

HB 2-FN-A-LOCAL - AS AMENDED BY THE HOUSE

11Apr2019... 1403h

11Apr2019... 1469h

11Apr2019... 1470h

2019 SESSION

19-1119

01/10

HOUSE BILL

2-FN-A

AN ACT relative to state fees, funds, revenues, and expenditures.

SPONSORS: Rep. Wallner, Merr. 10

COMMITTEE: Finance

AMENDED ANALYSIS

1. Repeals 2017,155:7, which directed the commissioner of administrative services to eliminate appropriations to class 027 transfers to OIT in all agencies and departments.

2. Establishes the unclassified position of director of plant and property within the department of administrative services.

3. Converts managers in the department of administrative services to directors, and renames divisions and units accordingly.

4. Authorizes the department of administrative services to consolidate state agency human resources, payroll, and business processing functions.

5. Provides that 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.

6. Extends the state heating systems savings account.

7. Establishes an additional surplus fund within the department of administrative services.

8. Establishes the building maintenance fund within the department of administrative services and assesses charge to state agencies.

9. Limits the number of judges on the superior court and the number of full time judges on the circuit court for the biennium ending June 30, 2021.

10. Permits the supreme court to transfer funds among judicial branch accounts.

11. Provides the department of corrections with additional transfer authority for the biennium ending June 30, 2021 and establishes the cost of care reimbursement account and the unclassified position of director of nursing in the department of corrections.

12. Provides that chartered school lease aid shall not exceed more than \$30,000 per school in any fiscal year.

13. Suspends the senior volunteer grant program and congregate services for the biennium ending June 30, 2021.

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14. Directs the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program each January.
15. Increases the limit for county reimbursements under RSA 167:18-a.
16. Extends the prospective repeal for eligibility of state mental health services under 2011, 209:6, I.
17. Suspends direct and indirect graduate medical education payments to hospitals for the biennium ending June 30, 2021.
18. Suspends catastrophic aid to hospitals for the biennium ending June 30, 2021.
19. Makes an appropriation the department of safety, division of fire standards and training and emergency medical services, for the purpose of providing grants to local firefighters for medical examinations conducted pursuant to RSA 281-A:17.
20. Requires the commissioner of the department of health and human services to make quarterly reports to the governor, speaker of the house of representatives, and president of the senate on the status of estimated Medicaid payments in relation to actual costs.
21. Permits the department of health and human services to fill unfunded positions during the biennium ending June 30, 2021.
22. Repeals RSA 151-E:18, relative to presumptive eligibility for nursing services.
23. Establishes certain revolving funds within the department of health and human services.
24. Directs that the Laconia state school trust shall be dissolved upon final distribution of the funds pursuant to court order.
25. Establishes a committee to study outdated non-regulatory boards.
26. Requires the department of health and human services to develop a plan to close the cliff effect for individuals and families who receive public benefits.
27. Directs the commissioner of the department of health and human services to develop a plan for patients civilly committed to the secure psychiatric unit which shall consider the renovation of space at the New Hampshire hospital and establishes an advisory council.
28. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2021.
29. Modifies the funding source of the travel and tourism budget in the department of business and economic affairs.
30. Suspends the integrated land development permit procedure for the biennium ending June 30, 2021.
31. Suspends certain environmental state aid grants.
32. Provides for reimbursement for sheriff's offices for court security.
33. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program for the biennium ending June 30, 2021.
34. Adds a representative from the New Hampshire Hospital Association and a representative from the state's faith-based community to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery.

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35. Establishes a system of paid family and medical leave insurance.
36. Modifies the provision of civil legal services funds for low-income persons to New Hampshire legal assistance and eliminates the dedicated civil services legal fund.
37. Clarifies the health facilities licensure moratorium.
38. Authorizes sports betting in New Hampshire and establishes a council for responsible gambling.
39. Requires Keno revenue to be deposited in the education trust fund.
40. Defines and regulates the sale of electronic cigarettes and e-cigarettes.
41. Modifies the duties of the board of veterinary medicine.
42. Modifies the procedure for certified application prepayers for minimum environmental impact projects.
43. Regulates public bathing facilities.
44. Moves recreational camp licensing to the department of health and human services.
45. Combines the adjutant general's department, the office of veterans services, and the bureau of community based military programs into the department of military affairs and veterans services.
46. Transfers the bureau of visitor services within the department of business and economic affairs to the office of the commissioner of business and economic affairs.
47. Authorizes the establishment of the governor's finish line New Hampshire scholarship program in the community college system of New Hampshire and transfers administration of the existing governor's scholarship program to the department of education.
48. Authorizes the commissioner of the department of transportation to recommend the bulk disposal of real estate purchased with state or federal highway funds or both, or turnpike funds.
49. Repeals the Maine-New Hampshire interstate bridge authority.
50. Repeals witness fees for witnesses summoned before certain boards and commissions.
51. Amends the granite workforce program.
52. Exempts certain accounting units within the department of cultural and natural resources from transfer restrictions.
53. Requires payment of any transaction costs assessed for credit card payments on motor vehicle fines to be paid out of the fine amount which is credited to the highway fund.
54. Deletes obsolete limits on total bonds issued by the business finance authority.
55. Repeals the requirement for the Pease development authority to submit a comprehensive development plan.
56. Authorizes the attorney general, subject to the approval of the governor and council, to appoint a director of the office of victim/witness assistance and a director of communications.

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57. Establishes an unclassified full-time investigator position in the department of justice for the purpose of working on officer-involved use of deadly force investigations and to provide training to local law enforcement officers.

58. Abolishes a position in the department of justice to fund the director of communication position and establishes the position of assistant attorney general.

59. Provides for the rehiring of laid-off classified state employees, if possible.

60. Makes an appropriation to the state treasurer for the fiscal year ending June 30, 2021 for the purpose of providing municipal aid to each city, town, and unincorporated place in the state.

61. Establishes the community development fund for New Hampshire, which shall be administered by the community development finance authority, and makes an appropriation to the fund.

62. Makes appropriations to the department of environmental services for the purpose of funding state aid grant programs.

63. Establishes victim/witness specialist positions in the department of justice.

64. Establishes an unclassified, full-time elections attorney position within the department of justice.

65. Permits the department of natural and cultural resources to suspend curatorial responsibilities for the biennium ending June 30, 2021.

66. Allows for statewide public boat access funds to be used for payment of the cost of bonds for the Mount Sunapee state park beach boat ramp project of the department of natural and cultural resources.

67. Makes an appropriation to the department of natural and cultural resources for redevelopment and improvement projects at the Fort Stark historic site.

68. Clarifies the qualifications of the director of the division of archives and records management.

69. Modifies the election fund to include monies received by the state pursuant to the 2018 Election Reform Program, and expands the list of authorized uses of monies deposited into the fund.

70. Authorizes an appropriation of money to the department of state for the purpose of implementing the 2018 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law 115-141.

71. Makes changes to unemployment compensation contribution rates.

72. Transfers the job training program for economic growth from the department of business and economic affairs to the department of employment security.

73. Makes an appropriation to the housing finance authority for affordable housing.

74. Establishes a separate account for funds acquired to provide financial and technical assistance associated with agricultural restricted covenants, funding developmental rights, or for farmland preservation and makes an appropriation therefor.

75. Suspends the position of state demographer for the biennium.

76. Changes the number of review appraisers the staff of the board of tax and land appeals is

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required to have.

77. Extends the Coos county job creation tax credit until 2027.

78. Establishes the rates of the business profits tax and the business enterprise tax for taxpayer tax years ending on or after December 31, 2019 and for subsequent tax years, and repeals rate reductions effective in 2021.

79. Amends the authorized uses of the education trust fund.

80. Directs the governor to submit a document to be known as the trailer bill to the legislature as part of the budget process and clarifies that the document shall not be considered a budget bill under the New Hampshire constitution.

81. Establishes the position of deputy director of administration in the department of safety, division of administration.

82. Provides that 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.

83. Raises the fee for email or other computer-generated motor vehicle record requests by insurance companies or other authorized agents.

84. Establishes the fee for a Real ID Act compliant driver's license.

85. Permits the department of transportation to access certain federal funding for the purpose of completing the project development phase of the capital corridor rail project in the 2019-2028 Ten Year Transportation Improvement Plan and permits the department of transportation to use toll credits for this project.

86. Makes an appropriation to the department of transportation for the purpose of demolition and environmental mitigation of structures on state-owned property.

87. Exempts certain rules on the Medicaid rate of reimbursement methodology for nursing facilities from the administrative procedures act, RSA 541-A.

88. Clarifies disbursements of community benefit contributions from the alcohol abuse prevention and treatment fund.

89. Makes an appropriation to the department of health and human services for rate increases and construction of designated receiving facility beds.

90. Makes an appropriation to the department of health and human services for the purpose of obtaining and renovating a new treatment facility for children in need of inpatient psychiatric treatment.

91. Makes an appropriation to the department of health and human services for the purpose of repurposing the children's unit of New Hampshire hospital for adult beds.

92. Makes an appropriation to the department of health and human services for the purpose of constructing transitional housing beds.

93. Makes an appropriation to the department of health and human services for the purpose of providing assistance to hospitals in addressing the needs of certain patients residing in emergency rooms.

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94. Requires fiscal committee approval for any transfer of funds required for operation of the Sununu youth services center.
95. Requires the Medicaid managed care program to provide dental benefits to covered persons beginning in 2021.
96. Establishes a child abuse specialized medical evaluation program in the department of health and human services.
97. Requires evaluation of a minor committed to the youth development center to determine whether an alternative placement in a safe, therapeutic, and cost-effective, residential treatment facility is feasible.
98. Provides for the availability of certain federal family planning funds.
99. Establishes a commission to study school funding.
100. Extends the interest and dividends tax to capital gains and increases exemptions for the tax.
101. Requires a portion of interest and dividend and capital gains tax revenues to be credited to the education trust fund.
102. Calculates kindergarten pupils as full day attendance for the purpose of adequate education grants.
103. Repeals distribution of kindergarten grants based on Keno revenue.
104. Establishes fiscal capacity disparity aid to municipalities based on equalized valuation per pupil.
105. Provides additional aid to municipalities based on the percentage of pupils eligible to receive a free or reduced-price meal.
106. Requires school districts to report on the use of adequate education grant funds.
107. Provides stabilization grants to municipalities in fiscal year 2020 and repeals the grants in fiscal year 2021 and thereafter.
108. Provides that any budget surplus in excess of \$5,000,000 at the close of the biennium ending June 30, 2019, shall not be deposited in the revenue stabilization reserve account but shall remain in the general fund.
109. Makes an appropriation to the Internet crimes against children fund.

Explanation: Matter added to current law appears in ***bold italics.***
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to state fees, funds, revenues, and expenditures.

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

1 1 Repeal. 2017, 155:7 relative to budget adjustments and class 027 transfers to the department
2 of information technology for fiscal year 2019, is repealed.

3 2 Department of Administrative Services; Debarment of Vendors. Amend the introductory
4 paragraph of RSA 21-I:11-c, I to read as follows:

5 I.(a) No individual or business entity shall ~~[make a bid, proposal, or quotation in response~~
6 ~~to a request for]~~ **be awarded a** bid, proposal, or quotation issued by the division of procurement
7 and support services if that individual or entity, or any of its subsidiaries, affiliates, or principal
8 officers:

9 3 Department of Administrative Services; Debarment of Vendors; Statement. Amend RSA 21-
10 I:11-c, I(b) to read as follows:

11 (b) All individuals or business entities submitting a bid, proposal, or quotation in
12 response to a request for a bid, proposal, or quotation issued by the division of procurement and
13 support services shall, as part of their response, provide ~~[an affidavit signed under oath before a~~
14 ~~duly authorized notary public]~~ **a statement signed under penalty of unsworn falsification as**
15 **set forth in RSA 641:3** that all conditions listed in subparagraphs (a)(1)-(10) have been met.
16 Failure to submit such ~~[an affidavit or, should the affidavit be false or signed]~~ **a statement, the**
17 **filing of a false statement, or the signing of the statement** by an unauthorized person, **shall**
18 **be reason for** the bid, proposal, or quotation ~~[shall]~~ **to** be ~~[automatically]~~ rejected and the resulting
19 contract, if any, shall be deemed to be in breach. The commissioner of the department of
20 administrative services shall adopt rules under RSA 541-A relative to the ~~[affidavit]~~ **statement**
21 required under this subparagraph.

