by storms or ice, shall expire 10 years from the date the permit was issued as long as any work performed after the initial permitted work complies with the following:</p> <ul style="list-style-type: none"> (1) The work is not in violation of the original permit or subparagraphs (a)(1)-(4). (2) All structures are repaired or replaced to the original permitted location and configuration. (3) All significant work is reported to the department in accordance with the reporting requirements for the original permit. <p><i>(c) After review, if the department determines that a request to extend a permit for a major project in public waters meets the stated criteria, the department shall submit the request to the governor and executive council with a recommendation that the request be approved. The department shall issue decisions on all other extension requests.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>319 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Utilities. Amend the introductory paragraph of RSA 482-A:3, XV(b):</p> <p>(b) [Appropriate] <i>The utility provider shall provide an annual</i> notice to the department, <i>which</i> shall include the following information:</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>320 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Utilities. Amend RSA 482-A:3, XV(d) to read as follows:</p> <p>(d) A [one-time annual] <i>non-refundable</i> filing fee of [\$200] <i>\$400</i> per town[, not to exceed a maximum of \$10,000,] per year shall accompany the notice to the department. Such fees shall be held in accordance with paragraph III.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>321 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certified Culvert Maintainers. Amend RSA 482-A:3, XVIII and XIX to read as follows:</p> <p>XVIII. The department shall develop [an installer's] <i>a</i> certification program <i>for culvert</i></p>

	<p><i>maintainers</i>, in accordance with paragraph XVII, and shall determine the educational requirements for certification, including continuing education requirements. Professional engineers who are duly licensed by the New Hampshire board of professional engineers are exempt from the program requirements of this section. All certified individuals who perform such work shall submit a quarterly report to the department fully identifying work that they performed during each quarter and documentation of continuing education requirements.</p> <p>XIX. The department shall issue [an installer's permit] a culvert maintainer certificate to any individual who submits an application provided by the department, and has satisfactorily completed the program in accordance with paragraphs XVII and XVIII. [Permits] Initial certificates shall be [issued] valid through December 31 of the year following the year of issue. Renewal certificates shall be valid from January 1 [and shall expire] through December 31 of every other year. Permits shall be renewable upon proper application, and documentation of compliance with the continuing education requirement of paragraph XVIII. The installer's permit may be suspended, revoked, or not renewed for just cause, including, but not limited to, the installation of culverts in violation of this chapter or the refusal by a permit holder to correct defective work. The department shall not suspend, revoke, or refuse to renew a permit except for just cause until the permit holder has had an opportunity to be heard by the department. An appeal from such decision to revoke, suspend, or not renew a permit may be taken pursuant to RSA 21-O:14.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>322 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certified Application Preparer Program. Amend RSA 482-A:3, XX(d) to read as follows:</p> <p>(d) The certification shall be valid for one year from the date of issuance and may be renewed every year. The initial fee for certification shall be \$200 and the fee for renewal shall be \$50. The department shall not issue a certification or a renewal certification if the required fee is not paid. All fees shall be deposited into the [wetlands and shoreland review] water resources fund established in RSA 482-A:3, III.</p>

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NO COMPARABLE HOUSE SECTION	<p>323 Aquatic Resources Fund. Amend RSA 482-A:29, II to read as follows:</p> <p>II. A separate, non-lapsing account shall be established within the fund into which all administrative assessments collected under RSA 482-A:30, III and RSA 482-A:30-a, II shall be placed. Such account moneys shall [only] be used [to support up to 2 full time positions] for administration of the fund, including staff, and aquatic resource mitigation related projects. [No other fund moneys shall be used for state personnel costs.]</p>
NO COMPARABLE HOUSE SECTION	<p>324 Shoreland Water Quality Protection; Permit Application Fees. Amend the introductory paragraph of RSA 483-B:5-b, VI:</p> <p>VI. All permits issued pursuant to this chapter shall be valid for a period of 5 years. Requests for extensions of such permits may be made to the department by providing such information as is required by rules adopted pursuant to RSA 541-A. The department shall grant one extension of up to 5 additional years, provided the applicant demonstrates all of the following:</p>
NO COMPARABLE HOUSE SECTION	<p>325 Shoreland Water Quality Protection; Permit Application Fees. Amend RSA 483-B:5-b, I(b) to read as follows:</p> <p>(b) The permit application fee shall be [\$100] the base fee specified in this subparagraph plus an impact fee of [\$10] \$.20 per square foot of area affected by the proposed activities and shall be deposited in the [wetlands and shorelands review] water resources fund established under RSA 482-A:3, III. [Such fees shall be capped as follows:</p> <p style="padding-left: 40px;">(1) For projects that qualify for permit by notification under this paragraph or RSA 483-B:17, X, [\$100], the base fee shall be \$200 for restoration of water quality improvement projects, and [\$250] the base fee shall be \$400 for all other permit by notification projects.</p> <p style="padding-left: 40px;">(2) For projects of 0-9,999 square feet, that do not qualify for a permit by notification, \$750.</p> <p style="padding-left: 40px;">(3) For projects of 10,000-24,999 square feet, \$1,875.</p>

	<p style="text-align: center;">(4) For projects of 25,000 square feet or more, \$3,750.]</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>326 Shoreland Water Quality Protection; Other Required Permits and Approvals. Amend RSA 483-B:6, II to read as follows:</p> <p style="padding-left: 40px;">II. In applying for approvals and permits, pursuant to paragraph I, applicants shall demonstrate that the proposal meets or exceeds the development standards of this chapter. The department shall develop minimum standards for information to be required on or with all applications under paragraph I. The department or municipality shall grant, deny, or attach reasonable conditions to approvals or permits listed in subparagraphs I(a)-(f) and RSA 483-B:5-b, to protect the public waters or the public health, safety, or welfare. Such conditions shall be related to the purposes of this chapter.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>327 Terrain Alteration; Permit Application Fees. Amend RSA 485-A:17, II to read as follows:</p> <p style="padding-left: 40px;">II.(a) The department shall charge a fee for each review of plans, including project inspections, required under this section. The plan review fee shall be based on the extent of contiguous total area to be disturbed. Except for property subject to RSA 483-B:9, the fee for review of plans encompassing an area of at least 100,000 square feet but less than 200,000 square feet shall be [\$1,250] \$3,125. For the purpose of property subject to RSA 483-B:9, the fee for review of plans encompassing an area of at least 50,000 square feet but less than 200,000 square feet shall be [\$1,250] \$3,125. An additional fee of [\$500] \$1,250 shall be assessed for each additional area of up to 100,000 square feet to be disturbed. No permit application shall be issued accepted by the department until the fee required by this paragraph is paid. All fees required under this paragraph shall be paid when plans are submitted for review and shall be deposited in the terrain alteration water resources fund established in paragraph II a) RSA 482-A:3, III.</p> <p style="padding-left: 40px;">(b) The department shall charge a non-refundable fee of \$500 plus a \$.10 per square foot fee for each request to amend a permit that requires plans to be reviewed.</p>

NO COMPARABLE HOUSE SECTION	<p>328 Wetlands and Shorelands Review Fund Renamed. Amend RSA 6:12, I(b)(131) to read as follows:</p> <p style="padding-left: 40px;">(131) Moneys deposited in the [wetlands and shorelands review] water resources fund established under RSA 482-A:3, III.</p>
NO COMPARABLE HOUSE SECTION	<p>329 Repeal. The following are repealed.</p> <p style="padding-left: 40px;">I. 2008, 5:27, I, relative to repealing permit application fees.</p> <p style="padding-left: 40px;">II. RSA 6:12, I(b)(256), relative to the terrain alteration fund.</p> <p style="padding-left: 40px;">III. RSA 482-A:3, XV(e), relative to the additional fee for amendments to the notification for maintenance to existing utility services.</p> <p style="padding-left: 40px;">IV. RSA 485-A:17, II-a, relative to the terrain alteration fund.</p>
NO COMPARABLE HOUSE SECTION	<p>330 Appropriation; Department of Environmental Services; Ossipee Lake Dam Reconstruction. There is hereby appropriated the sum of \$1,500,000 for the fiscal year ending June 30, 2019 to the department of environmental services to supplement the capital appropriation in 2017, 228:1, VIII, H, for the purpose of reconstructing the Ossipee Lake Dam. This appropriation shall not lapse until June 30, 2021. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
NO COMPARABLE HOUSE SECTION	<p>331 New Paragraph; Pease Development Authority; Real Estate Transfer Tax Exemption for Leases. Amend RSA 78-B:2 by inserting after paragraph XXII the following new paragraph:</p> <p style="padding-left: 40px;">XXIII. To a lease of any term by and between the Pease development authority and any other person, including any sales, transfers, or assignments of any interest in the leased property.</p>
NO COMPARABLE HOUSE SECTION	<p>332 Hazardous Waste Clean Up; Civil Actions; Cost Recovery. Amend RSA 147-B:10, III(a) to read as follows:</p> <p style="padding-left: 40px;">(a) The attorney general may institute an action before the superior court for the county</p>

	<p>in which the facility is located against any person liable pursuant to paragraph I of this section to recover all costs incurred by the state. Costs recovered under this section shall be deposited into the fund <i>except that costs recovered to offset expenditures made from the drinking water and groundwater trust fund established in RSA 6-D:1 shall be deposited into the drinking water and groundwater trust fund.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>333 New Section; Deposits to Drinking Water and Groundwater Trust Fund. Amend RSA 485-F by inserting after section 5 the following new section:</p> <p>485-F:6 Deposits to Drinking Water and Groundwater Trust Fund. Any money received by the state related to the contamination of drinking water or groundwater, other than fees, fines, penalties, oil or hazardous waste cost recovery, or any other money already allocated to a specified fund, shall be deposited into the drinking water and groundwater trust fund. This paragraph shall not be construed to limit any damages otherwise awarded in a related private cause of action.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>334 New Paragraph; Recovered Costs; Deposited in Drinking Water and Groundwater Trust Fund. Amend RSA 485-F:3 by inserting after paragraph II the following new paragraph:</p> <p>III. Costs paid from the drinking water and groundwater trust fund for the action described in paragraph I(a) and recovered by the state under RSA 147-B:10, shall be deposited to the drinking water and groundwater trust fund pursuant to RSA 147-B:10, III(b). In addition, upon payment from the trust fund for any costs for which a third party would otherwise be liable, the right to recover payment from such third party shall be assumed by the drinking water and groundwater advisory commission to the extent of payment made from the trust fund. Any money so recovered shall be repaid to the trust fund. No party shall receive multiple compensation for the same injury, and any such compensation shall be repaid to the trust fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>335 Contingency; Drinking Water and Groundwater Trust Fund; SB 169. If SB 169 of the 2019 regular legislative session becomes law, then sections 332-334 of this act shall not take effect.</p>