22 4 Department of Administrative Services; Divisions. Amend the section heading of RSA 21-I:11
23 to read as follows:

24 21-I:11 ~~[Division]~~ **Divisions of Procurement and Support Services, Public Works Design**
25 **and Construction, and** Plant and Property ~~[Management]~~.

26 5 Department of Administrative Services; Director of Plant and Property. Amend the
27 introductory paragraph of RSA 21-I:11, I(c) to read as follows:

28 (c) The division of plant and property, which shall be under the supervision of [~~a~~
29 ~~classified administrator who]~~ **an unclassified director of plant and property who shall be**
30 **qualified to hold that position by reason of education and experience and shall perform**

1 *such duties as the commissioner from time to time may authorize. The director of plant*
2 *and property* shall be responsible for the following functions, in accordance with applicable law:

3 6 Director of Plant and Property; Salary; Funding; Effective Date.

4 I. The salary of the director of plant and property shall be determined after assessment and
5 review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position
6 which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action
7 and appointment of the director of plant and property, position number 10082 shall be abolished to
8 allow for the transition of this classified position with its available appropriations into the
9 unclassified position of director of plant and property. Funding shall be transferred into a new
10 expenditure class number 11, within accounting unit 01-14-14-141510-1440. The incumbent in the
11 abolished classified position shall be offered the opportunity to seek the commissioner's nomination
12 for the unclassified position of director of plant and property.

13 II. The amendment to RSA 21-I:11, I(c) by section 5 of this act shall take effect upon the
14 abolition of position number 10082 under paragraph I, as certified by the commissioner of
15 administrative services to the secretary of state and the director of legislative services.

16 7 Department of Administrative Services; Directors; Officers. Amend RSA 21-I:2, II to read as
17 follows:

18 II. The commissioner shall nominate for appointment by the governor, with the consent of
19 the council, each unclassified division director, the assistant commissioner, the deputy
20 commissioner, the internal auditor, the *director of* financial data [~~manager~~] *management*, the
21 [~~manager~~] *director* of [~~risks~~] *risk* and benefits, and the senior operational analyst. The
22 unclassified division directors, the assistant commissioner, the deputy commissioner, the internal
23 auditor, the *director of* financial data [~~manager~~] *management*, the [~~manager~~] *director* of [~~risks~~]
24 *risk* and benefits, and the senior operational analyst shall each serve for a term of 4 years.

25 8 Department of Administrative Services; Office of the Commissioner. RSA 21-I:4 is repealed
26 and reenacted to read as follows:

27 21-I:4 Office Established. There is hereby established an office of the commissioner consisting
28 of the following units:

29 I. State budget.

30 II. Internal audit.

31 III. Operational analysis.

32 IV. Cost containment.

33 9 Division of Financial Data Management. Amend RSA 21-I:5 to read as follows:

34 21-I:5 *Division of* Financial Data Management [~~Unit~~]. There is hereby established within the
35 [~~office of the commissioner~~] *department a division of* financial data management [~~unit~~] under the
36 supervision of an unclassified *director of* financial data [~~manager~~] *management* who shall be
37 responsible for the following functions in accordance with applicable laws:

38 I. Providing coordination of all internal department financial information in order to assure

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1 the compatibility, continuity and integrity of such information.

2 II. Assisting the commissioner with the planning, management and operation of all internal
3 department financial information systems.

4 III. Carrying on a continuing analytical research and planning program in the field of
5 governmental financial management in order to provide for the most effective and efficient
6 information management systems possible.

7 IV. Accomplishing data entry and control of information for all internal department
8 financial systems, and preparing and distributing reports generated from those systems.

9 V. Assisting department division directors by:

10 (a) Establishing and operating a financial information resource center for their use.

11 (b) Jointly monitoring state and federal fiscal legislation with the directors in order to
12 assure timely awareness of and compliance with new legislation.

13 VI. Assisting users of information and financial systems which are the responsibility of the
14 **division of** financial data management ~~[unit]~~.

15 10 Department of Administrative Services; Division of Risk and Benefits. Amend RSA 21-I:7-c
16 to read as follows:

17 21-I:7-c Risk ~~[Management]~~ **and Benefits**. There is established within the ~~[office of the~~
18 ~~commissioner of administrative services a]~~ **department a division of** risk ~~[management unit]~~ **and**
19 **benefits**, under the supervision of an unclassified ~~[manager of risks]~~ **director of risk** and benefits,
20 who shall be qualified to hold that position by reason of education and experience, and who shall
21 perform such duties as the commissioner from time to time may authorize. The functions of the
22 **division of** risk ~~[management unit]~~ **and benefits** shall be divided across the following bureaus:

23 I. The bureau of health and benefits, under the supervision of a classified administrator,
24 who shall be responsible for the following functions, in accordance with applicable law:

25 (a) Overseeing and administering the state employee and retiree group insurance
26 programs authorized by RSA 21-I:26 through RSA 21-I:36, in accordance with administrative rules
27 adopted pursuant to RSA 21-I:14, XIII.

28 (b) Coordinating the employee and retiree benefit programs administered through the
29 **division of** risk ~~[management unit]~~ **and benefits** with the benefits and programs offered through
30 the New Hampshire retirement system and the state's deferred compensation commission
31 established in RSA 101-B.

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

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

36 (e) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and
37 benefits, creating for potential incorporation into the department of administrative services manual
38 of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains

1 procedures related to the bureau's functions, including but not limited to procedures relating to
2 employee and retiree benefits.

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

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

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

11 (3) Formalizing contract agreements.

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

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

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

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

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

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

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

24 (i) Advising the [~~manager of risks~~] **director of risk** and benefits and, upon request, the
25 commissioner, the governor and executive council, the general court, the state retiree health plan
26 commission established in RSA 100-A:56, the joint legislative fiscal committee established in RSA
27 14:30-a, and other entities regarding employee and retiree benefits program.

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

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

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

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

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

38 (c) Identifying cost-effective means for protecting against various types of losses,

1 including self-funding, commercial insurance purchases, and risk assumption, and recommending
2 to the ~~[manager of risks]~~ **director of risk** and benefits actions to be taken through the budget
3 process, or other processes, to implement such means.

4 (d) After consultation with, and approval by the ~~[manager of risks]~~ **director of risk** and
5 benefits, purchasing liability insurance under a fleet policy covering the operation of state-owned
6 vehicles and motorboats, and such other insurance and surety bonds as any state department,
7 agency, or official may be legally authorized to secure, or required to furnish; provided that
8 approval shall not be granted for any such insurance or surety bonds unless the same have been
9 marketed and procured through a resident agent of an insurance company registered and licensed
10 to do business in this state. With the exception of any risk located outside the state, no such
11 insurance company or resident agent, personally or by another, shall allow, give, or pay, directly or
12 indirectly, to any nonresident agent or nonresident broker any part of the commission on the sale of
13 such insurance or surety bonds. The insurance commissioner may suspend or revoke the license of
14 any resident agent or insurance company violating the provisions hereof.

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

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

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

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

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

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

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

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

37 (h) Evaluating risks facing the state and developing and operating health, safety, loss
38 control, and risk reduction programs, in accordance with loss prevention guidelines adopted

1 pursuant to RSA 21-I:14, II.

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

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

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

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

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

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

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

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

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

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

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

30 (h) Monitoring agencies' financial activities for compliance with financial requirements
31 of the state's health benefit program.

32 11 Department of Administrative Services; Reference Changed. Amend RSA 21-I:24, I to read
33 as follows:

34 I. The commissioner of administrative services, through the department's **division of risk**
35 ~~[management unit]~~ **and benefits**, is hereby authorized to pay such sum or sums as may be awarded
36 under the provisions of RSA 281-A, and the expense of insurance and third party administrator
37 services providing managed care programs authorized by RSA 281-A:23-a and similar services
38 directly related to the provision and monitoring of workers' compensation benefits payable to state

1 employees.

2 12 Department of Administrative Services; Reference Changed. Amend RSA 21-I:25-a, to read
3 as follows:

4 21-I:25-a Procurement of Managed Care and Other Risk-Shifting Services. By following the
5 procedures of RSA 21-I:28, the commissioner of administrative services, through the department's
6 **division of risk** [~~management unit~~] **and benefits**, and after consultation with the governor and
7 council, may contract for or purchase insurance or third party administrator services providing
8 managed care program services and similar services directly related to the provision and
9 monitoring of workers' compensation benefits payable to state employees.

10 13 Department of Administrative Services; References Changed. Amend RSA 21-I:30-f to read
11 as follows:

12 21-I:30-f Administrative Cost of Certain Programs Administered by the **Division of Risk**
13 [~~Management Unit~~] **and Benefits**; Obligation of Employee. The **division of risk** [~~management~~
14 ~~unit~~] **and benefits** may use moneys in the employee benefit adjustment account, established under
15 RSA 9:17-c, for the purposes of paying the administrative fees for the dependent care assistance
16 program established under RSA 21-I:44-a and the medical and related expenses program
17 established under RSA 21-I:44-b. The **division of risk** [~~management unit~~] **and benefits** may also
18 use such moneys in the event money must be paid to the contracting party in advance to cover the
19 employee's medical expenses, when the employee has not contributed all of such costs from payroll
20 deductions, provided that the employee benefit adjustment account shall be repaid when the
21 employee fulfills his or her obligation.

22 14 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-a, to read
23 as follows:

24 21-I:44-a Dependent Care Assistance Program Established. There is established a dependent
25 care assistance program to be administered by the **division of risk** [~~management unit~~] **and**
26 **benefits** of the department of administrative services with the assistance of the division of
27 accounting services of the department of administrative services and the treasury department.
28 Under this program, an employee may have a certain amount of his or her salary withheld, before
29 taxes, for the purpose of day care expenses.

30 15 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-b, to read
31 as follows:

32 21-I:44-b Medical and Related Expenses Program Established. There is established a medical
33 related expenses program to be administered by the **division of risk** [~~management unit~~] **and**
34 **benefits** of the department of administrative services with the assistance of the division of
35 accounting services of the department of administrative services and the treasury department.
36 Under this program, an employee may have a certain amount of his or her salary withheld, before
37 taxes, for the purpose of medical expenses.

38 16 State Agency Insurance; Reference Changed. Amend RSA 9:27 to read as follows:

1 9:27 Insurance.

2 ~~[I.]~~ Any agency or department of the state may, with the approval of the governor and
3 council and within the limits of its appropriation, secure casualty or liability insurance on any
4 property owned by the state or in connection with any program or activity of the state; provided,
5 however, that all such purchases shall first be reviewed and approved by the **division of risk**
6 ~~[management unit]~~ **and benefits** of the department of administrative services and that any
7 insurance specifically required by law shall be carried.

8 ~~[II. All casualty or liability insurance secured by an agency or department and in effect on~~
9 ~~July 1, 2017, shall be reported to the risk management unit by September 1, 2017.]~~

10 17 Health and Human Services; Reference Changed. Amend RSA 161:4, III to read as follows:

11 III. Liability Insurance. The commissioner of the department of health and human services
12 or designee shall have the authority, after consultation with the insurance department and the
13 **division of risk** ~~[management unit]~~ **and benefits**, and in accordance with the procedures
14 established by the commissioner of administrative services under RSA 21-I:7-c, V, to purchase
15 personal liability coverage for individuals providing care to adults receiving assistance from the
16 department of health and human services who reside in certified residential care facilities. The
17 amount and nature of this insurance coverage may vary in the discretion of the commissioner of
18 administrative services.

19 18 Services for Youth and Families; Reference Changed. Amend RSA 170-G:3, VI to read as
20 follows:

21 VI. The commissioner shall have authority, after consultation with the insurance
22 department and the **division of risk** ~~[management unit]~~ **and benefits**, and in accordance with the
23 procedures established by the commissioner of administrative services under RSA 21-I:7-c, V, to
24 purchase insurance coverage for the benefit of individuals providing foster care to children within
25 the jurisdiction of the department. The amount and nature of this insurance coverage may vary in
26 the discretion of the commissioner of administrative services.

27 19 Services for Youth and Families; References Changed. Amend RSA 170-G:3, VII(b) and (c)
28 to read as follows:

29 (b) No payment shall be made under subparagraph (a)(1) or (2) unless the department
30 investigates the claim and the commissioner, or the commissioner's designee, recommends to the
31 **division of risk** ~~[management unit]~~ **and benefits** that the claim, or some portion of the claim, be
32 paid. If the **division of risk** ~~[management unit]~~ **and benefits** determines that the claim meets the
33 requirements of this paragraph and is reasonable in amount, the commissioner of administrative
34 services, or the commissioner's designee, shall authorize such payment.

35 (c) No payment shall be made under subparagraph (a)(3) unless the department
36 investigates the claim and the commissioner, or the commissioner's designee determines the foster
37 parent did not act intentionally, willfully or recklessly, and recommends to the **division of risk**
38 ~~[management unit]~~ **and benefits** that the claim, or some portion of the claim, be paid. If the

1 **division of** risk [~~management unit~~] **and benefits** determines that the claim meets the
2 requirements of this subparagraph, the attorney general shall be notified and shall select a
3 qualified attorney to provide legal representation and defense to the claimant subject to the dollar
4 limitations of subparagraph (a)(3), the recommendations of the **division of** risk [~~management unit~~]
5 **and benefits**, and the attorney general's own experience and expertise. The commissioner of
6 administrative services, or the commissioner's designee, shall authorize payment of such amounts
7 as are approved by the attorney general.

8 20 University System; References Changed. Amend RSA 187-A:43, VI-VII, to read as follows:

9 VI. Cost analysis, including costs associated with the **division of** risk [~~management unit~~]
10 **and benefits** staff, shall be paid for by the university system. The university system shall pay all
11 associated costs of transferring data into the state group health insurance plan and all costs
12 associated with data collection, data manipulation associated with transferring from one plan to
13 another, and costs of university system changes, including staff costs.

14 VII. The university system shall provide to the **division of** risk [~~management unit~~] **and**
15 **benefits** a file of medical and pharmaceutical claims for the previous 2 years which shall not
16 contain any personally identifiable information.

17 21 Community College System; References Changed. Amend RSA 188-F:68, VI-VII, to read as
18 follows:

19 VI. Cost analysis, including costs associated with the **division of** risk [~~management unit~~]
20 **and benefits** staff, shall be paid for by the community college system. The community college
21 system shall pay all associated costs of transferring data into the state group health insurance plan
22 and all costs associated with data collection, data manipulation associated with transferring from
23 one plan to another, and costs of system changes, including staff costs.

24 VII. The community college system shall provide to the **division of** risk [~~management unit~~]
25 **and benefits** a file of medical and pharmaceutical claims for the previous 2 years which shall not
26 contain any personally identifiable information.

27 22 Board of Claims; Reference Changed. Amend RSA 541-B:11-A to read as follows:

28 541-B:11-a Annual Report. The secretary of state shall provide annually to the **division of** risk
29 [~~management unit~~] **and benefits** a copy of the annual report for the board.

30 23 Salaries; Unclassified State Officers. Amend the following positions in RSA 94:1-a, I(b),
31 salary grade HH, to read as follows:

32 HH Department of administrative services [~~manager of risks~~] **director of risk** and benefits

33 HH Department of administrative services **director of** financial data [~~manager~~] **management**

34 24 Department of Administrative Services; Intent of Amendment of Risk Management Unit;
35 Continuation of Operations. The amendment to the title of the risk management unit to the
36 division of risk and benefits is not intended to alter the underlying functions, authorities, or
37 personnel of the existing unit or its manager, or the compensation of any existing employee. The
38 division of risk and benefits shall perform all duties previously performed by the risk management

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1 unit and the director of the division of risk and benefits shall perform all duties and functions
2 previously performed by the manager of risks. Any and all documents entered into by the risk
3 management unit or any of its subunits, including but not limited to contracts, agreements,
4 requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall
5 be construed to apply to, and shall be deemed to be the action of, the division of risk and benefits.

6 25 Department of Administrative Services; Intent of Amendment of Title of the Manager of
7 Risks; Continuation of Salary and Functions. The unclassified employee serving as the manager of
8 risks prior to the effective date of this section shall, barring resignation or removal from office, be
9 deemed the director of the division of risk and benefits for the remainder of his or her existing term
10 as the manager of risks and benefits. The salary of the director of the division of risk and benefits
11 shall be that allocated in RSA 94:1-a, I(b) to the manager of risks and benefits.

12 26 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating
13 to Risk Management. All provisions of law that remain in effect and refer to the department of
14 administrative services' risk management unit shall be construed so as to apply to the division of
15 risk and benefits. All powers, duties, and obligations of the risk management unit, and all bureaus
16 or other subunits within the unit, shall be transferred to the division of risk and benefits and its
17 subunits without interruption or delay on the effective date of this section. The transfer shall
18 include, but not be limited to, all personnel, equipment, and funding of the former risk management
19 unit and its subunits. The department of administrative services may make such changes to the
20 accounting structure and budgetary allocations for the biennium ending June 30, 2021 as it
21 concludes are necessary or appropriate to effectuate and accommodate the changes made to the
22 department by this act.

23 27 Department of Administrative Services; Intent of Amendment of Financial Data
24 Management Unit; Continuation of Operations. The alteration of the title of the financial data
25 management unit to the division of financial data management is not intended to alter the
26 underlying functions, authorities, or personnel of the existing unit or its manager, or the
27 compensation of any existing employee. The division of financial data management shall perform
28 all duties previously performed by the financial data management unit and the director of the
29 division of financial data management shall perform all duties and function previously performed
30 by the financial data manager. Any and all documents entered into by the financial data
31 management unit or any of its subunits, including but not limited to contracts, agreements,
32 requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall
33 be construed to apply to, and be deemed to be the action of, the division of financial data
34 management.

35 28 Department of Administrative Services; Intent of Amendment of Title of the Financial Data
36 Manager; Continuation of Salary and Functions. The unclassified employee serving as the financial
37 data manager as of the effective date of this section shall, barring resignation or removal from
38 office, be deemed the director of the division of financial data management for the remainder of his

1 or her existing term as the financial data manager. The salary of the director of the division of
2 financial data management shall be that allocated in RSA 94:1-a, I(b) to the financial data manager.

3 29 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating
4 to Financial Data Management. All provisions of law that remain in effect and refer to the
5 department of administrative services' financial data management unit shall be construed so as to
6 apply to the division of financial data management. All powers, duties, and obligations of the
7 financial data management unit, and all bureaus or other subunits within the unit, shall be
8 transferred to the division of financial data management and its subunits without interruption or
9 delay on the effective date of this section. The transfer shall include, but not be limited to, all
10 personnel, equipment, and funding of the former financial data management unit and its subunits.
11 The department of administrative services may make such changes to the accounting structure and
12 budgetary allocations for the biennium ending June 30, 2021 as it concludes are necessary or
13 appropriate to effectuate and accommodate the changes made to the department by this act.

14 30 Department of Administrative Services; Consolidation of Human Resources and Payroll
15 Functions.

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

23 (a) Accounts receivable;

24 (b) Accounts payable;

25 (c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to
26 the state; and

27 (d) Such additional finance, accounting and other functions and transactions that the
28 commissioner of administrative services determines may potentially achieve substantial efficiencies
29 from consolidation.

30 II. The commissioner of administrative services may establish the number of total
31 personnel required for human resources, payroll, and business processing functions in the executive
32 branch of state government and, with the prior approval of the governor and council, may eliminate
33 unnecessary positions and may transfer positions to or from the department of administrative
34 services to or from any other agency if the commissioner of administrative services concludes that
35 such transfers or eliminations are necessary to effectuate the efficient consolidation or
36 deconsolidation of human resources, payroll, or business processing functions within state
37 government. Such transfers may, if deemed appropriate by the commissioner of administrative
38 services, include the transfer of all associated books, papers, records, personnel files, and

1 equipment, including, but not limited to, work station and information technology equipment, and
2 may, if deemed appropriate by the commissioner of administrative services, include the transfer of
3 any unexpended appropriations for any of the foregoing, and any unexpended appropriations for
4 salary, payroll, benefits, support costs, or any other costs associated with the transferred personnel.
5 The department of administrative services may also establish new full-time temporary positions
6 within the department, if the commissioner of administrative services deems it necessary to
7 effectuate the efficient consolidation or deconsolidation of human resources, payroll, or business
8 processing functions.

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

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

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

34 31 Department of Administrative Services; State Employee Health Plan; Application. The cost
35 sharing and plan design for unrepresented active state employees who participate in the health
36 plans offered by the state shall be the same as those for individuals covered by the collective
37 bargaining agreement between the state of New Hampshire and the State Employees' Association of
38 New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above

1 plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan
2 designs for represented active state employees who participate in the health plans offered by the
3 state shall be in accordance with the provisions of the collective bargaining agreements between the
4 state and the employee organizations representing those employees.

5 32 Department of Administrative Services; Health Coverage Shared Responsibility. Agencies
6 may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared
7 responsibility for health coverage under section 4980H of the Internal Revenue Code.

8 33 All Agencies; Administrative Services; Electronic Mail. Unless restricted by law or
9 administrative rule, upon request of an intended recipient, an agency may provide documents by
10 electronic mailing in lieu of mail.

11 34 Department of Administrative Services; Heating Systems Savings. Amend RSA 21-I:19-ff to
12 read as follows:

13 21-I:19-ff State Heating System Savings Account. There is hereby established the state heating
14 system savings account for the transfer of unexpended state heating system appropriations due to
15 reduced heating system costs resulting from the 26 state buildings served by the Concord Steam
16 project authorized in 2017, 2. Notwithstanding RSA 21-I:19-e, at the end of each state fiscal year,
17 the commissioner of administrative services shall identify the unexpended appropriations in the
18 accounts and class lines for the 26 state buildings served by the replacement of the Concord Steam
19 facility. The commissioner shall deposit such sums into the account established by this section.
20 Funds in the state heating system savings account shall be nonlapsing and appropriated to the
21 department of administrative services for the biennium ending June 30, 2019, *the biennium*
22 *ending June 30, 2021*, and the fiscal year ending [2020] *June 30, 2022* and may be used to pay
23 principal and interest on bonds and notes issued to fund the capital project for the heating of state
24 facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in
25 downtown Concord.

26 35 State Heating System Facilities. Any unspent balance remaining on the \$18,000,000
27 appropriation made by 2017, 2 to the department of administrative services for the fiscal year
28 ending June 30, 2017, for the purpose of the purchase and replacement of all systems providing
29 heat to state facilities located at the Governor Hugh J. Gallen state office park and state-owned
30 buildings in downtown Concord that were obtaining steam from Concord Steam corporation, as well
31 as the decommissioning of the steam plant located at 105 Pleasant Street in Concord, including but
32 not limited to system design, construction, hazardous material remediation, and project
33 administration and management, as required, shall not lapse until June 30, 2020. As indicated in
34 2017, 2, this project shall be managed by the division of public works design and construction and
35 funds may be expended to fund any temporary personnel for the purpose of project administration,
36 management, or clerk of the works. The commissioner of the department of administrative services
37 is also authorized to employ a classified, full-time, permanent project manager in the division of
38 public works design and construction, whose initial salary and benefit cost shall be from funds

1 appropriated pursuant to 2017, 2. The governor is authorized to draw a warrant for said sum out of
2 any money in the treasury not otherwise appropriated, and said funds shall not lapse until June 30,
3 2020.

4 36 Department of Administrative Services; Funding and Staffing Resource Limitations.