NO COMPARABLE HOUSE SECTION	336 Repeal. RSA 176:16-a, relative to liquor commission revenue shortfalls, is repealed.
NO COMPARABLE HOUSE SECTION	<p>337 Definition of Pet Vendor. Amend RSA 437:1, IV to read as follows:</p> <p>IV. "Pet vendor" means any person, firm, corporation, or other entity [engaged in the business of transferring] that transfers 25 or more dogs, 25 or more cats, 30 or more ferrets, or 50 or more birds, live animals or birds customarily used as household pets to the public, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire, when transfer to the final owner occurs within New Hampshire, between July 1 and June 30 of each year. Pet vendor also means any person, firm, corporation, or other entity that transfers amphibians, reptiles, fish, or small mammals customarily used as household pets to the public in quantities set in rules adopted by the department, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire between July 1 and June 30 of each year. Nothing in this paragraph shall be construed to alter or affect the municipal zoning regulations that a pet vendor shall conform with under RSA 437:3.</p>
NO COMPARABLE HOUSE SECTION	<p>338 Exemptions; Commercial Kennel Deleted. Amend RSA 437:7 to read as follows:</p> <p>437:7 Exceptions. The license provisions of this subdivision shall not apply to breeders of dogs that do not meet the definition of [commercial kennel] pet vendor in RSA 437:1, veterinarians, or the transfer of livestock or poultry.</p>
NO COMPARABLE HOUSE SECTION	<p>339 New Paragraph; Health Certificates for Dogs, Cats, and Ferrets. Amend RSA 437:8 by inserting after paragraph V the following new paragraph:</p> <p>VI. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual without first being protected against infectious diseases using a vaccine approved by the state veterinarian. No dog, cat, or ferret shall be offered for transfer by a licensee or by any individual</p>

	<p>unless accompanied by an official health certificate issued by a licensed veterinarian. No transfer shall occur unless the transferred animal is accompanied by a health certificate issued within the prior 14 days. The certificate shall be in triplicate, one copy of which shall be retained by the signing veterinarian, one copy of which shall be for the licensee's records, and one copy of which shall be given to the transferee upon transfer as provided in paragraph III. If an official health certificate is produced, it shall be prima facie evidence of transfer. The signing veterinarian shall provide a copy of the health certificate to the department of agriculture, markets, and food upon request.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>340 New Chapter; Cost of Care Fund. Amend RSA by inserting after chapter 437-A the following new chapter:</p> <p style="text-align: center;">CHAPTER 437-B COST OF CARE FUND</p> <p>437-B:1 Cost of Care Fund.</p> <p>I. There is established in the department of agriculture, markets, and food a nonlapsing fund to be known as the cost of care fund which shall be kept distinct and separate from all funds. The cost of care fund is established to assist municipalities in covering the costs of care incurred from caring for animals pending the resolution of any action brought for animal cruelty under RSA 644:8 or RSA 644:8-a.</p> <p>II. The treasurer shall deposit in the cost of care fund court-ordered restitution for care in animal cruelty cases under RSA 644:8 or RSA 644:8-a as specified in paragraph VI.</p> <p>III. The arresting officer or his or her designee may apply to the commissioner of the department of agriculture, markets, and food for a grant from the cost of care fund to reimburse costs incurred caring for animals in animal cruelty cases brought under RSA 644:8 or RSA 644:8-a during pretrial care, for the period between when the animals are seized and until the final disposition of the case. The commissioner of the department of agriculture, markets, and food and the state veterinarian shall review such applications, respond to such applications within 15 days, and distribute no more than \$500,000 per application.</p>

	<p>IV. The commissioner shall establish rules under RSA 541-A relative to:</p> <p>(a) The administration and disbursement of the cost of care fund, including guidelines to ensure that multiple applicants would have equitable access to grants.</p> <p>(b) The application process by an arresting officer or his or her designee for financial assistance to cover the cost of emergency veterinary treatment.</p> <p>V. The commissioner may accept private gifts and donations of any kind for the purpose of supporting the cost of animal care which shall be deposited into the cost of care fund.</p> <p>VI. If a person is convicted of animal cruelty and is ordered by the court to make restitution, the municipality shall report such restitution to the department of agriculture, markets, and food. If the restitution exceeds the costs incurred by the municipality in caring for the seized animals, that excess shall be remitted to the department and shall be deposited into the cost of care fund.</p>
NO COMPARABLE HOUSE SECTION	<p>341 Department of Agriculture, Markets, and Food; Cost of Care Fund. The sum of \$100,000 for the fiscal year ending June 30, 2020, and the sum of \$100,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of agriculture, markets, and food to fund the cost of care fund established in RSA 437-B:1. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>
NO COMPARABLE HOUSE SECTION	<p>342 Repeal. RSA 437:1, II, relative to the definition of commercial kennel, is repealed.</p>
NO COMPARABLE HOUSE SECTION	<p>343 New Paragraph; Cemetery Operations. Amend RSA 110-B:77 by inserting after paragraph III the following new paragraph:</p> <p>IV. All federal funds received and income earned from internment fees shall be nonlapsing and continually appropriated for the sole purpose of supporting the New Hampshire state veterans cemetery.</p>
NO COMPARABLE HOUSE SECTION	<p>344 New Subparagraph; Application of Receipts; Sunny Day Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p>

	<p>(344) Moneys credited to the sunny day fund established in RSA 12-O:21-a.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>345 General Fund Surplus Account; Transfer to Sunny Day Fund. On June 30, 2019, the state treasurer shall transfer the sum of \$3,000,000 from the general fund surplus account to the sunny day fund established in RSA 12-O:21-a.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>346 New Section; Department of Business and Economic Affairs; Sunny Day Fund. Amend RSA 12-O by inserting after section 21 the following new section:</p> <p>12-O:21-a Sunny Day Fund Established.</p> <p>I. There is hereby established in the office of the state treasurer a fund to be known as the sunny day fund, which shall be kept distinct and separate from all other funds. The commissioner shall administer the fund. The fund shall be nonlapsing and continually appropriated to the commissioner for the purpose of obtaining and disbursing grants for research and development, including any preliminary funding necessary to obtain grant funding, supporting the infrastructure necessary to address critical gaps in the state's ability to attract research and development projects, increasing commercialization of new technologies, leveraging federal funds, and supporting business development and expansion. Grants may be from federal, private, or other sources.</p> <p>II. The New Hampshire Research and Industry Council ("council"), with the support of the New Hampshire Established Program to Stimulate Competitive Research (NH EPSCoR), shall administer the grant program application and approval process in consultation with the commissioner, manage the annual investment portfolio, and evaluate investment performance. An organization may apply for funding under this section pursuant to the procedures established by the council. The council shall assign preference to grant applications that:</p> <ul style="list-style-type: none"> (a) Increase New Hampshire's competitiveness through innovation. (b) Attract talent to New Hampshire. (c) Target existing industrial-cluster strength, potential growth, and research capacity. (d) Target areas of strategic priority as determined by NH EPSCoR and the department

	<p>of business and economic affairs.</p> <p>(e) Qualify for available matching funds from federal, private, or other sources.</p> <p>III. Beginning July 1, 2021, and annually thereafter, the council shall conduct a survey of all organizations which receive grants under this section to evaluate the return on investment from the state’s funding support and to permit the general court to consider legislation for continued funding. The council shall, no sooner than 18 months after the effective date of this section, develop and distribute a survey instrument to all organizations that have received grant funding under this section. The survey shall, at a minimum, collect the following information for each organization that receives grant funds under this section:</p> <ul style="list-style-type: none"> (a) Number of grants obtained. (b) Total funding from grants and other investments. (c) Amount of federal funds obtained. (d) Number of employees. (e) Number of jobs created as a result of funding received under this section. (f) Number of licensing agreements secured. (g) Number of patents filed. <p>IV. An organization shall submit the completed survey to the council within 6 weeks of receipt. The council shall collect the completed surveys and submit them to the commissioner of the department of business and economic affairs. Any organization which fails to timely submit a completed survey shall not be eligible to obtain additional funding under this section.</p> <p>V. Administrative costs shall not exceed 8 percent of annual fund expenditures.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>347 Appropriation; Department of Environmental Services; Report Required.</p> <p>I. The sum of \$6,000,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of environmental services for the purpose of studying, investigating, and testing for contamination caused by perfluorinated chemicals, and the preliminary design for a treatment system for such contamination. This appropriation shall not lapse until June 30, 2021. Such</p>

	<p>appropriation shall be a charge against the drinking water and groundwater trust fund established in RSA 6-D:1.</p> <p>II. The department of environmental services, in coordination with the attorney general, shall report to the fiscal committee of the general court upon any significant developments relative to the state's lawsuit against companies for the manufacturing and dissemination of perfluorinated chemicals in New Hampshire.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>348 New Paragraph; Organization of Executive Branch; Purpose. Amend RSA 21-G:2 by inserting after paragraph III the following new paragraph:</p> <p>IV. The various scopes in the mission of the executive branch departments, agencies, and commissions require a delineation of their organization within the executive branch.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>349 Organization of Executive Branch; Definitions. RSA 21-G:5 is repealed and reenacted to read as follows:</p> <p>21-G:5 Definitions. In this chapter:</p> <p>I. "Administratively attached agency" means an independent agency linked to a department for purposes of reporting and sharing support services.</p> <p>II. "Administrative head of the agency" means the individual, by whatever title conferred upon them by the relevant statute, who in charge of operations of an executive agency, executive commission, or administratively attached agency.</p> <p>III. "Advisory committee" means a committee established pursuant to RSA 21-G:11 which shall furnish advice, gather information, make recommendations and perform such other activities as may be instructed or as may be necessary to fulfill advisory functions or to comply with federal funding requirements, but which shall not administer a program or function or set policy.</p> <p>IV. "Agency" means any department, commission, board, institution, bureau, office, or other entity, by whatever name called, other than the legislative and judicial branches of state government, established in the state constitution, statute, session law, or executive order.</p>

	<p>V. "Bureau" means the principal unit within a division, which is directly responsible to the division level and is concerned with individual program management.</p> <p>VI. "Commissioner" means the individual in charge of the operations of an executive department, who is directly responsible to the governor.</p> <p>VII. "Constitutional office" means an executive department that also comprises a constitutional office established by the state constitution and common law practice.</p> <p>VIII. "Division" means the principal unit within a department, which is directly responsible to the department level and is concerned with related major functional programs and activities.</p> <p>IX. "Executive agency" means an administrative unit within the executive branch of state government, which is concerned with a specific objective or administrative function.</p> <p>X. "Executive commission" means an administrative unit within the executive branch of state government established to provide a specific enterprise or regulatory function.</p> <p>XI. "Executive department" means the principal administrative unit within the executive branch of state government, which is concerned with broad functional responsibilities.</p> <p>XII. "Field operations" means district or area offices which may combine division, bureau, and section functions.</p> <p>XIII. "Section" means the principal unit of a bureau, which is directly responsible to the bureau level and is concerned with direct provision of services to the public or other state agencies.</p>
NO COMPARABLE HOUSE SECTION	<p>350 Structure of Executive Branch. Amend the section heading in RSA 21-G:6 to read as follows:</p> <p>21-G:6 Structure of Executive Branch <i>Departments</i>.</p>
NO COMPARABLE HOUSE SECTION	351 Repeal. RSA 21-G:6, II(d), relative to division into subsections, is repealed.
NO COMPARABLE HOUSE SECTION	352 New Section; Organization of Executive Branch. Amend RSA 21-G by inserting after section 6-a the following new section:

21-G:6-b Organization of the Executive Branch.

I. Constitutional offices are as follows:

- (a) The executive department, comprising the office of the governor.
- (b) The department of state, comprising the office of the secretary of state.
- (c) The state treasury, comprising the office of the state treasurer.
- (d) The department of justice, comprising the office of the attorney general.

II. The executive departments are as follows:

- (a) The department of administrative services.
- (b) The department of agriculture, markets, and food.
- (c) The department of banking.
- (d) The department of business and economic affairs.
- (e) The department of corrections.
- (f) The department of education.
- (g) The department of employment security.
- (h) The department of environmental services.
- (i) The department of health and human services.
- (j) The department of information technology.
- (k) The department of insurance.
- (l) The department of labor.
- (m) The department of military affairs and veteran services.
- (n) The department of natural and cultural resources.
- (o) The department of revenue administration.
- (p) The department of safety.
- (q) The department of transportation.