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

11 II. Due to inadequate funding and staffing resources at the department of administrative
12 services, the commissioner of the department of administrative services may suspend the following
13 requirements or obligations of the department for each fiscal year of the biennium ending June 30,
14 2021:

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

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

20 37 Department of Administrative Services; Establishment of Additional Surplus Fund. Amend
21 RSA 21-I:11, I, (a)(6)(B) to read as follows:

22 (B) Be maintained by the treasurer ~~[as a]~~ **in one of 2** separate, restricted ~~[fund]~~
23 **funds:**

24 (i) ***The surplus distribution section administrative assessments fund,***
25 ***into which shall be deposited funds received by the department by virtue of the disposition***
26 ***of surplus property; and***

27 (ii) ***The federal surplus food fund, into which shall be deposited***
28 ***funds received by the department by virtue of the disposition of federal surplus food.***

29 38 Surplus Distribution Accounts. Amend RSA 6:12, I(b)(92) to read as follows:

30 (92) Moneys deposited in the 2 surplus ~~[distribution section administrative~~
31 ~~assessments fund]~~ **funds** under RSA 21-I:11, I(a)(6)(B):

32 (A) ***The surplus distribution section administrative assessments fund;***
33 ***and***

34 (B) ***The federal surplus food fund.***

35 39 Department of Administrative Services; Fund Restrictions. Amend the introductory
36 paragraph of RSA 21-I:11-a, I to read as follows:

37 I. Expenditures from the funds established by RSA 21-I:11, I(a)(6)(B), shall be restricted to
38 defraying the following costs ***of the respective programs*** incurred as a result of transferring

1 donated commodities or surpluses from the consignee point of delivery or point of origin to the
2 ultimate point of consumption:

3 40 New Section; Department of Administrative Services; Building Maintenance Fund. Amend
4 RSA 21-I by inserting after section 11-c the following new section:

5 21-I:11-d Building Maintenance Fund. Each agency or branch for which the department of
6 administrative services is charged with providing building maintenance services pursuant to RSA
7 21-I:11, I(c), RSA 21-I:12, II(c), or other law, shall pay to the department an annual assessment of
8 50 cents per square foot of such space which the agency or branch occupies. The department of
9 administrative services may make transfers from appropriate agency accounts to address such
10 assessments. Collected amounts shall be deposited in the building maintenance fund, which shall
11 be nonlapsing and appropriated to the department of administrative services for the purposes of
12 covering costs associated with continuing maintenance of buildings, space, and other property
13 which it is charged with maintaining.

14 41 New Subparagraph; Application of Receipts; Building Maintenance Fund. Amend RSA 6:12,
15 I(b) by inserting after subparagraph (343) the following new subparagraph:

16 (344) Moneys deposited in the building maintenance fund established under RSA
17 21-I:11-d.

18 42 Judicial Appointments; Number Limited; Conversion Suspended.

19 I. For the biennium ending June 30, 2021, the number of judges serving on the superior
20 court shall not exceed 22 and the number of full-time judges serving on the circuit court shall not
21 exceed 35.

22 II. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time
23 judicial position, is hereby suspended for the biennium ending June 30, 2021.

24 43 Judicial Branch; Transfer Among Accounts and Classes. Notwithstanding any provision of
25 law to the contrary, and subject to approval of the fiscal committee of the general court, for the
26 biennium ending June 30, 2021, the supreme court may transfer funds within and among all
27 accounting units within the judicial branch as the supreme court deems necessary and appropriate
28 to address budget reductions or to respond to changes in federal laws, regulations, or programs, and
29 otherwise as necessary for the efficient management of the judicial branch. If the supreme court
30 intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA
31 9:17-d, prior approval of the fiscal committee of the general court shall be required for transfers of
32 \$100,000 or more.

33 44 Department of Corrections; Transfer Authority. The following classes within the
34 department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a, 9:17-c,
35 classes 10-personal services-perm classified, 11-personal services-unclassified, 12-personal services-
36 unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed and 60-benefits. The
37 department may transfer funding in these classes within and among all accounting units provided
38 that any transfer shall require prior approval of the fiscal committee of the general court and

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1 governor and council. The provisions of this paragraph shall remain in effect for the biennium
2 ending June 30, 2021.

3 45 New Section; Cost of Care Reimbursement Account Established. Amend RSA 622 by
4 inserting after section 58 the following new section:

5 622:58-a Cost of Care Reimbursement Fund Established. There is established the cost of care
6 reimbursement fund, which shall be administered by the commissioner of the department of
7 corrections. This fund shall be nonlapsing and continually appropriated to the commissioner for the
8 purpose of the general care of those persons under departmental control and upkeep of the prison
9 facilities including equipment. The commissioner shall deposit all funds received from the
10 department of justice as specified in RSA 622:58 into this fund.

11 46 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after
12 subparagraph (343) the following new subparagraph:

13 (344) Moneys deposited in the cost of care reimbursement fund under RSA 622:58-a.

14 47 Department of Corrections; Cost of Care Reimbursement Moneys. Amend RSA 622:58 to
15 read as follows:

16 622:58 Deposit of Recovered Moneys. All moneys recovered under this subdivision shall be
17 deposited in the ~~[general fund]~~ **cost of care reimbursement fund under RSA 622:58-a.**

18 48 Repeal. RSA 622:7-b, relative to victim's fund, is repealed.

19 49 Application of Receipts; Victims' Fund. Amend RSA 6:12, I(b)(23) to read as follows:

20 (23) The assessments collected under RSA 106-L:10 and 651:63, V ~~[and the~~
21 ~~surecharges on state commissary purchases under RSA 622:7-b designated for the victims' assistance~~
22 ~~fund which]~~ shall be credited to the victims' assistance fund until that fund exceeds \$900,000, at
23 which time moneys in excess of \$900,000 shall be credited to the general fund.

24 50 Department of Corrections; Unclassified Position Established; Director of Nursing.

25 I. The unclassified position of director of nursing is hereby established in the department of
26 corrections and shall be qualified for that position by reason of education and experience and shall
27 be nominated by the commissioner of the department of corrections for the appointment by the
28 governor and the executive council, who shall serve at the pleasure of the commissioner. The
29 director of nursing shall oversee the uniform integration of nursing practice and care into the
30 comprehensive medical and behavioral health system operated by the department of corrections as
31 well as ensuring adherence of nurses to nursing practice laws, rules, standards, and policies. This
32 position shall also establish an organizational reporting structure to ensure that all nurses receive
33 adequate and appropriate supervision. Direct reports shall include the assistant nursing director
34 and all nurse coordinators.

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

38 III. Upon completion of this action and appointment of the position identified in paragraph

1 I, classified position #16287 shall be abolished to allow for the transition of this classified position
2 with its available appropriations into the new unclassified position. Funding shall be transferred
3 into expenditure class 011, within accounting unit 02-46-46-465010-8234. The incumbent in the
4 abolished classified position shall be offered the opportunity to seek the commissioner's nomination
5 for the unclassified director of nursing position.

6 51 Department of Corrections; Unclassified Positions Established.

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

- 13 (a) Department of corrections, chief pharmacist.
- 14 (b) Department of corrections, pharmacist I.
- 15 (c) Department of corrections, pharmacist II.
- 16 (d) Department of corrections, pharmacist III.
- 17 (e) Department of corrections, pharmacist IV.

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

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

- 27 (a) Chief pharmacist #19851.
- 28 (b) Pharmacist #12997.
- 29 (c) Pharmacist #19553.
- 30 (d) Pharmacist #19848.
- 31 (e) Pharmacist #16290.

32 52 State Commission for Human Rights. Amend RSA 354-A:3, I to read as follows:

33 I. There is hereby created a commission to be known as the New Hampshire commission for
34 human rights, *which shall be administratively attached to the department of justice*
35 *pursuant to RSA 21-G:10*. Such commission shall consist of 7 members, who shall be appointed by
36 the governor, with the consent of the council, and one of whom shall be designated as chair by the
37 governor. The term of office of each member of the commission shall be for 5 years.

38 53 Boxing and Wrestling Commission. Amend RSA 285:2 to read as follows:

1 285:2 Establishment of Commission. There is hereby established a boxing and wrestling
2 commission which shall oversee amateur and professional fighting sports in the state. *The*
3 *commission shall be administratively attached to the department of state pursuant to RSA*
4 *21-G:10.*

5 54 Annual Grant for Leased Space; Charter Schools. Amend the introductory paragraph of
6 RSA 198:15-hh, I to read as follows:

7 I. The amount of the annual grant for a lease to any school district duly organized, any city
8 maintaining a school department within its corporate organization, any cooperative school district
9 as defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-
10 A:1, shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred,
11 for the cost of leasing permanent space in a building or buildings not owned by the school district or
12 school administrative unit which is used for the operation of a high school vocational technical
13 education program, to the extent approved by the state board of education. For the purposes of this
14 section, the amount of the annual grant for a lease to a vocational technical education center shall
15 be calculated in the same manner as a cooperative school district. The amount of the annual grant
16 for a chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of
17 the annual lease payment incurred for the cost of leasing space; ***provided that no annual grant***
18 ***for leased space provided to a chartered public school in accordance with this section***
19 ***shall exceed \$30,000 in any fiscal year.*** The total amount of grants to schools pursuant to this
20 section shall not exceed the state appropriation for leased space. If the amount appropriated is
21 insufficient therefor, the appropriation shall be prorated proportionally among the schools eligible
22 for a grant. Such lease agreements shall be eligible for grants under this section, provided all of the
23 following conditions apply:

24 55 Meals and Rooms Tax; Distribution to Cities and Towns. For the fiscal years ending June
25 30, 2020 and June 30, 2021, the state treasurer shall fund the distribution of revenue to cities and
26 towns pursuant to the formula for determining the amount of revenue returnable to cities and
27 towns under RSA 78-A:26, I and II at no more than the amount of the fiscal year 2019 distribution.

28 56 Senior Volunteer Program; Suspension. RSA 161-F:40 and RSA 161-F:41, relative to the
29 senior volunteer program shall be suspended for the biennium ending June 30, 2021.

30 57 Congregate Housing; Suspension. RSA 161-F:37, relative to the administration of
31 congregate housing, shall be suspended for the biennium ending June 30, 2021.

32 58 Department of Health and Human Services; Social Services Block Grant Cost of Living
33 Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending
34 June 30, 2021, the department of health and human services shall raise the income eligibility for
35 elderly and adult clients under the social services block grant program each January, by the
36 percentage amount of the cost of living increase in social security benefits on a yearly basis provided
37 such amount is consistent with federal law and regulations relative to the social services block
38 grant income eligibility.

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1 59 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to
2 read as follows:

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

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

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

7 60 Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children;
8 Definitions. Amend RSA 167:6, VII to read as follows:

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

22 61 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as
23 amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I to read as
24 follows:

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

26 62 Department of Health and Human Services; Suspension of Direct and Indirect Graduate
27 Medical Education Payments. The commissioner of the department of health and human services
28 shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and
29 Medicaid Services to suspend the provision of direct and indirect graduate medical education
30 payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30,
31 2021. Upon approval of the state plan amendment, and as of the effective date of the state plan
32 amendment, any obligations for payment of direct and indirect graduate medical education shall be
33 suspended for the biennium ending June 30, 2021.

34 63 Department of Health and Human Services; Public Safety and Welfare; Medicaid
35 Enhancement for Children and Pregnant Women. If the New Hampshire granite advantage health
36 care program established under RSA 126-AA is repealed effective December 31, 2023 or earlier, the
37 commissioner of the department of health and human services shall reinstate Medicaid coverage
38 and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the

1 department of health and human services shall adopt rules, pursuant to RSA 541-A, to establish the
2 eligibility levels for Medicaid coverage under RSA 167:68 identical to the eligibility levels which
3 were in effect prior to the effective date of the New Hampshire granite advantage health care
4 program.

5 64 Health and Human Services; Suspension of Catastrophic Aid Payments to Hospitals. The
6 commissioner of the department of health and human services shall submit a Title XIX Medicaid
7 state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend
8 catastrophic aid payments to hospitals. Upon approval of the state plan amendment, and as of the
9 effective date of the state plan amendment, any obligations for catastrophic aid payments to
10 hospitals shall be suspended for the biennium ending June 30, 2021.

11 65 Department of Health and Human Services; Prospective Repeal Regarding the Exemption
12 from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV to read as follows:

13 IV. Section 10 of this act shall take effect June 30, [~~2019~~] **2021**.

14 66 Department of Health and Human Services; Program Eligibility; Additional Revenues. For
15 the biennium ending June 30, 2021, the department of health and human services shall not
16 authorize, without prior consultation with the house health, human services and elderly affairs
17 committee and the senate health and human services committee and the approval of the fiscal
18 committee of the general court and governor and council, any change to program eligibility
19 standards or benefit levels that might be expected to increase or decrease enrollment in the
20 program or increase expenditures from any source of funds; provided, however, that no such prior
21 approval shall be required if a change to a federal program in which the state is participating as of
22 the effective date of this section is required by federal law.

23 67 Appropriation; Department of Safety, Division of Fire Standards and Training and
24 Emergency Medical Services. There is hereby appropriated to the department of safety, division of
25 fire standards and training and emergency medical services, the sum of \$500,000, for the biennium
26 ending June 30, 2021, for the purpose of providing grants to local firefighters for medical
27 examinations conducted pursuant to RSA 281-A:17. The sum shall be a charge against the fire
28 standards and training and emergency medical services fund established pursuant to RSA 21-P:12-
29 d, and shall not lapse.