III. The executive agencies are as follows:

- (a) Council on developmental disabilities.
- (b) Veterans' home.

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	<ul style="list-style-type: none"> (c) The office of professional licensure and certification. (d) The police standards and training council. (e) The public employee labor relations board. (f) The board of tax and land appeals. (g) The judicial council. <p>IV. The executive commissions are as follows:</p> <ul style="list-style-type: none"> (a) The fish and game commission. (b) The public utilities commission. (c) The state liquor commission. (d) The state lottery commission.
<p>NO COMPARABLE HOUSE SECTION</p>	<p>353 New Subdivision; Component Units of State Government. Amend RSA 6 by inserting after section 43 the following new subdivision:</p> <p style="text-align: center;">Component Units of State Government</p> <p>6:44 Component Units of State Government.</p> <p>I. All systems, authorities, and organizations established by the state which are not part of the executive, legislative, or judicial branches shall be considered component units of the state government. For the purpose of this section, the following shall be considered component units:</p> <ul style="list-style-type: none"> (a) Community college system of New Hampshire. (b) Community development finance authority. (c) Judicial retirement plan. (d) Land and community heritage authority. (e) Business finance authority. (f) Health and educational facilities authority. (g) Housing finance authority. (h) Municipal bond bank. (i) Pease development authority.

	<p>(j) Retirement system of New Hampshire.</p> <p>(k) University system of New Hampshire.</p> <p>II. All component units shall report to the state treasurer, in a manner determined by the treasurer, on a quarterly basis. These quarterly reports shall include interim financial information, performance metrics, and all relevant information on the component unit's activities. The state treasurer shall provide the governor, president of the senate, and speaker of the house of representatives the compiled quarterly reports on an ongoing basis.</p>
<p>NO COMPARABLE HOUSE SECTION – HOUSE PASSED HB 1, SECTION 9, INCLUDED A \$6,463,000 REDUCTION TO DEPARTMENT OF SAFETY HIGHWAY FUND APPROPRIATIONS, WITH A GENERAL FUND APPROPRIATION OFFSET.</p>	<p>354 General Fund Transfer to Highway Fund. The sum of \$6,463,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the highway fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>355 Administration of Motor Vehicle Laws; Road Tolls; Exception. Amend RSA 260:60 to read as follows:</p> <p>260:60 Exception. Notwithstanding all other laws and rules to the contrary, annually, on or before June 1, the road toll administrator shall compare the number of gallons on which refunds have been made for the preceding calendar year for motor fuel used in the propulsion of boats on inland public waters of the state, with the number of gallons of such motor fuel sold and delivered directly into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors upon the inland public waters for use in such boats or outboards, based on the number of boats registered in the state at 100 gallons usage per boat, and if there is any balance of unrefunded tolls so collected, the administrator shall report the same to the comptroller who shall, on July 1, next following, credit 1/2 of said balance to the general fund and credit 1/2 of said balance to the fish and game department. The funds credited to the fish and game department shall be used by said department to carry out its program and be accounted for as unrestricted revenue to the fish and game fund [is accounted for]. Any funds credited to the fish and game department as above provided shall not lapse at the end of the fiscal year. The department shall pay monthly to the state treasurer all revenue from the</p>

	aircraft landing area toll.
NO COMPARABLE HOUSE SECTION	<p>356 Administration of Motor Vehicle Laws; Road Tolls; Credit Provided. Amend RSA 260:61, I to read as follows:</p> <p>I. Annually, on or before June 30, the comptroller shall transfer, from road tolls collected, an amount equal to the number of licensed OHRVs and snowmobiles for the previous year times the average number of gallons consumed per year per OHRV and snowmobile times the gasoline road toll imposed under RSA 260:32, less any amount refunded for OHRV and snowmobile use for the previous year, to the fish and game department and the bureau of trails as follows. The road toll administrator shall report to the comptroller if there is a balance of unrefunded road tolls collected. The administrator shall certify the amount to the comptroller who shall credit 1/2 of such balance to the bureau of trails for use as provided in paragraph I-a, and 1/2 of such balance to the fish and game department <i>as unrestricted revenue to the fish and game fund</i>. For the purposes of this section, "the average number of gallons consumed per year per OHRV or snowmobile" is 100.</p>
NO COMPARABLE HOUSE SECTION	<p>357 Department of Safety Appropriations; Revenue from Motor Vehicle Fines; Exemption. For the fiscal year ending June 30, 2019, department of safety appropriations funded with agency income from restricted revenue collected under RSA 262:44, I, shall be exempt from 2017, 155:1.08(I).</p>
NO COMPARABLE HOUSE SECTION – HOUSE PASSED HB 1, SECTION 1, INCLUDED A BUDGET FOOTNOTE WITH SIMILAR LANGUAGE	<p>358 Department of Safety; Fund Transfer; Authorization. Notwithstanding the provisions of RSA 9:16-a, for the biennium ending June 30, 2021, the department of safety may transfer funds between accounting units in classes 027-transfers to the department of information technology, 028-transfers to general services, 064-retiree pension benefit-health insurance compensation, and 211-property and casualty insurance, upon approval of the department of administrative services' budget office.</p>
NO COMPARABLE HOUSE SECTION	<p>359 Substance Abuse Enforcement Program; Appropriations.</p> <p>I. The sum of \$587,700 for the fiscal year ending June 30, 2019 is hereby appropriated to the</p>

	<p>department of safety. This sum shall be expended as follows:</p> <p>(a) \$171,600 shall be expended for the purpose of funding overtime at the state forensic laboratory as a result of increased caseloads attributable to narcotics related enforcement and investigations with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2021.</p> <p>(b) \$416,100 shall be expended for the purpose of funding overtime at the state police for narcotics related enforcement and investigations with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2021.</p> <p>II. The sum of \$2,400,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of safety to disburse grants to county and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the substance abuse enforcement program established in RSA 21-P:66. No more than 50 percent of the appropriation shall be expended in each fiscal year of the biennium ending June 30, 2021.</p> <p>III. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p> <p>IV. No appropriation made in this section shall lapse until July 1, 2021.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>360 Department of Safety; Appropriation. There is hereby appropriated to the department of safety the sum of \$195,000 for the fiscal year ending June 30, 2019, for the purpose of providing administrative support to the state building code review board. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated and said sums shall not lapse until June 30, 2021.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>361 Public School Infrastructure Fund. Amend RSA 198:15-y, II to read as follows:</p> <p>II. There is hereby established in the office of the state treasurer the public school infrastructure fund which shall be kept distinct and separate from all other funds and which shall be</p>

	<p>administered by the department of education. After transferring sufficient funds to the revenue stabilization reserve account to bring the balance of that account to \$100,000,000, the state treasurer shall transfer the remainder of the general fund surplus for fiscal year 2017, as determined by the official audit performed pursuant to RSA 21-I:8, II(a), to the fund. Any earnings on fund moneys shall be added to the fund. All moneys in the fund shall be continually appropriated [for the biennium ending June 30, 2019 and]. <i>The department of education may retain up to 3 percent of the total annual appropriation of the public school infrastructure fund on or after July 1, 2019, to be used to administer the public school infrastructure program.</i> Any unexpended or unencumbered balance as of June 30, 2019 shall be transferred to the general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>362 Public School Infrastructure Fund. Amend RSA 198:15-y, III(e) to read as follows:</p> <p>(e) <i>A school building or infrastructure proposal which is necessary to comply with Americans with Disabilities Act (ADA) regulations.</i></p> <p>(f) Other school building or infrastructure needs the governor, in consultation with the public school infrastructure commission, may identify, except for school building aid projects that are otherwise prohibited by law.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>363 Department of Education; Vocational Rehabilitation Programs or Services. For the biennium ending June 30, 2021, the department of education may request funds not otherwise appropriated for the purpose of funding unanticipated costs relative to vocational rehabilitation programs or services, with review and approval of the joint fiscal committee of the general court.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>364 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, I to read as follows:</p> <p>I. Each school board shall make [a] <i>at least one</i> meal available during school hours to every pupil under its jurisdiction. Such meals shall be served without cost or at a reduced cost to any [needy] child who [is unable to pay the full cost of said meals] <i>meets federal income eligibility guidelines.</i> The state board of education shall [insure] <i>ensure</i> compliance with this section and</p>

	<p>shall establish minimum nutritional standards for such meals [and shall further establish] <i>as well as</i> income guidelines [setting forth] <i>set for</i> the [minimum] family size [annual income levels to be] used in determining eligibility for free and reduced price meals. Nothing in this section shall prohibit the operation of both a breakfast and lunch program in the same school. [Further any requirement of this section which conflicts with any federal statute or regulation may be waived by the state board of education.]</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>365 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, VII(b) to read as follows:</p> <p>(b) Such school which demonstrates to the department of education that an approved school wellness policy, as required under the [Child Nutrition and WIC Reauthorization Act of 2004] <i>Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, and the Richard B. Russell National School Lunch Act, 42 U.S.C. section 1758b</i> is in effect, and that such school is providing breakfast meals to pupils that meet or exceed the United States Department of Agriculture's child nutrition criteria may apply for and receive a 3 cent reimbursement for each breakfast meal served to a pupil <i>and an additional 27 cent reimbursement for each meal served to students eligible for a reduced price meal.</i> The department of education shall request biennial appropriations in an amount sufficient to meet projected school breakfast reimbursements <i>to ensure students eligible for reduced price meals are offered breakfast at no cost.</i> The department of education shall prescribe forms as necessary under this paragraph.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>366 New Section; Department of Education; New Position; School Nurse Coordinator. Amend RSA 21-N by inserting after section 6 the following new section:</p> <p>21-N:6-a School Nurse Coordinator. There is established within the division of learner support the position of school nurse coordinator who shall be a classified employee. The school nurse coordinator shall be a licensed RN eligible for New Hampshire school nurse certification under RSA 200:29 and shall be qualified to hold such position by reason of education and experience. The</p>

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	<p>position shall be subject to any other employment requirements as determined by the department. The school nurse coordinator shall coordinate and provide technical assistance to guide school nurses and other school personnel responsible for student health care in the areas of student health and wellness, safety, behavioral and mental health, and alcohol and substance use disorder. The school nurse coordinator shall also be a resource for administrators, educators, families, and policymakers across the state.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>367 New Subdivision; Family and Medical Leave Coverage. Amend RSA 189 by inserting after section 72 the following new subdivision:</p> <p style="text-align: center;">Family and Medical Leave Coverage</p> <p>189:73 Family and Medical Leave Coverage. A school district employee who has been employed by the school district for at least 12 months and who has worked at least 900 hours in the previous 12-month period shall be eligible for family and medical leave under the same terms and conditions as leave provided to eligible employees under the federal Family and Medical Leave Act of 1993 (Pub. L. 103-3), 29 U.S.C. section 2611, et seq., as amended.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>368 Heat and Hot Water System Purchase and Replacement; Appropriation. The sum of \$1,000,000 for the fiscal year ending June 30, 2020 is hereby appropriated to the department of administrative services to be disbursed to the Concord school district no later than September 1, 2019, which shall be used for the purchase and replacement of all systems providing heat to those buildings in the Concord school district which previously obtained steam from the former Concord Steam corporation. The Concord school district is authorized to expend such appropriation for the purpose set forth in this section. The Concord school district shall advise the commissioner of the department of administrative services of cost and expenditure estimates relating to the project. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>

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<p>NO COMPARABLE HOUSE SECTION – HOUSE PASSED HB 1, SECTION 1, INCLUDED \$3,200,000 IN FY 2020 FOR THIS PURPOSE.</p>	<p>369 Appropriation; Community College System of New Hampshire. In addition to funds otherwise appropriated, there is hereby appropriated to the community college system of New Hampshire the sum of \$3,200,000 in the fiscal year ending June 30, 2019, which shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>370 Department of Transportation; Appropriation. The sum of \$2,140,000 is hereby appropriated to the department of transportation for the fiscal year ending June 30, 2019, which shall be nonlapsing, for the purpose of providing a state aid construction program match for the project named Tilton project number 29753, to reconstruct and reclassify 1.97 miles of Calef Hill Road. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>371 Appropriation; Department of Education. The sum of \$500,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of education for the purpose of providing funding to Granite State Independent Living to support the IMPACCT (Inspiring the Mastery of Post-Secondary Achievement in College, Career, and Training) program. This appropriation shall be in addition to any other funds appropriated to the department of education and shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>372 Department of Safety; Appropriation. The sum of \$2,100,000 is hereby appropriated to the department of safety for the biennium ending June 30, 2021, for the purpose of funding the reallocation, pursuant to a request made under RSA 21-I:54, of all sworn state police troopers from the rank of probationary trooper through the rank of executive major. In the event the reallocation request is not approved, said funds may be used to fund a collectively bargained trooper pay raise. The governor is authorized to draw a warrant for said sum out of any money in the treasury not</p>

	<p>otherwise appropriated and such funds shall not lapse until June 30, 2021.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>373 Statement of Findings.</p> <p>I. The general court hereby finds that:</p> <p>(a) The ongoing mental health, substance misuse, and child protection crises have taken a significant toll on New Hampshire’s children and families, impacting all child-serving systems and placing increased pressure on the children’s behavioral health system;</p> <p>(b) The New Hampshire department of health and human services recently released an Adequacy and Enhancement Assessment of New Hampshire’s child welfare system, which called for sweeping reforms including further integration of services with the children’s behavioral health system; immediate enhancements to the service array for children with significant emotional, behavioral and mental health needs; and transformation of New Hampshire’s child-serving system to one that is based on early intervention, evidence-based services, and accountability for outcomes;</p> <p>(c) Recent changes to child welfare funding at the federal level with the passage of the federal Family First Prevention Services Act also drive the need to transform New Hampshire’s child-serving system;</p> <p>(d) The state of New Hampshire faces a significant shortage in its capacity to provide children with early and effective home and community-based services and therefore must rely on expensive, residential and inpatient treatment that drain the state resources;</p> <p>(e) Adoption of interventions that are proven to be effective such as mobile crisis and stabilization services will provide support and treatment to families in crisis and will in many cases avoid costly, restrictive, and often unnecessary institutional care;</p> <p>(f) Increasing access to mobile crisis response and stabilization services for children can also help the state meet its legal obligations under the Early and Periodic Screening, Diagnostic and Treatment (“EPSDT”) provisions of the federal Medicaid Act and the integration mandate of the federal Americans with Disabilities Act. EPSDT is a federally mandated robust benefit for Medicaid-eligible children under age 21, designed to address children’s health concerns before they become</p>

	<p>advanced and treatment is more difficult and costlier;</p> <p>II. Therefore, this act directs the department of health and human services to expand home and community-based behavioral health services for children to include mobile crisis response and stabilization services and make the following improvements to the child-serving system as recommended by the Adequacy and Enhancement Assessment and in alignment with the federal Family First Prevention Services Act and EPSDT.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>374 System of Care for Children's Mental Health. Amend RSA 135-F:3, III(e) to read as follows:</p> <p>(e) Services that are family-driven, youth-guided, community-based, <i>trauma-informed</i>, and culturally and linguistically competent.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>375 New Paragraph; System of Care for Children's Mental Health; Duties of the Department of Health and Human Services; Care Management Entities. Amend RSA 135-F:4 by inserting after paragraph II the following new paragraph:</p> <p>III. Establish and maintain at least one care management entity to oversee and coordinate the care for children with complex behavioral health needs who are at risk for residential, hospital, or corrections placement or involved in multiple service systems. In this section, "care management entity" means an organizational entity that serves as a centralized entity to coordinate all care for youth with complex behavioral health challenges who are involved in multiple systems and their families.</p> <p>(a) The care management entity shall oversee and manage residential treatment, psychiatric hospitalization, and the development of a continuum of community-based services and supports for children and youth with more complex needs.</p> <p>(b) Beginning January 1, 2020, the care management entity shall coordinate behavioral health services in no less than 25 percent of cases involving referrals for residential treatment. Beginning January 1, 2021, the care management entity shall coordinate services in no less than 50 percent of such cases, and, beginning January 1, 2022 and thereafter, the care management entity</p>

	<p>shall coordinate services in no less than 75 percent of such cases.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>376 New Sections; Family Support Clearinghouse; System of Care Advisory Committee. Amend RSA 135-F by inserting after section 7 the following new sections:</p> <p>135-F:8 Family Support Clearinghouse.</p> <p>I. The department of health and human services shall establish and maintain an information clearinghouse for families seeking information regarding children's behavioral health services. The clearinghouse functions required by this section may be assigned to an entity that has responsibilities in addition to those required by this section.</p> <p>II. The information provided shall be available on the department of health and human services website and shall include:</p> <ul style="list-style-type: none"> (a) Access to mobile crisis and stabilization services. (b) Insurance coverage and other reimbursement sources. (c) The results of assessments of the quality of service providers and whether they utilize evidence-based practices. (d) Referral information for legal service organizations. (e) Referral information, including links to websites and contact telephone numbers, for behavioral health service providers, organized by region. (f) Advice and guidance regarding family navigation of the behavioral health system. <p>135-F:9 System of Care Advisory Committee. The department of education and the department of health and human services shall create a system of care advisory committee to improve the well-being of children and families; promote coordination across state agencies; identify cost-savings, opportunities to increase efficiency, and improvements to the service array and service delivery system and effectiveness; and assist and advise the commissioners of the department of education and the department of health and human services on the system of care principles and values and implementation of RSA 135-F. The committee shall include youth and families with relevant experience and members of child-serving public and private agencies, including experts in education,</p>

	<p>community-based and facility-based behavioral health services, and effective administration of private and public educational and health services. The committee shall meet at least 6 times per year and at such other times as the chairperson deems necessary.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>377 Home and Community-Based Behavioral Health Services for Children; Mobile Crisis Response and Stabilization Services Included. Amend RSA 167:3-1 to read as follows:</p> <p>167:3-1 Home and Community-Based Behavioral Health Services for Children.</p> <p>I. The department shall establish a Medicaid home and community-based behavioral health services program for children with severe emotional disturbances whose service needs cannot be met through traditional behavioral health services. The department may establish such services through a state plan amendment as provided in Section 1915(i) of the Social Security Act or a waiver under other provisions of the Act, <i>as needed</i>. If the department proceeds with a waiver, it shall not limit the geographic availability of services.</p> <p>II. Such services shall include the following services or their functional equivalent:</p> <ul style="list-style-type: none"> (a) Wraparound care coordination. (b) Wraparound participation. (c) In-home respite care. (d) Out-of-home respite care. (e) Customizable goods and services. (f) Family peer support. (g) Youth peer support. <p>III. <i>Mobile crisis response and stabilization services for children under 21 shall be provided and delivered using system of care values and principles in compliance with RSA 135-F.</i></p> <p><i>(a) The department shall contract with one or more third-party entities to ensure that all children in the state under 21 years of age have access to mobile crisis response and stabilization services, that such services are available with a response time of</i></p>

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	<p><i>no more than one hour, and that such services are available in every part of the state.</i></p> <p><i>(b) The department shall ensure the development of a performance measurement system for monitoring quality and access to mobile crisis response and stabilization services.</i></p> <p><i>(c) All providers of mobile crisis response and stabilization services shall coordinate with the child's wraparound care coordinator, primary care physician, and any other care management program or other behavioral health providers providing services to the youth throughout the delivery of the service.</i></p> <p><i>(d) Development and procurement of the mobile crises and stabilization services required under this section shall begin on the effective date of this section; implementation shall occur upon completion of the procurement process and approval by the governor and council.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>378 Delinquent Children; Arraignment. Amend RSA 169-B:13, I(f)(1)(C) to read as follows:</p> <p>(C) Identified as eligible for special education services[-]; or</p> <p>(D) Previously referred to a care management entity as defined in RSA 135-F:4, III.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>379 New Paragraph; Delinquent Children; Court Referrals; Referral to Care Management Entity. Amend RSA 169-B:13 by inserting after paragraph II the following new paragraph:</p> <p>II-a. The court may, at the arraignment or at any time thereafter, with the consent of the minor and the minor's family, refer the minor and family to a care management entity, as defined in RSA 135-F:4, III, for evaluation and/or behavioral health services to be coordinated and supervised by that entity.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>380 New Subparagraph; Delinquent Children; Disposition; Referral to Care Management Entity. Amend RSA 169-B:19, I by inserting after subparagraph (k) the following new subparagraph:</p>

	<p>(l) With the consent of the minor and the minor’s family, refer the minor and family to a care management entity, as defined in RSA 135-F:4, III, for behavioral health services to be coordinated and supervised by that entity. Such referral may be accompanied by one or more other dispositions in this section, if otherwise authorized and appropriate.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>381 New Paragraph; Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19 by inserting after paragraph I the following new paragraph:</p> <p>I-a. In the case of a child for whom behavioral health services are being coordinated by a care management entity as defined in RSA 135-F:4, III, the court shall solicit and consider treatment and service recommendations from the entity. If the court orders a disposition which is not consistent with the care management entity's recommendations, it shall make written findings regarding the basis for the disposition and the reasons for its determination not to follow the recommendations.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>382 Children in Need of Services; Initial Appearance. Amend RSA 169-D:11, II(e)(2) and (3) to read as follows:</p> <p>(2) Determined to have a mental illness, emotional or behavioral disorder, or another disorder that may impede the child's decision-making abilities; [or]</p> <p>(3) Identified as eligible for special education services[-] ; <i>or</i></p> <p>(4) <i>Previously referred to a care management entity as defined in RSA 135-F:4, III.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>383 New Paragraph; Children in Need of Services; Initial Appearance; Referral to Case Management Entity. Amend RSA 169-D:11 by inserting after paragraph II-a the following new paragraph:</p> <p>II-b. The court may, at the initial appearance or at any time thereafter, with the consent of the minor and the minor’s family, refer the minor and family to a care management entity as defined in RSA 135-F:4 III for evaluation and/or behavioral health services to be coordinated and supervised by that entity.</p>

<p>NO COMPARABLE HOUSE SECTION</p>	<p>384 New Paragraph; Children in Need of Services; Dispositional Hearing; Recommendations of Care Management Entity. Amend RSA 169-D:17 by inserting after paragraph I the following new paragraph:</p> <p>I-a. In the case of a child for whom behavioral health services are being coordinated by a care management entity as defined in RSA 135-F:4, the court shall solicit and consider treatment and service recommendations from the entity. If the court orders a disposition which is not consistent with the entity's recommendations, it shall make written findings regarding the basis for the disposition and the reasons for its determination not to follow the recommendations.</p>
	<p>385 New Paragraph; Children in Need of Services; Dispositional Hearing; Referral to Care Management Entity. Amend RSA 169-D:17 by inserting after paragraph III the following new paragraph:</p> <p>III-a. In addition to any other disposition, the court may, with the consent of the minor and the minor's family, refer the minor and family to a care management entity as defined in RSA 135-F:4 III for behavioral health services to be coordinated and supervised by that entity. Such a referral may be accompanied by one or more other dispositions in this section, if otherwise authorized and appropriate.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>386 New Paragraph; Services for Children Youth and Families; Definition of Evidence-Based Practice. Amend RSA 170-G:1 by inserting after paragraph V the following new paragraph:</p> <p>V-a. "Evidence-based practice" means a practice that has been recognized as supported by research evidence by an evidence-based clearinghouse, such as the California Evidence-Based Clearinghouse for Child Welfare and the Title IV-E Prevention Services Clearinghouse. Other acceptable evidence-based practices shall include practices and programs evaluated using research which utilizes methods that meet high scientific standards. Acceptable methods shall include:</p> <p>(a) Systematic, empirical techniques that draw on observation or experiment.</p>