30 68 Commissioner of Health and Human Services; Quarterly Reports. During the biennium
31 ending June 30, 2021, the commissioner of health and human services shall make quarterly reports
32 to the governor, the speaker of the house of representatives, and the senate president on the status
33 of estimated Medicaid payments in relation to actual costs. Further contents of the such reports
34 shall be as specified by the governor.

35 69 Department of Health and Human Services; Unfunded Positions; Authorization.
36 Notwithstanding any other provision of law to the contrary, the department of health and human
37 services may fill unfunded positions during the biennium ending June 30, 2021, provided that the
38 total expenditure for such positions shall not exceed the amount appropriated for personnel

1 services.

2 70 Repeal. RSA 151-E:18, regarding presumptive eligibility for nursing facility services, is
3 repealed.

4 71 New Section; Department of Health and Human Services; Developmental Services;
5 Establishing Certain Funds and Transfers of Certain Appropriations. Amend RSA 171-A by
6 inserting after section 8-a the following new section:

7 171-A:8-b Establishing Certain Dedicated Funds and Transfers of Certain Appropriations.

8 I. There is hereby established the developmental services fund. The fund, from
9 appropriations provided in accounting unit 05-95-93-930010-7100, shall be used to carry out the
10 provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to
11 the commissioner for the purposes of this chapter.

12 II. There is hereby established the acquired brain disorder services fund. The fund, from
13 appropriations provided in accounting unit 05-95-93-930010-7016, shall be used to carry out the
14 provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to
15 the commissioner for the purposes of this chapter.

16 III. There is hereby established the in-home support waiver fund. The fund, from
17 appropriations provided in accounting unit 05-95-93-930010-7110, shall be used to carry out the
18 provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to
19 the commissioner for the purposes of this chapter.

20 IV. The funds in paragraphs I through III shall only be transferred between these funds
21 and/or accounting units for those particular services for the purposes of this chapter.

22 72 New Subparagraphs; Department of Health and Human Services; Developmental Services;
23 Certain Accounts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new
24 subparagraphs:

25 (344) Moneys deposited in the developmental services fund established under RSA
26 171-A:8-b, I.

27 (344) Money deposited in the acquired brain disorder services fund established
28 under RSA 171-A:8-b, II.

29 (344) Money deposited in the in-home support waiver fund established under RSA
30 171-A:8-b, III.

31 73 Department of Health and Human Services; Transfer of Certain Trust Funds.

32 I. The trust established in *In Re: Laconia State School Trust Funds*, Docket Number 317-
33 2017-EQ-599 (6th Circuit-Probate Division-Concord) shall be dissolved upon the final distribution of
34 funds pursuant to the court order issued in that case.

35 II. Distributions shall be made from the trust to former residents of Laconia state school
36 pursuant to court order. When there are no longer any surviving former residents of Laconia state
37 school, any funds remaining in the trust shall be distributed to persons receiving services from the
38 state developmental services system, in accordance with the court order, until all of the funds in the

1 trust are fully expended.

2 74 Study Committee on Outdated Non-regulatory Boards, Commissions, Councils, and Advisory
3 Bodies.

4 I. There is hereby established a committee to review all non-regulatory boards,
5 commissions, councils, and advisory bodies which exist in statute to determine which such non-
6 regulatory boards, commissions, councils, and advisory bodies should be repealed.

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

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

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

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

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

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

20 (a) Frequency of meetings.

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

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

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

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

28 75 Department of Health and Human Services; Plan to Close the Cliff Effect for Individuals
29 and Families who Receive Public Benefits.

30 I. The purpose of this section is to coordinate poverty reduction strategies across agencies
31 and employers to provide necessary support mechanisms to ensure the long-term success for New
32 Hampshire's families and children for economic independence achieved through employment, and to
33 demonstrate successful outcomes for families and children for identifying supportive transitions
34 from public benefits to self-sufficiency while enhancing New Hampshire's workforce. Families
35 include parents, grandparents, caretaker relatives, and other individuals caring for children
36 acknowledging that the opioid crisis has impacted the care of New Hampshire's children.

37 II. In this section, "cliff effect" means the experience of individuals or families who receive
38 public benefits when new or increased income results in a reduction or loss of public benefits, but

1 the increased income does not fully compensate for or exceed the loss of public benefits. This results
2 in the individual and or family with less public benefits and an increase in out-of-pocket expenses
3 that eliminates any financial gain from the new or increased income.

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

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

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

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

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

37 76 Department of Health and Human Services; Plan for Patients Civilly Committed to the
38 Secure Psychiatric Unit.

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

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

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

10 II. The plan shall be developed in consultation with the advisory council on patients civilly
11 committed to the secure psychiatric unit, established in RSA 622:52-a, and shall be completed no
12 later than June 1, 2020.

13 III. During the plan's development, the department shall review and consider the following:

14 (a) Other states that have facilities which simultaneously serve all categories of civilly
15 committed persons.

16 (b) Input from the attorney general, the commissioner of the department of
17 administrative services, advocacy organizations, professional associations, and the public.

18 IV. Of the amount appropriated in section 231 of this act, up to \$1,225,000 shall be used for
19 preliminary project design and engineering of the option selected for the treatment of patients
20 currently civilly committed to the secure psychiatric unit.

21 77 New Section; Advisory Council on Patients Civilly Committed to the Secure Psychiatric
22 Unit. Amend RSA 622 by inserting after section 52 the following new section:

23 622:52-a Advisory Council on Patients Civilly Committed to the Secure Psychiatric Unit.

24 I. There is hereby established an advisory council on patients civilly committed to the
25 secure psychiatric unit to assist the commissioner of the department of health and human services
26 with the planning necessary to end the practice of placing civilly committed persons at the secure
27 psychiatric unit. The members of the advisory council shall be:

28 (a) Five members of the house of representatives, appointed by the speaker of the house
29 of representatives.

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

31 (c) The commissioner of the department of health and human services, or designee.

32 (d) The commissioner of the department of corrections, or designee.

33 (e) The director of medical and forensic services, department of corrections, or designee.

34 (f) The chief operating officer of the New Hampshire hospital, or designee.

35 (g) One member representing New Hampshire Legal Assistance, appointed by that
36 organization.

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

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

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

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

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

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

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

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

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

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

21 V. The advisory council shall submit an annual report on November 1 of each year,
22 commencing November 1, 2019, and a final report on November 1, 2022, detailing its activities and
23 findings, together with any recommendations for proposed legislation, to the speaker of the house of
24 representatives, the president of the senate, the chairpersons of the house criminal justice and
25 public safety and the health, human services and elderly affairs committees, the chairpersons of the
26 senate judiciary committee and the health and human services committee, the state library, and the
27 governor.

28 78 Repeal. RSA 622:52-a, relative to the advisory council on patients civilly committed to the
29 secure psychiatric unit, is repealed.

30 79 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns
31 shall be suspended for the biennium ending June 30, 2021.

32 80 Liquor Commission; Processing of Merchant Cards. For the biennium ending June 30, 2021,
33 the liquor commission, for purposes of supporting merchant card activity, may:

34 I. Implement necessary business strategies in the event of a disaster or loss of services to
35 insure the continuity of the commission's business operations, including the processing of merchant
36 cards, which includes the ability to transfer funds from accounting unit 01-03-03-030010-7677 in
37 consultation with the commissioner of the department of information technology. The commissioner
38 shall report to the fiscal committee of the general court within 30 days any instances where it would

1 need to implement such business strategies, including any costs and loss of revenue associated with
2 the disaster or loss of services and the implementation of such business strategies.

3 II. Enter into contracts for technical and hosting services to support retail operations and
4 merchant card processing. The commission shall comply with RSA 176:18 for any contracts entered
5 into to support retail operations and merchant card processing.

6 III. Hire information technology technical support personnel to support its merchant card
7 activity and related technical support operations in retail stores.

8 81 Public Utilities Commission; Implementation of Energy Efficiency Resource Standard. For
9 the biennium ending June 30, 2021, the public utilities commission shall not expend any funding on
10 the implementation of an energy efficiency resource standard or change the system benefits charge
11 without prior approval of the fiscal committee of the general court, except as consistent with or
12 authorized by Order No. 25,932 issued by the public utilities commission, dated August 2, 2016.

13 82 Department of Education; Acceptance of Gifts. For the biennium ending June 30, 2021, the
14 department of education may, subject to the approval of the governor and council, accept gifts,
15 contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and
16 other organizations or institutions for the purpose of funding appropriations for New Hampshire
17 scholars made in accounting unit 06-56-56-562010-7534.

18 83 Repeal. RSA 78-A:26, I(b), relative to disposition of income from meals and rooms tax
19 revenue, is repealed.

20 84 Application of Receipts. Amend RSA 6:12, I(b)(21) to read as follows:

21 (21) The money received under [~~RSA 78-A:26, I(b) and~~] RSA 230:52, II, which shall
22 be credited to the division of travel and tourism development, department of business and economic
23 affairs.

24 85 Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. Amend RSA 12-O
25 to insert after section 11-a the following new section:

26 12-O:11-b Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. The budget
27 of the division of travel and tourism, including the travel and tourism development fund established
28 by RSA 12-O:16, shall be funded at an amount no less than 3.15 percent of the net income identified
29 by RSA 78-A:26, I for the most recently completed fiscal year.

30 86 Integrated Land Development Permits; Procedure Suspended. Due to budgetary and
31 staffing constraints, RSA 489, establishing a procedure to obtain an integrated land development
32 permit from the department of environment services, is suspended for the biennium ending June
33 30, 2021.

34 87 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for
35 the biennium ending June 30, 2021, except for projects with a substantial completion date on or
36 before December 1, 2018, no state aid grants shall be made for any new infrastructure projects that
37 would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M.
38 Nothing in this section shall affect the provision of the future water supply land protection grants

1 under RSA 486-A if funding is available for such purposes.

2 88 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the biennium
3 ending June 30, 2021, the state shall reimburse the sheriff's office for court security at the rates
4 provided in the collective bargaining agreement applicable to per diem court security officers
5 employed by the judicial branch to attend any official business, for any person employed as a bailiff
6 by the sheriff's office.

7 89 Department of Health and Human Services; Foster Grandparent Program. The
8 reimbursements to the foster grandparent program through the senior volunteer grant program,
9 established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2021.

10 90 Treasury Department; Revenue Information Management System Account. Amend RSA 21-
11 J:1-b, II to read as follows:

12 II. The revenue increase from existing taxes attributable to the RIMS collected by the
13 department and deposited in the revenue information management system account shall be no
14 greater than \$4,000,000 each fiscal year beginning in the fiscal year ending June 30, ~~[2022]~~ **2020**,
15 and ending ~~[in the fiscal year ending June 30, 2031]~~ **when deposits total \$40,000,000**. The
16 commissioner shall report annually on the methodology used to determine the revenue increase to
17 the capital budget overview committee and house and senate ways and means committees.

18 91 Capital Appropriations. Amend the footnote to 2017, 228:1, XIX to read as follows:

19 *To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby
20 authorized to borrow upon the credit of the state not exceeding the sum of \$24,160,000 and for said
21 purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in
22 accordance with RSA 6-A. Payments of principal and interest on the bonds and notes for the
23 \$6,000,000 state appropriation shall be made from the general fund for fiscal years 2018, 2019,
24 2020, and 2021. Beginning with fiscal year 2022, payments of principal and interest on the bonds
25 and notes for the appropriation of \$24,160,000 shall be made from revenue credited to a revenue
26 information management system account established within RSA 21-J by legislation during the
27 2017 regular legislative session. ~~[If no such dedicated fund for a revenue information management~~
28 ~~system account within RSA 21-J becomes law during the 2017 regular legislative session, the~~
29 ~~appropriation for the project shall be reduced to the \$6,000,000 of state funds authorized in~~
30 ~~subparagraph A with payments of principal and interest on the bonds and notes to be made from~~
31 ~~the general fund]~~ **Notwithstanding the prescribed commencement of principal repayment**
32 **from the revenue information management system replacement account, the repayment of**
33 **principal from the general fund shall total \$6 million, plus interest.**

34 92 Department of Natural and Cultural Resources; Forest Lands. Amend RSA 227-G:5, I (b) to
35 read as follows:

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

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

8 93 New Subparagraphs; Governor's Commission on Alcohol and Drug Abuse Prevention,
9 Treatment, and Recovery. Amend RSA 12-J:1, IV(a) by inserting after subparagraph (6) the
10 following new subparagraphs:

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

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

14 94 Commission Member; Faith-Based Community. The governor's commission on alcohol and
15 drug abuse and prevention, treatment, and recovery under RSA 12-J shall convene a meeting of the
16 state's faith-based communities to include but not be restricted to the following representatives: the
17 Roman Catholic Diocese of Manchester, the Jewish Federation of New Hampshire, New Hampshire
18 Council of Churches, New Hampshire Alliance, Islamic Society of New Hampshire, and Community
19 Interfaith Councils for representation from Non-Abrahamic religions. At the meeting of this group,
20 those attending shall choose a member to serve for a 3-year term on the commission as provided in
21 RSA 12-J:1, IV(a)(8).

22 95 New Chapter; Family and Medical Leave Insurance. Amend RSA by inserting after chapter
23 282-A the following new chapter:

24 **CHAPTER 282-B**

25 **FAMILY AND MEDICAL LEAVE INSURANCE**

26 282-B:1 Findings. The general court finds that family and medical leave insurance will help
27 New Hampshire attract and retain workers, including younger workers, will enable parents to bond
28 with biological, adopted, or foster children, will help meet the needs of an aging population, will
29 advance the health of New Hampshire's workforce and workplace stability, and will enhance worker
30 retention and productivity. The general court therefore finds that it is in the public interest to
31 establish a system of family and medical leave insurance (FMLI) with benefits to be provided to
32 qualified workers on a limited basis.

33 282-B:2 Definitions. In this chapter:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28 282-B:3 Employer Applicability.

29 I. This chapter applies to the state and nongovernmental employers beginning January 1,
30 2020, provided that any employer may instead exercise a business option of: participating in a self-
31 insured plan, self-insuring, purchasing insurance, providing benefits, or any combination thereof,
32 upon employer application and certification by the commissioner or authorized representative that
33 the employer will provide an equivalent benefit to all of its employees. If the employer is subject to
34 a collective bargaining agreement, this chapter shall apply to the employer upon the effective date
35 of the first successor collective bargaining agreement following January 1, 2020 to permit the
36 employer and the union to negotiate the premium rate share under RSA 282-B:3, II. Political
37 subdivisions of the state may opt into this chapter upon certification by the authorized
38 representative that this chapter's insurance benefits are at least equivalent to the benefits provided

1 under the collective bargaining agreement, provided the applicable bargaining unit has first ratified
2 this option. Beginning January 1, 2020, this chapter shall be a mandatory subject of bargaining for
3 collective bargaining agreements. Employees not covered by a collective bargaining agreement in a
4 political subdivision of the state may opt into this chapter if the political subdivision has not.

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

12 III. The penalties for falsity by employers shall be in accordance and consistent with RSA
13 282-A:166. The process for failing to adequately report shall be in accordance and consistent with
14 RSA 282-A:151-152 and 282-A:166-a, and any resulting appeals shall be processed in accordance
15 and consistent with RSA 282-A:94-98.

16 282-B:4 Family and Medical Leave Insurance Fund; Administration. The department shall
17 create and administer a family and medical leave insurance fund for deposits of insurance payments
18 paid pursuant to RSA 282-B:3, and accept any other deposit of moneys as authorized by law or by
19 the commissioner or authorized representative. No FMLI fund moneys shall be commingled with
20 unemployment insurance fund moneys. The department may withdraw or deduct from the FMLI
21 fund where there are qualifying FMLI benefit payments or for any amounts reasonably necessary to
22 implement and administer the provisions of this chapter or to repay any start-up loan.

23 282-B:5 Employer and Employee Responsibilities.

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

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

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

1 requirement.

2 282-B:6 Eligibility Process, Calculation, and Appeals.

3 I. An employee shall be limited to up to 12 weeks of FMLI in any one application period.
4 An employee shall have had premium payments remitted as a percent of his or her wages for at
5 least 6 months to be eligible for benefits and shall have worked in employment resulting in wages in
6 the amount of at least 1,040 multiplied by the applicable minimum wage, in either the “base period”
7 or “alternative base period,” as those terms are defined in RSA 282-A:2.

8 II. An employee shall be eligible for FMLI for reasons identified in paragraph I and RSA
9 282-B:2, IX.

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

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

24 282-B:7 Limitations. Nothing in this chapter shall diminish an employer's obligation to comply
25 with a collective bargaining agreement or employer policy, nor does this chapter, or any decision by
26 the commissioner or authorized representative under this chapter, limit the ability of employers to
27 provide FMLI benefits or benefits beyond what is required by this chapter.

28 282-B:8 Report and Outreach.

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

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

1 leave under this chapter and other laws, collective bargaining agreements, and employer policies.

2 282-B:9 Rulemaking. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to
3 this chapter. In adopting rules, the commissioner shall maintain consistency with the rules adopted
4 to implement the federal Family and Medical Leave Act, to the extent such rules are not in conflict
5 with this chapter.

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

17 282-B:11 Family and Medical Leave Insurance Program; Funding Transfer and Repayment.
18 The state treasurer shall transfer funds from the general fund to the department of employment
19 security for payment of the initial administrative and implementation costs associated with this
20 chapter. Within the first 5 years after the family and medical leave insurance program becomes
21 operational, the department shall repay the general fund transfer in installments from funds
22 deducted from the family medical leave insurance fund.

23 96 Advisory Council. Amend RSA 282-A:128 to read as follows:

24 282-A:128 Advisory Council. There is hereby created within the unemployment compensation
25 bureau an advisory council on unemployment compensation *and family medical leave*
26 *insurance*, hereinafter called the advisory council. The advisory council shall consist of 9 members
27 to be appointed, with the exception of the legislative members, by the governor with the consent
28 and advice of the governor's council. Three of the appointees of this advisory council shall be
29 persons who, because of their vocations, employment or affiliations, shall be classed as representing
30 the point of view of employers; 3 shall be persons who, because of their vocations, employment or
31 affiliations, shall be classed as representing the point of view of employees; one shall be a senator
32 appointed by the senate president; one shall be a representative [~~from the labor, industrial and~~
33 ~~rehabilitative services committee~~] appointed by the speaker of the house; the remaining appointee,
34 who shall be designated as chairman, shall be a person whose training and experience qualify him
35 *or her* to deal with the problems of unemployment compensation. Such advisory council shall meet
36 no later than 45 days after each calendar quarter and aid the commissioner in formulating policies
37 and discussing problems related to the administration of this chapter *and RSA 282-B* and in
38 assuring impartiality and freedom from political influence in the solution of such problems.

1 Advisory council meetings shall provide opportunity for public comment. *The advisory council*
2 *shall quarterly review and evaluate family medical leave insurance and, after 2 years of*
3 *administration, the commissioner shall assess utilization, finances, and benefit levels and*
4 *provide the general court with rate adjustment or fiscal recommendations.*

5 97 New Subparagraph; State Treasurer; Application of Receipts. Amend RSA 6:12, I(b) by
6 inserting after subparagraph (343) the following new subparagraph:

7 (344) Moneys deposited in the family and medical leave insurance fund established
8 in RSA 282-B:4.

9 98 Repeal. RSA 6:12, I(b)(237), relative to the moneys deposited in the civil legal services fund,
10 is repealed.

11 99 Civil Legal Assistance. Amend RSA 525-A:1 and 525-A:2 to read as follows:

12 525-A:1 ~~[Civil Legal Assistance]~~ **Statement of Purpose.** Funds appropriated to New
13 Hampshire Legal Assistance for the purposes of civil legal assistance shall be used ~~[only for the~~
14 ~~provision of civil legal representation to low-income persons in this state. New Hampshire Legal~~
15 ~~Assistance shall make reports to the judicial council by June 30 and December 31 of each year on its~~
16 ~~use of state funds]~~ **to enable the state to fund civil legal services to low-income persons in**
17 **the state.**

18 525-A:2 Civil Legal Services ~~[Fund]~~. ~~[There is established in the office of the state treasurer a~~
19 ~~separate fund to be known as the civil legal services fund. The money in this fund shall be~~
20 ~~distributed to]~~ **Funds appropriated to** New Hampshire Legal Assistance ~~[to]~~ **shall** be used to
21 ~~[establish and operate offices in the cities of Nashua and Concord to]~~ provide civil legal services to
22 low-income persons in ~~[the cities of Nashua and Concord and the surrounding areas, and to provide~~
23 ~~additional attorneys, paralegals, or both, to the staff of the New Hampshire Legal Assistance offices~~
24 ~~in Manchester, Claremont, Portsmouth, and Littleton]~~ **the state.** These civil legal services shall
25 include services related to such issues as housing, social security and other government benefits,
26 health care, domestic violence, and consumer issues. New Hampshire Legal Assistance shall report
27 semi-annually to the judicial council as to its use of these funds ~~[in accordance with RSA 525-A:1].~~

28 100 Health Facilities Licensure; Applicability of Moratorium. Amend RSA 151:2, VI(a) to read
29 as follows:

30 VI.(a) No new license shall be issued for, and there shall be no increase in licensed capacity
31 of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility,
32 including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This
33 moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals
34 for substance use disorder or mental health issues **or to any continuing care facility for which**
35 **a certificate of authority has been issued by the insurance commissioner pursuant to RSA**
36 **420-D:2.**

37 101 New Chapter; Sports Betting. Amend RSA by inserting after chapter 287-H the following
38 new chapter:

CHAPTER 287-I

SPORTS BETTING

287-I:1 Definitions. In this chapter:

I. "Agent" means a party who is authorized by contract or agreement with the commission to conduct a sports book.

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.

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.

IV. "Commission" means the lottery commission.

V. "Director" means the executive director of the lottery commission or designee.

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.

VII. "In-play sports wager" means a sports wager on a sports event after the sports event has begun and before it ends.

VIII. "Mobile sports wagering platform" means the combination of hardware, software, and data networks used to manage, administer, record, or control sports wagers.

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.

1 (h) Any person under the age of 18.

2 XI. "Prohibited sports event" means:

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

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

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

7 (d) Any amateur sports event where the participants are primarily under the age of 18;

8 provided that "prohibited sports event" does not include the games of a collegiate sports tournament
9 in which a New Hampshire college team participates, nor does it include any games of a collegiate
10 sports tournament that occurs outside New Hampshire even though some of the individual games
11 or events are held in New Hampshire; and provided further that sports wagers are permitted on
12 collegiate sports tournament games in which a New Hampshire college team participates only if the
13 outcome of the wager is based on the outcome of all games within the tournament.

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

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

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

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

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

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

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

31 287-I:2 Sports Book Authorized. The commission is authorized to operate a sports book for the
32 purposes of accepting and paying sports wagers by authorized bettors within the state in
33 conformance with the requirements of this chapter.

34 287-I:3 Commission Agents. The commission shall conduct a sports book for sports wagering
35 through agents selected through a competitive bid process and approved by the governor and
36 executive council. Any such contract shall be based on the state receiving a percentage of revenue
37 from sports wagering activities within the state. The commission shall ensure that an agent
38 demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting

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

13 287-I:4 Commission Directed Sports Wagering. The commission is further authorized to
14 directly offer lottery games to authorized bettors within the state in the form of tier III sports
15 wagers through the commission's lottery retailers subject to the provisions of this chapter.

16 287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized
17 to operate physical sports book retail locations within the state for the purposes of accepting tier I
18 and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The
19 sports book retail locations may be co-located with other commercial businesses or general
20 commercial retail locations. No more than 10 sports book retail locations may be in operation at any
21 given time.

22 287-I:6 Local Option for Operation of Sports Book Retail Locations.

23 I. Any town or city may allow the operation of a sports book retail location according to the
24 provisions of this subdivision, in the following manner, excepting that nothing in this section shall
25 be construed to prohibit Internet or mobile wagering or lottery games involving tier III sports
26 wagers in the jurisdiction, if so authorized by the passage of this statute.

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

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

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

38 II. If a majority of those voting on the question vote "Yes", sports book retail locations may

1 be operated within the town or city.