	<p>(b) Rigorous data analyses that are adequate to test stated hypotheses and justify general conclusions.</p> <p>(c) Measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators.</p> <p>(d) Randomized controlled trials when possible and appropriate.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>387 New Paragraph; Services for Children, Youth, and Families; Duties of the Department of Health and Human Services. Amend RSA 170-G:4 by inserting after paragraph XX the following new paragraph:</p> <p>XXI. Utilize, to the fullest permissible extent, available public reimbursement for behavioral health and other services provided pursuant to this chapter and RSA 169-B, 169-C, and 169-D, in settings including the home, schools, and treatment facilities. Such reimbursement includes, but is not limited to, the federal Early and Periodic Screening, Diagnosis and Treatment Program under 42 U.S.C. section 1396d.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>388 New Sections; Services for Children Youth and Families. Amend RSA 170-G by inserting after section 4-a the following new sections:</p> <p>170-G:4-b Evidence-Based Practices.</p> <p>I. On or before July 1, 2020, at least 10 percent of state funds received by the department for children's behavioral health services, whether or not they are subject to this chapter, shall be expended for evidence-based practices. Beginning July 1, 2022, the percentage of state funds expended for evidence-based practices shall be at least 25 percent; and beginning July 1, 2025, the percentage expended for evidence-based practices shall be at least 50 percent.</p> <p>II. The department shall submit a biennial report containing:</p> <p>(a) An assessment of each service provider on which the department expends funds, including but not limited to whether each service provided is an evidence-based practice, and</p>

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	<p>whether the service provider is in compliance with the contract accountability requirements of RSA 170-G:4-d.</p> <p>(b) The percentage of state funds the department receives for behavioral health services that is being expended on evidence-based practices.</p> <p>(c) The percentage of federal and other funds the department receives for behavioral health services that is being expended on evidence-based practices.</p> <p>(d) A description of the efforts the department is making to increase the use of evidence-based practices for children's behavioral health and other services.</p> <p>III. The department shall submit the report required under paragraph II no later than January 15 of each odd-numbered year to the governor, the administrative justice of the circuit court, and the house and senate finance committees. The report shall also be posted on the department's website.</p> <p>170-G:4-c Establishment of Resource Center for Children's Behavioral Health. The department shall establish and maintain a resource center for children's behavioral health, which shall:</p> <p>I. Provide technical assistance to the department and to service providers to support the implementation and operation of evidence-based practices, along with the provision of services according to the system of care characteristics described in RSA 135-F:3.</p> <p>II. Provide training on a statewide basis to persons employed in the children's behavioral health system, relating to:</p> <p>(a) The use of evidence-based practices.</p> <p>(b) The analysis of quality assurance protocols to determine whether service providers are utilizing evidence-based practices with fidelity.</p> <p>III. Act as a clearinghouse for information and statewide resources on evidence-based practices for children receiving services pursuant to RSA 169-B, 169-C, 169-D, and 170-G.</p> <p>IV. Facilitate collaboration among state and local agencies and service providers to increase access to such providers.</p> <p>V. Provide support for the assessment of the implementation of evidence-based practices by</p>
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	<p>such state and local agencies.</p> <p>170-G:4-d Content of Provider Contracts.</p> <p>I. All contracts between the department and providers of services under this chapter, or any behavior health service to children, shall include provisions addressing outcome measurement, incentives for the use of evidence-based practices, and accountability for high-quality services. Such provisions shall, at minimum, include the following:</p> <p style="padding-left: 40px;">(a) Required use of a uniform assessment instrument developed and/or approved by the department pursuant to RSA 170-G:4-e.</p> <p style="padding-left: 40px;">(b) In the case of providers of services to children pursuant to the dispositional authority of the circuit court under RSA 169-B and 169-D, outcome measurement which includes recidivism as measured by post-service arrests, violations of parole, conditional release, or other conditional liberty, and behavior meeting the definition of a child in need of service under RSA 169-D:2. Contracts with such providers shall also include incentives for recidivism reduction.</p> <p style="padding-left: 40px;">(c) Reporting to the department changes in assessment results following provision of the contracted service for each child served.</p> <p>II. The department shall include substantially similar requirements in its standards for provider certification and other processes administered by the department to qualify providers to deliver services pursuant to this chapter.</p> <p>170-G:4-e Assessment, Treatment, and Discharge Planning.</p> <p>I. In every case in which a placement outside the home is being considered, the department shall require the completion of a written clinical assessment of the behavioral health and other treatment needs of the child.</p> <p>II. A written treatment plan shall be required upon a child's placement in a residential or other treatment program. The plan shall have definable goals and strategies to achieve those goals and include concrete, outcome-oriented interventions with the objective of restoring, rehabilitating, or maintaining the child's capacity to successfully function in the community and diminish the need for a more intensive level of care.</p>
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	<p>III. The development of a written discharge plan for each child shall begin upon admission to any treatment program, and shall be available to the parents or guardians of the child no later than 10 days following admission to the program. Treatment and discharge plans shall be updated on an ongoing basis as treatment proceeds and a child's condition changes.</p> <p>IV. All assessments conducted pursuant to this section shall include the use of a universal, strengths-based assessment tool which is adopted by the department and used throughout the system of care for children's mental health as defined in RSA 135-F.</p> <p>V. The assessment of the child's behavioral health and other treatment needs shall be repeated upon discharge from any residential treatment program or commitment pursuant to RSA 169-B:19, I(j).</p> <p>VI. Assessments required by this section may not be conducted by employees of a residential treatment provider or commitment pursuant to RSA 169-B:19, I(j).</p> <p>170-G:4-f Medical Assistance Screening. The department of health and human services shall establish a procedure to assess court-involved children for eligibility for private and public medical insurance, including the medical assistance program under RSA 167. This procedure shall apply to any child who is subject to proceedings under RSA 169-B or 169-D, or receives services pursuant to RSA 169-C. Children who may be eligible and their families shall be provided assistance by the department in making application for such assistance. The circuit court shall make any necessary adjustments to its arraignment and other procedures to facilitate such assessments.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>389 Establishment of Resource Center for Children's Behavioral Health; RFP Required. On or before January 1, 2020, the department of health and human services shall issue a request for proposals to establish the resource center for children's behavioral health pursuant to RSA 170-G:4-c, as inserted by this act, and shall establish the resource center no later than July 1, 2020.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>390 New Paragraph; Release and Discharge from the Youth Services Center. Amend RSA 621:19 by inserting after paragraph III the following new paragraph:</p>

	<p>III-a. In every case in which there is a diagnosis or other evidence that a minor at the center may have a serious emotional disturbance or other behavioral health disorder, the center shall, with the consent of the minor and the minor’s family, refer the minor to a care management entity, as defined in RSA 135-F:4, III, for evaluation and recommendations for behavioral health services to be coordinated and supervised by that entity before and after discharge from the facility. Discharge plans shall incorporate the recommendations of the care management entity whenever appropriate. In any case where the recommendations of the care management entity are not incorporated into the discharge planning process, the minor, the minor’s family, and counsel for the minor shall be notified in writing of the decision and of the basis for the decision.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>391 Appropriation; Department of Health and Human Services; Child Welfare Behavioral Health Services. The sum of \$6,084,000 for the fiscal year ending June 30, 2020, and the sum of \$13,164,000 for the fiscal year ending June 30, 2021, are hereby appropriated to the department of health and human services for the purposes of sections 374-390 of this act. Notwithstanding RSA 14:30-a, VI, the department may accept and expend any federal fund match to the appropriation in this section without prior approval of this fiscal committee of the general court. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>392 Department of Health and Human Services; Medicaid Rate Increases. The commissioner of the department of health and human services shall increase all Medicaid provider rates, including all state plan services and waiver programs, excluding any provider rate increases for inpatient-only substance use disorder treatment services, by 3.1 percent in the fiscal year ending June 30, 2020 and an additional 3.1 percent in the fiscal year ending June 30, 2021. The commissioner shall apply the rate increases to the Medicaid fee-for-service fee schedule for the purpose of determining payments for all services not delivered through managed care, and shall require the department’s actuary to incorporate the rate increases into the capitation payment for all services provided in the care</p>

	<p>management program. Nothing in this section shall be construed to alter the traditional method of establishing the county contribution for the Medicaid federal medical assistance percentage.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>393 Department of Health and Human Services; Appropriation.</p> <p>I. The sum of \$60,000,000 for the biennium ending June 30, 2021 is hereby appropriated to the department of health and human services for the purposes of section 392 of this act. Said sums shall be charged as follows:</p> <p>(a) The sum of \$52,128,000 shall be a charge against the state general fund, and the governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated;</p> <p>(b) The sums of \$3,753,000 in the fiscal year ending June 30, 2020 and \$3,966,000 in the fiscal year ending June 30, 2021 shall be a charge against state general funds appropriated in account 05-95-93-930010-7100; and</p> <p>(c) The sums of \$74,000 in the fiscal year ending June 30, 2020 and \$79,000 in the fiscal year ending June 30, 2021 shall be a charge against state general funds appropriated in account 05-95-48-482010-2152.</p> <p>II. Notwithstanding RSA 14:30-a, VI, in addition to the amounts appropriated in paragraph I, the department of health and human services may accept and expend any matching federal funds available for the purposes of this section without the prior approval of the fiscal committee of the general court.</p> <p>III. Nothing in this section shall be construed to provide a rate increase of an amount other than 3.1 percent in each fiscal year to providers funded in accounts 05-95-93-930010-7100 and 05-95-48-482010-2152.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>394 New Hampshire Granite Advantage Health Care Program. Amend RSA 126-AA:2, I(a) to read as follows:</p> <p>I.(a) The commissioner shall apply for any necessary waivers and state plan amendments to</p>

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	<p>implement a 5-year demonstration program beginning on January 1, 2019 to create the New Hampshire granite advantage health care program [which shall be funded exclusively from non-general fund sources, including federal funds]. The commissioner shall include in an application for the necessary waivers submitted to the Centers for Medicare and Medicaid Services (CMS) a waiver of the requirement to provide 90-day retroactive coverage and a state plan amendment allowing state and county correctional facilities to conduct presumptive eligibility determinations for incarcerated inmates to the extent provided under federal law. To receive coverage under the program, those individuals in the new adult group who are eligible for benefits shall choose coverage offered by one of the managed care organizations (MCOs) awarded contracts as vendors under Medicaid managed care, pursuant to RSA 126-A:5, XIX(a). The program shall make coverage available in a cost-effective manner and shall provide cost transparency measures, and ensure that patients are utilizing the most appropriate level of care. Cost effectiveness shall be achieved by offering cash incentives and other forms of incentives to the insured by choosing preferred lower cost medical providers. Loss of incentives shall also be employed. MCOs shall employ reference-based pricing, cost transparency, and the use of incentives and loss of incentives to the Medicaid and newly eligible population. For the purposes of this subparagraph, "reference-based pricing" means setting a maximum amount payable for certain medical procedures.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>395 New Hampshire Granite Advantage Health Care Program; Trust Fund. Amend RSA 126-AA:3, I to read as follows:</p> <p>I. There is hereby established the New Hampshire granite advantage health care trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The fund shall be administered by the commissioner and shall be used solely to provide coverage for the newly eligible Medicaid population as provided for under RSA 126-AA:2, to pay for the administrative costs for the program, and reimburse the federal government for any over payments of federal funds. All moneys in the fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of the fund. The fund shall be authorized to pay and/or reimburse the cost of medical services and cost-effective related services, including without</p>