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

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

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

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

10 287-I:7 Mobile Sports Wagering Authorized. The commission and its agent are authorized to
11 operate a sports book through a mobile sports wagering platform by mobile devices or over the
12 Internet. With respect to mobile sports wagering, the commission, either independently, or through
13 its agent, shall provide:

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

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

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

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

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

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

28 287-I:8 Sports Wagering Supervision. The commission shall create a division of sports
29 wagering which will be responsible for ensuring compliance with the requirements of this chapter
30 and any rules adopted by the commission in accordance with the authorities granted under this
31 chapter. In addition, the division, under the direction of the director and commission, shall ensure
32 that the commission's agents and vendors comply with the following obligations:

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

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

- 1 (b) User access controls for sports book personnel.
- 2 (c) Segregation of duties within the sports book.
- 3 (d) Employment background checks and policies.
- 4 (e) Automated and manual risk management procedures.
- 5 (f) Procedures for identifying and reporting fraud and suspicious conduct.
- 6 (g) Procedures to establish connectivity with monitoring services or sports governing
- 7 bodies relating to suspicious activity.
- 8 (h) Any and all monitoring systems utilized by the agent or vendor to report and receive
- 9 information on suspicious betting activities.
- 10 (i) Systems and procedures to prevent prohibited sports bettors from placing wagers.
- 11 (j) Description of anti-money laundering compliance standards.
- 12 (k) Descriptions of all integrated third-party systems or components and the security
- 13 procedures relating to those systems.

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

- 19 (a) Documented system security testing performed by a licensed third-party contractor
- 20 approved by the commission;
- 21 (b) A description of all software applications that comprise the system;
- 22 (c) A procedure for third-party auditing of financial transactions received by the system;
- 23 (d) A description of all types of wagers supported by the system;
- 24 (e) Unique identification and verification systems for wagers;
- 25 (f) Procedures to prevent past posting of wagers;
- 26 (g) A list of data recorded relating to each wager;
- 27 (h) System redundancy to ensure recording of wagers during a system outage;
- 28 (i) A mechanism to provide read only access to the commission to the back office system
- 29 for the purposes of reviewing and auditing wagering activities;
- 30 (j) Integration with an independent control system to ensure integrity of system
- 31 wagering information;
- 32 (k) Capabilities for canceling existing wagers, freezing or suspending wagering across
- 33 the platform, or for specific events; and
- 34 (l) Any other issue identified by the division upon review of the proposed gaming
- 35 system.

36 III. Each agent engaged in sports wagering shall submit house rules for the division's
37 review and approval prior to conducting any sports wagering within the state and every year
38 thereafter. These house rules shall include at a minimum:

- 1 (a) The method for calculation and payment of winning wagers.
- 2 (b) The effect of schedule changes for a sports event.
- 3 (c) The method of notifying bettors of odds or proposition changes.
- 4 (d) Acceptance of wagers at terms other than those posted.
- 5 (e) Expiration dates for winning tickets.
- 6 (f) Rules for payment of wagers made after a material error in setting odds or a
- 7 proposition for an event by the sports book.
- 8 (g) Method of contacting the agent or vendor for questions or complaints.
- 9 (h) Description of those persons who are prohibited from wagering with the agent or
- 10 contractor if broader than the prohibited bettors list set forth in this section.
- 11 (i) The method and location for posting and publishing the approved house rules.

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

- 15 (a) A process for documenting and verifying beginning of day cash balance;
- 16 (b) Processes for recording collection of wagers, payment of wagers, and cancellation of
- 17 wagers issued;
- 18 (c) Processes for handling cash within sports book retail locations including segregation
- 19 of duties related to counting and storage of cash; and
- 20 (d) The establishment of a segregated account related to New Hampshire sports
- 21 wagering activities.

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

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

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

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

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

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

- 2 (a) Cash;
- 3 (b) Cash equivalent;
- 4 (c) PayPal;
- 5 (d) Debit card;
- 6 (e) ACH;
- 7 (f) Promotional funds; and
- 8 (g) Any other means approved by the executive director.

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

14 287-I:9 Proceeds to Education Fund. The proceeds received by the commission from sports
15 wagering, less the administrative costs of the commission, prizes paid, and payments for problem
16 gambling services, shall be deposited in the education trust fund established in RSA 198:39.

17 287-I:10 Limitations on Sports Wagers. The commission and its agents are prohibited from the
18 following activities:

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

21 II. Accepting sports wagers on prohibited sports events.

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

24 287-I:11 Disclosure of Data Source. The commission and agents shall publicly disclose the
25 source of the data that will be used to determine the outcome of a tier II or tier III wager.

26 287-I:12 Risk Management. The commission's agent may take any risk management strategies
27 as authorized by the director.

28 287-I:13 Maintaining Sports Integrity. The commission and agent may participate in national
29 and international monitoring services and associations and may share betting information with
30 those entities and sports governing bodies in order to ensure the integrity of sports wagers and
31 sports events. The director may restrict, limit, or exclude wagering on a sports event if he or she
32 determines that such an action is necessary to ensure the integrity of the sports book.

33 287-I:14 Financial Reports. The commission may seek financial and compliance reports from
34 its agent periodically and may conduct audits of these reports to ensure that the state receives the
35 agreed upon revenue sharing proceeds.

36 287-I:15 Compliance Reviews. The commission shall retain oversight of its agent to ensure that
37 all sports wagering activities are conducted in accordance with this statute and any rules adopted
38 by the commission.

1 287-I:16 Fantasy Sports Exempted. Nothing in this chapter shall apply to fantasy sports
2 contests authorized pursuant to RSA 287-H.

3 287-I:17 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to the
4 operation, conduct, location, and oversight of sports books. The commission may enact emergency
5 rules, which will take effect upon approval.

6 102 Bets Void. Amend RSA 338:2 to read as follows:

7 338:2 Bets Void. *Except as authorized by the lottery commission*, all bets and wagers upon
8 any question where the parties have no interest in the subject except that created by the wager are
9 void; and either party may recover any property by him *or her* deposited, paid, or delivered upon
10 such wager or its loss, and repel any action brought for anything, the right or claim to which grows
11 out of such bet or wager.

12 103 Education Trust Fund; Sports Betting Added. Amend RSA 198:39, I(k) to read as follows:

13 (k) Funds collected and paid over to the state treasurer by the lottery commission
14 pursuant to RSA 284:44, [~~and~~] RSA 284:47, *and RSA 287-I*.

15 104 New Subparagraph; Gambling; Exceptions. Amend RSA 647:2, V by inserting after
16 subparagraph (e) the following new subparagraph:

17 (f) Sports wagering as defined by RSA 287-I:1, XV.

18 105 New Chapter; Council for Responsible Gambling. Amend RSA by inserting after chapter
19 338-A the following new chapter:

20 CHAPTER 338-B

21 COUNCIL FOR RESPONSIBLE GAMBLING

22 338-B:1 Definitions. In this chapter, "council" means the council for responsible gambling.

23 338-B:2 Statement of Purpose. Education, prevention, and treatment relating to gambling
24 disorders are an integral part of a responsible gaming environment within the state.

25 338-B:3 Establishment. There is established the council for responsible gambling which shall
26 promote education, prevention, and treatment of problem gambling within the state.

27 338-B:4 Membership.

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

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

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

1 338-B:5 Powers and Duties. The council shall have the authority to enter into grants and
2 contracts for the purposes of furthering education, prevention, and treatment of problem gambling
3 within the state.

4 338-B:6 Report of the Council. The council shall submit a biennial report to the governor and
5 executive council on or before October 1 of each even-numbered year. The report shall include a
6 description of the council's activities including a financial report for the relevant time period.

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

11 I. Funding in an amount not to exceed \$250,000 per fiscal year to conduct the activities
12 prescribed by this chapter. In accordance with the purpose of this chapter, these payments shall be
13 considered administrative expenses of the lottery commission as set forth in RSA 284:21-j.

14 II. Meeting and office space as reasonably required by the council to conduct the activities
15 prescribed by this chapter.

16 III. Personnel as reasonably required by the council to conduct activities prescribed by this
17 chapter, except that the lottery commission may charge the council for use of such personnel
18 pursuant to an agreement between the lottery commission and the council.

19 106 Operation of Keno Games; Fees for Research. Amend RSA 284:47, II to read as follows:

20 II. A licensee may retain 8 percent of the proceeds from keno games. [~~Of the remaining 92~~
21 ~~percent:~~

22 ~~(a) One percent shall be paid to the department of health and human services to~~
23 ~~support research, prevention, intervention, and treatment services for problem gamblers.~~

24 ~~(b)~~] The remainder, less the administrative costs of the lottery commission and prize
25 payouts, shall be deposited in the education trust fund established in RSA 198:39.

26 107 Tobacco Tax; Definitions. Amend RSA 78:1, XVI to read as follows:

27 XIV. "Tobacco products" means ***any product containing, made, or derived from***
28 ***tobacco or nicotine that is intended for human consumption, including but not limited to***
29 ***cigarettes, *electronic cigarettes*, loose tobacco, smokeless tobacco, and cigars***~~[, but].~~ ***Tobacco***
30 ***products*** shall not include premium cigars ***or any product that has been approved by the***
31 ***United States Food and Drug Administration for sale as a tobacco cessation product and***
32 ***is being marketed and sold exclusively for such approved use.***

33 108 New Paragraph; Electronic Cigarette; Definition. Amend RSA 78:1 by inserting after
34 paragraph XXIV the following new paragraph:

35 XXV. "Electronic cigarette" means any liquid or substance containing nicotine that is
36 intended to be used with or in a device that can be used to produce a vapor or aerosol from such a
37 liquid or substance, including but not limited to, a device manufactured, distributed, marketed, or
38 sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic

1 hookah, or vape pen. "Electronic cigarette" shall also include any such device, and any component,
2 part, or accessory used in the operation of such a device, but only if sold together with any liquid or
3 substance containing nicotine.

4 109 Youth Access to and Use of Tobacco Products; Definition of E-Cigarette. Amend RSA 126-
5 K:2, II-a to read as follows:

6 II-a. "E-cigarette" means any electronic smoking device composed of a mouthpiece, a
7 heating element, a battery, and electronic circuits that [~~provides a vapor of pure~~] **may or may not**
8 **contain** nicotine [~~mixed with propylene glycol to the user as the user simulates smoking~~]. This
9 term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes,
10 or under any other product name.

11 110 Alcoholic Beverages; Definition of E-Cigarette Added. Amend RSA 175:1, XXXI-a and
12 XXXI-aa to read as follows:

13 XXXI-a. ***"E-cigarette" means any electronic smoking device composed of a***
14 ***mouthpiece, a heating element, a battery, and electronic circuits that may or may not***
15 ***contain nicotine. This term shall include such devices whether they are manufactured as***
16 ***e-cigarettes, e-cigars, or e-pipes, or under any other product name.***

17 XXXI-aa. "Farmers' market" means an event or series of events at which 2 or more vendors
18 of agricultural commodities gather for purposes of offering for sale such commodities to the public.
19 Commodities offered for sale must include, but are not limited to, products of agriculture, as defined
20 in RSA 21:34-a. "Farmers' market" shall not include any event held upon any premises owned,
21 leased, or otherwise controlled by any individual vendor selling therein.

22 [~~XXXI-aa.~~] XXXI-aaa. "Food" means solid nutritive material as distinguished from drink.

23 111 Definition of License. Amend RSA 175:1, XXXIX to read as follows:

24 XXXIX. "License" means the authority granted by the commission to engage in the sale of
25 liquor, wine, beverages, [~~or~~] tobacco products, **or e-cigarettes** otherwise unlawful unless evidenced
26 by such document.

27 112 Definition of Retailer. Amend RSA 175:1, LIX-a to read as follows:

28 LIX-a. "Retailer," when used with respect to tobacco products **or e-cigarettes**, means any
29 person who sells tobacco products **or e-cigarettes** to consumers, and any vending machine in which
30 tobacco products are sold.

31 113 Liquor Commission; Liquor Investigator. Amend RSA 176:9, III to read as follows:

32 III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter
33 any place where liquor, beverages, [~~or~~] tobacco products, **e-cigarettes** are sold or manufactured, at
34 any time, and may examine any license or permit issued or purported to have been issued under the
35 terms of this title. They shall make complaints for violations of this title.