	<p>limitation, capitation payments to MCOs. No state general funds shall be deposited into the fund <i>unless the commissioner has certified that a deficit is projected in the fund and the federal match rate is at least 90 percent. If those conditions have been met, the commissioner may seek approval from the fiscal committee of the general court to transfer general funds from the department's budget into the trust fund to cover the amount of the projected deficit.</i></p> <p>Deposits into the fund shall be limited exclusively to the following:</p> <ul style="list-style-type: none"> (a) Revenue transferred from the alcohol abuse prevention and treatment fund pursuant to RSA 176-A:1, IV; (b) Federal Medicaid reimbursement for program costs and administrative costs attributable to the program; (c) Surplus funds generated as a result of MCOs managing the cost of their services below the medical loss ratio established by the commissioner for the managed care program beginning on July 1, 2019; (d) Taxes attributable to premiums written for medical and other medical related services for the newly eligible Medicaid population as provided for under this chapter, consistent with RSA 400-A:32, III(b); (e) Funds received from the assessment under RSA 404-G; (f) Funds recovered or returnable to the fund that were originally spent on the cost of coverage of the granite advantage health care program; and (g) Gifts, grants, and donations[-]; (h) Medicaid enhancement tax moneys necessary to pay for the portion of provider rate increases pursuant to RSA 167:64, I(a)(2)(C) that is attributable to services provided under this chapter; and (i) General funds.
<p>NO COMPARABLE HOUSE SECTION</p>	<p>396 Appropriation; Department of Health and Human Services; Safe Stations. The sum of \$375,000 for the fiscal year ending June 30, 2020 and the sum of \$375,000 for the fiscal year ending</p>

	<p>June 30, 2021 is hereby appropriated to the department of health and human services for the purpose of funding existing Safe Stations located in Manchester and Nashua. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>397 Supported Housing. Amend 2017, 156:186, I as amended by 2018, 343:14 to read as follows:</p> <p>I. The commissioner of the department of health and human services shall contract with programs that enable individuals with serious mental illness to attain and maintain integrated, affordable, supported housing. The department shall use funding not to exceed \$500,000 from existing appropriations for the biennium ending June 30, 2019. <i>Such funds, not to exceed \$500,000 from accounting unit 05-95-92-922010-4117, shall not lapse until June 30, 2021.</i> Eligibility for such funding shall include persons who are not eligible for existing housing subsidy programs. The department shall submit a monthly report to the fiscal committee of the general court regarding implementation of this section.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>398 Department of Health and Human Services; Appropriation. Notwithstanding RSA 126-AA:2, I(a) and RSA 126-AA:3, the sum of \$5,000,000 for the biennium ending June 30, 2021 is hereby appropriated to the department of health and human services, which shall be nonlapsing, for the purpose of enhancing provider rates for mental health and substance use disorder inpatient and outpatient services consistent with 2018, 342. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Notwithstanding RSA 14:30-a,VI, the department may accept and expend any federal fund match to the appropriation in this section without prior approval of the fiscal committee of the general court.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>399 Repeal. 2019, 41:1, relative to an appropriation to the department of health and human services for increasing diagnosis-related group (DRG) rates for designated receiving facilities (DRF) beds, is repealed.</p>

NO COMPARABLE HOUSE SECTION

400 Department of Health and Human Services; Designated Receiving Facilities Beds. 2019, 41:3 is repealed and reenacted to read as follows:

41:3 Department of Health and Human Services; Designated Receiving Facilities; Residential Beds; Hospital Renovations.

I. The commissioner of the department of health and human services is authorized to enter into a signed agreement with a hospital in either Sullivan or Cheshire county to provide up to 10 new designated receiving facility (DRF) beds to be operational by October 1, 2020. If such an agreement is reached by July 1, 2020, then the department shall be hereby appropriated the amounts provided in paragraph II. If an agreement is not reached by July 1, 2020, then no funds in paragraph II shall be appropriated.

II.(a) The sum of \$1,000,000 for the fiscal year ending June 30, 2019 for the purpose of renovating the designated receiving facility (DRF) under agreement in paragraph I. Such appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

(b) The sum of \$976,000 in the fiscal year ending June 30, 2021 for the purpose of increasing the diagnosis-related group (DRG) rates for all designated receiving facility (DRF) beds in New Hampshire. Such rate increases shall be effective October 1, 2020. For the amount appropriated, \$488,000 shall be state general funds and \$488,000 shall be federal funds. Such funds shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Notwithstanding RSA 14:30-a, VI, the department may accept and expend any matching federal funds without prior approval of the fiscal committee of the general court.

III. The commissioner of the department of health and human services shall allocate and disburse any funds appropriated in paragraph I through a request for applications (RFA) The RFA shall be issued no later than December 1, 2019 and the new DRF beds shall be operational by October 1, 2020. Any hospital receiving funds appropriated under subparagraph I(a) shall operate

	the new DRF beds for no less than 5 years.
NO COMPARABLE HOUSE SECTION	<p>401 Appropriation; Secure Psychiatric Unit Facility. The sum of \$17,500,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of health and human services and shall be expended for the purpose of constructing a new 25-bed secure psychiatric unit facility on the New Hampshire Hospital grounds. The sum appropriated shall be nonlapsing, provided that any unexpended amount following construction shall lapse to the general fund. The facility shall be built to house such persons that do not require continued joint commission accreditation. The department of administrative services shall prioritize this project in its workload. The department of administrative services and the department of health and human shall provide reports each quarter to the fiscal committee of the general court and the senate finance and house finance committees concerning the progress of the project. Appropriate persons housed in the secure psychiatric unit of the state prison shall be safely transferred to this facility no later than two weeks after it is operational. This facility shall be operated and managed by the department of health and human services. The state shall not enter into a contract with a private or for-profit prison company for the construction or operation of the secure psychiatric facility unit. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
NO COMPARABLE HOUSE SECTION	<p>402 Repeal. The following are repealed:</p> <ul style="list-style-type: none"> I. RSA 84-D, relative to the ICF quality assessment. II. RSA 151-E:15-a, relative to expenditure of funds from ICF quality assessment.
NO COMPARABLE HOUSE SECTION	<p>403 Department of Health and Human Services; State Plan Amendment; Medicaid for Older Employed Adults with Disabilities (MOAD) Work Incentive Program. On or before January 15, 2020, the commissioner of the department of health and human services shall apply to the Centers for Medicare and Medicaid Services for an amendment to the state Medicaid plan pursuant to 442 C.F.R. section 430.12 to allow working persons with disabilities who are age 65 and older to receive</p>

	<p>medical assistance pursuant to 42 U.S.C. section 1396a(a)(10)(A)(ii)(XIII) and as permitted under the Balanced Budget Act of 1997, to be known as Medicaid for Older Employed Adults with Disabilities (MOAD). The state plan amendment shall be used to create a program similar to the state's Medicaid for Employed Adults with Disabilities (MEAD) program, established pursuant to RSA 167:3-i, which is currently limited to individuals between 18 and 64 years of age. Program eligibility under the state plan amendment shall be structured to provide the broadest range of Medicaid coverage consistent with federal eligibility criteria, and to utilize available income and asset disregards so that, to the extent possible, persons eligible for the MEAD program shall also be eligible for the MOAD program when they reach age 65.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>404 New Paragraph; Definitions; MOAD Program. Amend RSA 167:6 by inserting after paragraph IX the following new paragraph:</p> <p>IX-a. A person with a disability age 65 and older who is eligible to participate in the work incentive program, known as Medicaid for employed older adults with disabilities (MOAD), shall be eligible for medical assistance as medically needy or categorically needy but not to exclude Medicare coverage. The department of health and human services shall establish a sliding fee scale for participants to contribute to the cost of such medical assistance. Participants in the MOAD program shall be employed at the time of enrollment, and may remain enrolled during temporary unemployment for medical reasons or other good cause.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>405 New Section; MOAD Work Incentive Program. Amend RSA 167 by inserting after section 3-1 the following new section:</p> <p>167:3-m MOAD Work Incentive Program.</p> <p>I. Pursuant to section 1902(a)(10)(A)(ii)(XIII) of the Social Security Act, 42 U.S.C. section 1396a(a)(10)(A)(ii)(XIII), the department of health and human services shall establish and administer a work incentive program, known as Medicaid for employed older adults with disabilities (MOAD). The purpose of the program shall be to ensure the availability of long-term supports to</p>

	<p>workers age 65 and older with disabilities who are medically eligible for Medicaid, enabling them to maximize their employment potential and financial independence and prevent impoverishment and dependence upon cash assistance programs.</p> <p>II. In addition to the requirements of RSA 167:6, IX-a, the MOAD program shall:</p> <p>(a) Exclude from consideration resources accumulated from earnings, including interest earned by the resource, by a MOAD-eligible individual beginning on or after the date of eligibility through the period of MOAD eligibility and kept in a separate account from other resources, when determining future eligibility for other medical assistance programs.</p> <p>(b) Provide continued eligibility during periods of temporary unemployment provided that the individual is unable to work for medical reasons but is likely to return to work, or the individual becomes unemployed for other good cause and is actively seeking employment.</p> <p>(c) Define employment for eligibility purposes in a manner that permits a self-employed individual to earn less than the federal minimum wage.</p> <p>(d) Permit individuals who are eligible for home and community-based care waiver services and who qualify for a special income limit, to receive medical assistance through the MOAD program, if they so choose.</p> <p>(e) Provide notice and an opportunity for a fair hearing in the event of any adverse action affecting eligibility for or enrollment in the MOAD program.</p> <p>(f) Establish oversight and enforcement procedures to prevent fraud and to assure that participants are consistently engaging in gainful employment.</p> <p>III. Pursuant to section 1902(a)(10)(A)(ii)(XIII) of the Social Security Act, 42 U.S.C. section 1396a(a)(10)(A)(ii)(XIII), individuals shall be eligible for MOAD if their income does not exceed 250 percent of the federal poverty level, and they meet all criteria for receiving benefits under the Supplemental Security Income (SSI) program.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>406 New Paragraph; Rulemaking; MOAD Program. Amend RSA 167:3-c by inserting after paragraph XII the following new paragraph:</p>

	XII-a. Administration of the MOAD work incentive program established pursuant to RSA 167:6, IX-a and RSA 167:3-m.
NO COMPARABLE HOUSE SECTION	407 Applicability; MOAD. Sections 404-406 of this act shall take effect on the date that the commissioner of the department of health and human services certifies to the secretary of state and the director of the office of legislative services that the state plan amendment submitted under section 403 of this act has been approved by the Centers for Medicare and Medicaid Services.
NO COMPARABLE HOUSE SECTION	408 Appropriation; Department of Health and Human Services; Child Protective Service Workers. The sum of \$1,998,005 for the fiscal year ending June 30, 2020, and the sum of \$4,119,845 for the fiscal year ending June 30, 2021, are hereby appropriated to the department of health and human services for the purpose of hiring 27 child protective service workers in fiscal year 2020 and an additional 30 child protective service workers in fiscal year 2021. Of these amounts, \$1,398,604 for the fiscal year ending June 30, 2020 and \$2,883,892 for the fiscal year ending June 30, 2021 shall be state general funds, and the remainder shall be federal funds. The funds appropriated in this section shall only be used for the purposes of this section, and shall not be transferred or used for any other purpose. The governor is authorized to draw a warrant for the general fund share of said sums out of any money in the treasury not otherwise appropriated.
NO COMPARABLE HOUSE SECTION	409 Appropriation; Department of Health and Human Services; Child Protective Service Supervisors. The sum of \$773,552 for the fiscal year ending June 30, 2020, and the sum of \$1,703,152 for the fiscal year ending June 30, 2021, are hereby appropriated to the department of health and human services for the purpose of hiring 9 child protective service supervisors in fiscal year 2020 and an additional 11 supervisors in fiscal year 2021. Of these amounts, \$541,487 for the fiscal year ending June 30, 2020 and \$1,192,207 for the fiscal year ending June 30, 2021 shall be state general funds, and the remainder shall be federal funds. The funds appropriated in this section shall only be used for the purposes of this section, and shall not be transferred or used for any other

	<p>purpose. The governor is authorized to draw a warrant for the general fund share of said sums out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>410 Contingent Applicability. If SB 6 of the 2019 general legislative session becomes law, sections 408 and 409 of this act shall not take effect. If SB 6 of the 2019 general legislative session does not become law, sections 408 and 409 of this act shall take effect on July 1, 2019.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>411 Statement of Purpose. The purpose of sections 412-413 of this act is to set minimum training requirements for staff members working in facilities or programs regulated by the health facilities administration, department of health and human services which include persons with Alzheimer’s disease or other dementias in the populations they serve. The dementia-specific training curriculum shall incorporate principles of person-centered dementia care including: thorough knowledge of the person and the person’s abilities and needs; advancement of optimal functioning and a high quality of life; and use of problem-solving approaches to care. Staff members shall be trained adequately and appropriately to best address the needs of the population of care recipients they serve. Training shall be culturally competent both for the staff member and the care recipient.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>412 New Subdivision; Dementia Training for Direct Care Staff in Residential Facilities and Community-Based Services. Amend RSA 151 by inserting after section 46 the following new subdivision:</p> <p style="text-align: center;">Dementia Training for Direct Care Staff in Residential Facilities and Community-Based Services</p> <p>151:47 Definitions. In this subdivision:</p> <p style="padding-left: 40px;">I. "Covered administrative staff member" means the senior manager of the facility or program, including administrators, as well as managerial staff members that directly supervise covered direct service staff members.</p> <p style="padding-left: 40px;">II. "Covered direct service staff member" means a staff member whose work involves</p>

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extensive contact with residents or program participants. Such staff members include: certified nursing assistants, nurse aides, personal care assistants, home health or personal care aides, licensed practical nurses, licensed vocational nurses, registered nurses, social workers, activity directors, and dietary staff.

III. "Department" means the department of health and human services.

IV. "Facilities or programs" means residential facilities or home and community-based programs, serving an adult population, licensed as appropriate under this chapter, that provide supportive services including, but not limited to, skilled care facilities, intermediate care facilities, assisted living facilities, residential care for the elderly, adult day programs, home health, in-home services, or adult family care homes or programs that advertise specialty memory care that have residents or program participants with Alzheimer's disease or other dementias.

V. "Other covered staff member" means a staff member who has incidental contact on a recurring basis with residents or program participants, including housekeeping staff, front desk staff, maintenance staff, other administrative staff, and other individuals who have such incidental contact.

VI. "Staff member" includes full and part-time employees, independent consultants, and staff of contractors and subcontractors.

151:48 Initial and Continuing Training in Dementia Required.

I. Facilities and programs shall provide initial training to:

(a) All covered staff members hired on or after July 1, 2019, who shall complete initial training within 6 months of the commencement of employment.

(b) All covered staff members who were employed prior to the date under subparagraph (a) and who have not received equivalent training; such training shall be completed within 6 months of that date.

II. Each facility or program shall establish a system for ongoing onsite support, supervision, and mentoring for its staff with regard to the treatment and care of persons with dementia.

III. For covered direct service staff members and covered administrative staff members, at a

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minimum, the curriculum used for the initial training shall adhere to the latest nationwide Alzheimer's Association Dementia Care Practice Recommendations and, at a minimum, cover the following topics:

- (a) Alzheimer's disease and dementia;
- (b) Person-centered care;
- (c) Assessment and care planning;
- (d) Activities of daily living; and
- (e) Dementia-related behaviors and communication.

IV. For other covered staff members, training shall include, at a minimum, communication issues related to dementia.

V. Initial dementia training shall be considered complete only after the staff member has taken and passed an evaluation.

151:49 Portability.

I. The facility or staff shall issue a certificate to covered staff members upon completion of initial training, which shall be portable between settings. Provided that the covered staff member does not have a lapse of dementia related direct service or administration employment for 24 consecutive months or more, the covered staff member shall not be required to repeat the initial dementia training.

II. Covered staff members shall be responsible for maintaining records of certificates received.

151:50 Continuing Education. In addition to initial training, the commissioner shall adopt rules to determine when and how often continuing education on dementia shall be required. Such continuing education shall include new information on best practices in the treatment and care of persons with dementia. The department shall require at least a minimum of 6 hours of initial continuing education for covered administrative staff members and covered direct service staff members and shall require at least a minimum of 4 hours of ongoing training each calendar year. Such continuing education shall include new information on best practices in the treatment and care

	<p>of persons with dementia.</p> <p>151:51 Requirements for Trainers; Training Costs. Persons responsible for conducting in-person dementia trainings shall meet minimum criteria including: 2 years of work experience related to Alzheimer's disease or other dementias or in health care, gerontology, or other related field; and have completed training equivalent to the requirements provided herein. Covered staff members shall not be required to bear any of the cost of training or to attend trainings and shall receive their normal compensation when attending required trainings.</p> <p>151:52 Departmental Oversight.</p> <p>I. The department shall exercise oversight of a facility's or program's dementia training program as part of its comprehensive regulatory responsibilities. Such oversight shall:</p> <ul style="list-style-type: none"> (a) Ensure that the facility or program provides continuing education opportunities. (b) Ensure that the facility or program uses designated online training programs or facility-based training that meets the requirements for dementia training in the state. (c) Ensure compliance with any other requirements specified in this subdivision. <p>II. The department may use all of its enforcement tools to ensure that facilities and programs comply with paragraph I.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>413 Applicability; Dementia Training. Section 412 of this act is intended to address gaps in current dementia training requirements for covered staff and improve the quality of training. If prior-enacted laws or rules contain more rigorous training requirements for some covered staff members, those laws or rules shall apply. Where there is overlap between these provisions and other laws and rules, the department shall interpret this statute to avoid duplication of requirements while ensuring that the minimum requirements set forth in this act are met.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>414 Repeal. 2017, 156:211, prohibiting reproductive health facilities from using state funds to provide abortion services, is repealed.</p>

NO COMPARABLE HOUSE SECTION	<p>415 County Nursing Homes; Proportionate Share Payments. Amend RSA 167:18-h to read as follows:</p> <p>167:18-h County Nursing Homes; Proportionate Share Payments.</p> <p>I. Proportionate share payments to county nursing homes shall be made each state fiscal year in an amount equal to the maximum permissible by federal regulations. All payments shall be [apportioned] specific to each facility in [a percentage equal to that facility's proportion of total county nursing home medicaid utilization] accordance with the methodology in the approved Medicaid state plan amendment. If the federal government makes adjustments to any proportionate share payments that have been made by the state, the amounts due under this section shall be amended accordingly and adjusted payments shall be made to or from the state as necessary.</p> <p>II. [Notwithstanding any provision of law to the contrary, each county government shall reimburse the state for 50 percent of the total cost of proportionate share payments made to the county pursuant to paragraph I.]</p> <p>(a) The certified public expenditure (CPE) nursing facilities group shall be financed on the basis of a CPE methodology and shall not require a transfer of funds from the respective county to the state to effectuate the federal match.</p> <p>(b) Any intergovernmental transfers (IGT) specific to the IGT nursing facilities group that serve as the basis for generating the federal match shall originate from the county.</p>
NO COMPARABLE HOUSE SECTION	<p>416 Aid to Assisted Persons; Liability for Support and Reimbursement from the State; Suspension. RSA 165:20-c, relative to liability for support and reimbursement from the state, shall be suspended for the biennium ending June 30, 2021.</p>
NO COMPARABLE HOUSE SECTION	<p>417 New Paragraph; Services for Children, Youth and Families; Department of Health and Human Services Funding for Juvenile Diversion Programs. Amend RSA 170-G:4 by inserting after</p>

	<p>paragraph XX the following new paragraph:</p> <p>XXI. Encourage cities, towns, counties, and non-governmental organizations to develop and maintain court-approved diversion programs for juveniles. The amount to be distributed to the diversion programs shall be not more than \$600,000 for the biennium ending June 30, 2021, from which the sum of \$30,000 in each year of the biennium shall be reserved for newly approved programs, with the remainder divided equally among existing, approved programs that make application for such funding. The judicial branch family division shall establish requirements for court-approved diversion programs under this section and RSA 169-B:10.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>418 Appropriation; Department of Health and Human Services; Juvenile Diversion Programs. The sum of \$300,000 annually, for the biennium ending June 30, 2021, is hereby appropriated to the department of health and human services for distribution to juvenile diversion programs developed and maintained by municipalities, counties, and non-governmental organizations pursuant to RSA 170-G:4, XXI, as inserted by this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>419 Department of Health and Human Services; Appropriation. The sum of \$450,000 in the fiscal year ending June 30, 2020 and the sum of \$450,000 in the fiscal year ending June 30, 2021 are hereby appropriated to the department of health and human services for the purpose of funding existing supervised visitation centers in New Hampshire. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>420 Department of Health and Human Services; Rural Health and Primary Care Section; Positions Established. There is established within the department of health and human services, division of public health services, rural health and primary care section, 2 full-time, unclassified positions. The salary for such positions shall be as set forth in RSA 94:1-a, provided that the salary for such positions shall be determined after assessment and review of the appropriate temporary</p>

	<p>letter grade allocation in RSA 94:1-a, I(b) for the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>421 Appropriations; Department of Health and Human Services; Rural Health and Primary Care Section.</p> <p>I. State Loan Repayment Program. The sum of \$3,250,000 for the fiscal year ending June 30, 2020 and the sum of \$3,250,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section to accounting unit 05-95-90-901010-7965, line 103, Contracts for Op Services, and to fund one of the positions established in section 420 of this act. This appropriation shall be nonlapsing. Of this appropriation, the sums of \$750,000 for the fiscal year ending June 30, 2020 and \$750,000 for the fiscal year ending June 30, 2021 shall be expended by clinicians solely to deliver mental health and substance use disorder treatment services in Carroll, Cheshire, and Coos counties. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p> <p>II. Primary Care Workforce Program. The sum of \$120,000 for the fiscal year ending June 30, 2020 and the sum of \$120,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of health and human services, division of public health services, rural health and primary care section, for the purpose of funding one of the positions established in section 420 of this act. The commissioner of the department of health and human services may use up to \$20,000 of the appropriation in each fiscal year towards the upgrade of an existing position in the rural health and primary care section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>422 Appropriation; Department of Business and Economic Affairs. The sum of \$100,000 for the fiscal year ending June 30, 2020 and the sum of \$100,000 for the fiscal year ending June 30, 2021 are hereby appropriated to the department of business and economic affairs for the purpose of</p>

	<p>supporting the education and acceleration programs within New Hampshire's non-profit business technology incubators. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>423 New Subdivision; Lead Paint Hazard Remediation Fund. Amend RSA 204-C by inserting after section 87 the following new subdivision:</p> <p style="text-align: center;">Lead Paint Hazard Remediation Fund</p> <p>204-C:88 Definitions. In this subdivision:</p> <p style="padding-left: 40px;">I. "Multi-unit" means more than one dwelling unit.</p> <p style="padding-left: 40px;">II. "Property" means a rental or owner-occupied residential property, or a child care facility licensed under RSA 170-E.</p> <p style="padding-left: 40px;">III. "Unit" means a single dwelling unit within a structure that contains more than one dwelling unit. "Unit" may also include any dwelling unit within a structure that is otherwise used for non-residential purposes.</p> <p>204-C:89 Lead Paint Hazard Remediation Fund Established.</p> <p style="padding-left: 40px;">I. There is hereby established within the authority a fund to be used for the purposes of remediating lead paint hazards in housing, to be known as the lead paint hazard remediation fund. The lead paint hazard remediation fund shall be composed of appropriations, gifts, grants, donations, bequests, or other moneys from any public or private source, but such revenues shall not be deemed to be money received from the state, and nothing in this subdivision shall be construed as pledging the faith and credit of the state.</p> <p style="padding-left: 40px;">II. The authority may use the lead paint hazard remediation fund to make loans to owners of properties for the costs of remediation of lead paint hazards. The authority may also make loans to owners of licensed child care facilities for remediation of lead in water. Loans may be made provided that such remediation is conducted in accordance with lead-safe practices under applicable laws and regulations.</p> <p style="padding-left: 40px;">III. The authority may use up to 5 percent of any funds deposited in the lead paint hazard</p>

	<p>remediation fund for program administration.</p> <p>204-C:90 Eligibility. For a property to be eligible to use the funding under this subdivision, the property shall be:</p> <p>I. An owner-occupied single family home occupied by a household with a child under 6 years or a pregnant woman and where household income is no more than 100 percent of the median income adjusted for household size for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development;</p> <p>II. A unit in a multi-unit residential property or a renter-occupied single family home where household income is no more than 90 percent of the median income adjusted for household size for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development; or</p> <p>III. A child care facility licensed under RSA 170-E.</p> <p>204-C:91 Use of Federal Funds. The lead paint hazard remediation fund shall only be used to supplement, but not supplant, existing federal resources. If a property or unit is eligible for federal funding from a program in operation by the authority, or by any state agency or political subdivision, the owner of the property shall first apply to that program before applying to the lead paint hazard remediation fund.</p> <p>204-C:92 Rulemaking. Pursuant to RSA 204-C:53, the authority shall adopt rules governing the distribution the lead paint hazard remediation fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>424 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:</p> <p>(344) Moneys deposited in the lead paint hazard remediation fund established under RSA 204-C:89.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>425 Repeal. Loans for Lead Hazard Remediation Projects. RSA 130-A:15-a, relative to loans for lead hazard remediation projects, is repealed.</p>

<p>NO COMPARABLE HOUSE SECTION</p>	<p>426 Appropriation; Lead Paint Hazard Remediation Fund. The sum of \$3,000,000 for the fiscal year ending June 30, 2020 is hereby appropriated to the lead paint hazard remediation fund established in RSA 204-C:89. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>427 Appropriation; Division of Public Health Services. Notwithstanding the provisions of RSA 485-F, \$500,000 in fiscal year 2020 shall be appropriated from the drinking water and groundwater trust fund established in RSA 6-D:1 to the department of health and human services, division of public health services to fund a study to determine the causes of high levels of pediatric cancer in New Hampshire. These funds shall not lapse until June 30, 2021.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>428 New Hampshire Veterans' Home; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2021, the commandant of the New Hampshire veterans' home is authorized to transfer funds within and among all accounting units within the home and to create accounting units and expenditure classes as required and as the commandant deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the home, including funding of unfunded positions, provided that if a transfer does not include new accounting units or expenditure classes, only such transfers of \$100,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council. The New Hampshire veterans' home shall be exempt from RSA 9:17-a, I and RSA 9:17-c, subject to approval by the fiscal committee of the general court of any transfer of appropriations from permanent personal services or employee benefits to any other use or purpose</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>429 Committee Established. There is established a committee to study the disparity in pay between independent case managers and case managers who are part of the Medicaid managed care</p>

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	<p>program.</p> <p>I. The members of the committee shall be as follows:</p> <p style="padding-left: 40px;">(a) Two members of the senate, one of whom shall be the chair of the senate health and human services committee and one of whom shall be from the senate finance committee, appointed by the president of the senate.</p> <p style="padding-left: 40px;">(b) Two members of the house of representatives, one of whom shall be the chair of the house health, human services and elderly affairs committee and one whom shall be from the house finance committee, appointed by the speaker of the house of representatives.</p> <p>II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.</p> <p>III.(a) The committee shall examine the extent of any disparity in pay between independent case managers and case managers who are part of the Medicaid managed care program, and the potential causes of and solutions to such disparity.</p> <p style="padding-left: 40px;">(b) The study shall include a comparison between all 1915(c) waiver case management reimbursement, including reimbursement for providers in the following programmatic areas: developmental services, choices for independence, in-home support, and acquired brain disorder services.</p> <p>IV. The committee may solicit information from any person or entity the committee deems relevant to its study.</p> <p>V. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.</p> <p>VI. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2019.</p>
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NO COMPARABLE HOUSE SECTION	<p>430 Statement of Purpose. The purpose of sections 431 and 432 this act is to assist lower income seniors with prescription drug costs when they reach the coverage limit for prescription drugs under the Medicare Part D program. Since most Medicare drug plans have a coverage gap, often called the “donut hole,” the general court finds that there is a need for a state assistance plan to supplement or wrap around the benefit available under the federal program to ensure that low income seniors retain access to necessary medication during this gap in coverage.</p>
NO COMPARABLE HOUSE SECTION	<p>431 New Subdivision; Department of Health and Human Services; New Hampshire Pharmaceutical Assistance Pilot Program for Seniors. Amend RSA 126-A by inserting after section 77 the following new subdivision:</p> <p style="text-align: center;">New Hampshire Pharmaceutical Assistance Pilot Program for Seniors</p> <p>126-A:78 New Hampshire Pharmaceutical Assistance Pilot Program for Seniors.</p> <p>I. The commissioner of the department of health and human services shall establish a prescription drug assistance pilot program for seniors. The purpose of the pilot program shall be to wraparound or supplement the federal prescription drug benefit under Medicare Part D by paying the out-of-pocket costs for prescription drugs for eligible individuals who have reached the coverage gap, known as the donut hole, under Medicare Part D. The pilot program shall be the payer of last resort and shall cover all out-of-pocket prescription drug costs for which assistance is not otherwise available in the coverage gap, known as the donut hole. The pilot program shall be available to the first 1,000 individuals age 65 or older who apply for such assistance, who have a gross annual household income of 250 percent or less of the federal poverty level, and who otherwise meet the eligibility criteria established by the department. Assistance shall be available under the pilot program from January 1, 2020 to January 1, 2021. The commissioner shall make available an online application, a telephone number for applications and questions, and shall provide written applications upon request. Applications shall include information on income, household size, Medicare Part D enrollment and coverage information, the prescription drugs for which assistance is sought, the age of the applicant, and the location of the applicant. On or before November 1, 2019,</p>

	<p>the commissioner shall adopt rules, under RSA 541-A, relative to pilot program enrollment, administration, and evaluation.</p> <p>II. On or before March 1, 2021, the commissioner of the department of health and human services shall submit an evaluation report of the pilot program to the senate president, the speaker of the house of representatives, the governor, the senate finance committee, the house finance committee, the senate health and human services committee, and the house health, human services and elderly affairs committee. The report shall include information regarding the number of applications, age and location of applicants, prescription drugs for which assistance was provided, costs per eligible applicant, likely costs per non-eligible applicant, and descriptions regarding applicant ineligibility.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>432 Appropriation; Department of Health and Human Services. For the purpose of funding the prescription drug assistance pilot program for seniors established in this act, the sum of \$2,000,000 for fiscal year ending June 30, 2019, is hereby appropriated to the department of health and human services. Such appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>433 Appropriation. The sum of \$1,000,000 for the fiscal year ending June 30, 2019 is hereby appropriated to the department of health and human services for the purposes of upgrading existing substance use disorder treatment and recovery housing facilities and creating new substance use disorder treatment and recovery housing facilities. Funds appropriated under this section shall be used for upgrading or renovating existing facilities to ensure compliance with fire code and safety standards; expanding existing facilities to increase service capacity; and developing new substance use disorder treatment and recovery housing facilities. Facilities receiving funds under this section shall be in compliance with any state rules associated with the operation of such programs. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Funds appropriated in this section shall be nonlapsing.</p>

268 Effective Date.

- I. Sections 1, 34, 65, 71, 72, 233, and 266 of this act shall take effect June 30, 2019.
- II. Section 5 of this act shall take effect as provided in section 6 of this act.
- III. Sections 76, 77, and 240 of this act shall take effect upon its passage.
- IV. Section 78 of this act shall take effect November 1, 2022.
- V. Sections 133-140 and 223 of this act shall take effect January 1, 2020.
- VI. Sections 107-108, 256, 259-263, and 265 of this act shall take effect July 1, 2020.
- VII. Section 235 of this act shall take effect January 1, 2021.
- VIII. The remainder of this act shall take effect July 1, 2019.

434 Effective Date.

- I. Sections 1, 36, 37, 63, 66, 72, 73, 191, 197, 230, paragraph I of section 233, 234-236, 251, paragraph II of section 252, 254-255, 257, 304-305, paragraph I of section 329, 330, 344-346, 347, 354, 357, 359, 360, 367, 369-371, 372, 397, 399-401, and 430-433 of this act shall take effect June 30, 2019.
- II. Sections 261-273, 300-302, 309-311, and 411-413 of this act shall take effect 60 days after its passage.
- III. Sections 133-140, 227, 289-294, and RSA 170-G:4-d, as inserted by section 388, of this act shall take effect January 1, 2020.
- IV. Section 275 and RSA 91-A:7-b, 91-A:7-c, and 91-A:7-d as inserted by section 276 of this act shall take effect April 1, 2020.
- V. Section 279 and RSA 170-G:4-b, as inserted by section 388 of this act shall take effect July 1, 2020.
- VI. Sections 280 and 281 of this act shall take effect January 1, 2021.
- VII. Sections 282-285 of this act shall take effect January 1, 2022.
- VIII. Section 306 of this act shall take effect July 1, 2022.
- IX. Sections 277 and 278 of this act shall take effect July 1, 2024.
- X. Sections 332-334 of this act shall take effect as provided in section 335 of this act.
- XI. Sections 404-406 of this act shall take effect as provided in section 407 of this act.
- XII. Sections 408-409 of this act shall take effect as provided in section 410 of this act.
- XIII. Section 5 of this act shall take effect as provided in section 6 of this act.
- XIV. Sections 102-107 of this act shall take effect as provided in section 108 of this act.
- XV. Section 110 of this act shall take effect as provided in section 111 of this act.
- XVI. The remainder of this act shall take effect July 1, 2019.