36 114 Liquor Licenses and Fees; Licenses Required. Amend RSA 178:1, VI to read as follows:

37 VI. No person shall sell tobacco products **or e-cigarettes** to individuals or the public in any
38 method or manner, directly or indirectly, or keep for sale any tobacco products **or e-cigarettes**

1 without first registering to do business with the secretary of state and obtaining a license for such
2 activity under the provisions of this title. The commission shall provide a list of persons licensed
3 under this section to the commissioner of the department of revenue administration upon request.

4 115 Licenses Authorized; Sale of Tobacco Products. Amend RSA 178:2, I to read as follows:

5 I. The commission may issue licenses to individuals, partnerships, limited liability
6 companies and partnerships, or corporations but not to unincorporated associations, on applications
7 duly made therefor for the manufacture, warehousing, sale, offer for sale, or solicitation of orders
8 for sale of liquor or beverages and for retail sales of tobacco products **or e-cigarettes** within the
9 state, subject to the limitations and restrictions imposed by this title. The commission shall keep a
10 full record of all applications for licenses, of all recommendations for and remonstrances against the
11 granting of licenses, and of the action taken on such applications.

12 116 Combination License; Sale of Tobacco Products or E-Cigarettes. Amend RSA 178:18 to read
13 as follows:

14 178:18 Combination License.

15 I. Off-premises licenses shall be issued only for grocery and drug stores not holding on-
16 premises licenses. Such licenses shall authorize the licensees to sell fortified wine, table wine, and
17 beverages for consumption only off the premises designated in the licenses and not to other
18 licensees for resale. Such sale shall be made only in the immediate container in which the
19 beverage, wine, or fortified wine was received by the off-premises combination licensee; except that
20 in the case of the holder of a wholesale distributor license, beverages may be sold only in such
21 barrels, bottles, or other containers as the commission may by rule prescribe. Off-premises licenses
22 may also authorize the licensee to sell tobacco products **or e-cigarettes**. There shall be no
23 restriction on the number of combination licenses held by any person. The license shall authorize
24 the licensee to transport and deliver beverages, tobacco products, **e-cigarettes**, and table or
25 fortified wines ordered from and sold by the licensee in vehicles operated under the licensee's
26 control or an employee's control.

27 II. All sales of tobacco, **e-cigarettes**, beverages, fortified wines, and table wine shall be
28 recorded on cash registers. No additional registers shall be added during the remainder of the year
29 without prior approval of the commission. No rebate shall be allowed for cash registers
30 discontinued during the license year.

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

34 117 Retail Wine License; Sale of Tobacco Products. Amend RSA 178:19 to read as follows:

35 178:19 Retail Wine License.

36 I. A retail wine license may be issued by the commission to any person operating a retail
37 outlet in this state which shall allow the licensee to sell tobacco products, **e-cigarettes**, fortified
38 wines, and table wines directly to individuals at retail on the premises for consumption off the

1 premises; provided, however, that persons holding any license authorizing the sale of liquor or wine
2 by the glass under this chapter shall sell the wines authorized pursuant to this section in a separate
3 area of the premises from the areas licensed for on-premises consumption. A separate license shall
4 be required with respect to each place of business of an applicant. The license shall authorize the
5 licensee to transport and deliver fortified and table wines ordered from and sold by the commission
6 and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

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

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

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

21 118 Retail Tobacco License; Sale of E-Cigarettes. Amend RSA 178:19-a to read as follows:
22 178:19-a Retail Tobacco License.

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

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

28 III. The commission, when issuing or renewing a retail tobacco license, shall furnish a sign
29 which shall read or be substantially similar to the following: "State Law prohibits the sale of
30 tobacco products **or e-cigarettes** to persons under age 18. Warning: violators of these provisions
31 may be subject to a fine."

32 119 Beer Specialty License; Tobacco Products and E-Cigarette Sales. Amend RSA 178:19-d, I to
33 read as follows:

34 I. A beer specialty license may be issued by the commission to any person operating a retail
35 outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer
36 specialty license shall allow the licensee to sell beverage, wine, ~~and~~ tobacco, **and e-cigarettes**
37 products directly to individuals at retail on the premises for consumption off the premises; beer may
38 be sold in such barrels, bottles, or other containers as the commission may by rule prescribe.

1 120 Beer Specialty License; Sale of Tobacco Products and E-Cigarettes. Amend RSA 178:19-d,
2 V-VI to read as follows:

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

7 VI. The commission may suspend the tobacco, **e-cigarette**, or alcohol sales portion of the
8 license separately under the provisions of RSA 179:57.

9 121 Board of Veterinary Medicine; Transfer to Office of Professional Licensure and
10 Certification. Amend RSA 332-B:3 to read as follows:

11 332-B:3 Board; Compensation.

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

22 (a) ~~[Supervision of the board's administrative office and employees]~~ **Recording and**
23 **producing meeting minutes for regular board meetings;**

24 (b) ~~[Assistance with administrative activities]~~ **Representing the board on the**
25 **advisory council established in RSA 318-B:38;**

26 (c) Submission of periodic reports to the board; and

27 (d) Participation in complaint investigations.

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

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

35 IV. ~~[The board shall be an administratively attached agency, under RSA 21-G:10, to the~~
36 ~~department of agriculture, markets, and food.]~~ **All administrative, clerical, and business**
37 **processing functions of the board shall be transferred to the office of professional**
38 **licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.**

1 122 State School Organization; Professional Standards Board. Amend RSA 186:60, I(a) to read
2 as follows:

3 (a) The ~~[director of the division]~~ **commissioner of the department** of education
4 ~~[analytics and resources]~~, or designee, who shall be the executive secretary of the board;

5 123 Council for Teacher Education; Commissioner Designee. Amend RSA 190:2 to read as
6 follows:

7 190:2 Members. The council for teacher education shall consist of: the commissioner of
8 education, **or his or her designee**, and the chairman of the department of education of the
9 university of New Hampshire; 3 members appointed by them for terms not exceeding 3 years, one
10 from a private educational institution, one from the professional personnel of the public schools and
11 one layman; and the presidents of Keene state college and Plymouth state university, or staff
12 members designated by them; provided that additional members may be appointed by these 7 for
13 such terms as they may determine. Members of the council shall be entitled to reimbursement by
14 the state board of education for mileage and expenses incurred in the performance of their required
15 duties. The state board of education shall furnish the council with suitable meeting facilities,
16 administrative assistance, and necessary supplies.

17 124 Department of Environmental Services; Modification of Qualifications for Director of
18 Division of Water. Amend RSA 21-O:2, III(a) to read as follows:

19 (a) The commissioner shall, after consulting with the water council, nominate for
20 appointment by the governor and council a director of the division of water. The nominee shall
21 have a baccalaureate or master's degree from an accredited college or university~~[-, hold a valid~~
22 ~~license or certificate of registration to practice civil, sanitary, or environmental engineering issued~~
23 ~~by the lawfully constituted registration board of any state of the United States,]~~ and shall have a
24 minimum of 5 years' responsible experience in the administration of sanitary or environmental
25 engineering programs in the public or private sector.

26 125 Department of Environmental Services; Certified Application Preparer Program. Amend
27 RSA 482-A:3, XX(a)-(b) to read as follows:

28 (a) The department shall develop a voluntary certified application preparer program for
29 submission of applications for all qualifying minimum impact projects. The commissioner shall
30 adopt rules to establish the qualifications to become a certified application preparer and to identify
31 qualifying minimum impact projects. The qualifications established shall include that the
32 individual is a permitted septic system designer or is licensed or certified by the office of
33 professional licensure and certification as a certified wetland scientist, certified soil scientist,
34 professional engineer, licensed land surveyor, or any other professional designated by the
35 department, and shall include training and continuing education requirements. ~~[Qualifying~~
36 ~~minimum impact projects shall include, but not necessarily be limited to, all projects which the~~
37 ~~department has designated as minimum impact projects in its wetlands rules.]~~

38 (b) Applications for qualifying minimum impact projects submitted by a certified

1 application preparer shall not require technical review by the department. [~~and the~~] *The*
2 department shall issue a [~~permit~~] **decision on the application** within 10 days of receipt of a
3 complete application[-], **as follows:**

4 **(1) If the application is approvable and is submitted with a waiver of review**
5 **by the appropriate conservation commissions, the department's approval shall be final**
6 **upon issuance.**

7 **(2) If the application is approvable but is not submitted with a waiver of**
8 **review by the appropriate conservation commissions, the department's approval shall be**
9 **conditional pending expiration of the 14-day period for conservation commission**
10 **intervention established in RSA 482-A:11, III(a). If the department receives a timely notice**
11 **of intervention from a conservation commission, the application shall be converted to a**
12 **regular application, with credit given for the fee paid with the application.**

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

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

19 126 Department of Environmental Services; Public Bathing Facilities. RSA 485-A:26 is
20 repealed and reenacted to read as follows:

21 485-A:26 Swimming Pools and Bathing Places Public Bathing Facilities.

22 I. In this section:

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

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

36 II.(a) No person shall construct or install, operate or maintain an artificial swimming pool
37 or bathing place open to and used by the public, or as a part of a business venture, or a public
38 bathing facility unless the construction, design and physical specifications of such pool or bathing

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

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

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

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

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

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

28 V. There is hereby established a public bathing facility program fund. This separate,
29 nonlapsing fund shall be continually appropriated to the department and used to administer the
30 public bathing facility program under this chapter. Fees collected by the department shall be
31 deposited with the state treasurer to the credit of such fund and may be invested as provided by
32 law. Interest received on such investment shall also be credited to the fund.

33 127 New Subparagraph; Public Bathing Facility Fund. Amend RSA 6:12, I(b) by inserting after
34 subparagraph 343 the following new subparagraph:

35 (344) Moneys deposited in the public bathing facility program fund under RSA 485-
36 A:26.

37 128 New Section; Public Bathing Facility Compliance Self-Certification. Amend RSA 485-A by
38 inserting after section 26 the following new section:

1 485-A:26-a Public Bathing Facility Compliance Self-Certification.

2 I. The owner of a public bathing facility that is open for 9 months or more in a calendar
3 year shall submit to the department, a self-certification declaration stating that each pool at the
4 facility is in compliance with all applicable public bathing facility requirements.

5 II. The owner of a public bathing facility that is open fewer than 9 months in a calendar
6 year shall submit to the department, prior to opening a self-certification declaration stating that
7 each pool at the facility is in compliance with all applicable public bathing facility requirements.

8 III. The self-certifications required by paragraphs I and II shall be on a form provided by
9 the department. If all of the requirements for the form are adopted in narrative rules, the form
10 shall not be subject to RSA 541-A.

11 IV.(a) The owner of a public bathing facility shall pay a non-refundable fee of \$250 per pool
12 up to a maximum of \$1,500 per public bathing facility with each self-certification, to cover
13 department expenses for conducting the self-certification program and hiring of program staff.

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

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

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

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

25 129 Public Bathing Facilities; Injunctions; Emergency Closures. RSA 485-A:27 is repealed and
26 reenacted to read as follows:

27 485-A:27 Injunction; Emergency Closures.

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

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

36 (a) The department shall perform an on-site inspection to determine whether each pool
37 at the facility is in compliance with the following standards established in rules adopted by the
38 commissioner pursuant to RSA 541-A:

1 (1) Bacteriological, chemical, and physical water quality standards; and

2 (2) Patron safety requirements relating to emergency response, emergency rescue
3 equipment, first aid kits, suction outlet covers/grates, and security fencing.

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

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

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

18 130 New Section; Public Bathing Facilities; Certified Operators Required. Amend RSA 485-A
19 by inserting after section 27 the following new section:

20 485-A:27-a Certified Operator Training Required.

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

25 II.(a) By January 1, 2022, each owner of a public bathing facility that is open for 9 months
26 or more in a calendar year shall submit to the department the name and daytime telephone number
27 including area code of each certified pool operator engaged by the owner to supervise the pool at the
28 facility. The submission of this information shall occur as part of the self-certification in RSA 485-
29 A:26-a.

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

32 131 Repeal. The following are repealed:

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

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

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

1 132 Terrain Alteration; Modify Reporting Requirements. Amend RSA 485-A:17, II-c to read as
2 follows:

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

8 133 State Treasurer and State Accounts; Application of Receipts. Amend RSA 6:12, I(b)(315) to
9 read as follows:

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

12 134 Child Day Care Licensing; Definitions. Amend RSA 170-E:2, IV(g) to read as follows:

13 (g) "School-age program" means a child day care agency providing child day care for up
14 to 5 hours per school day, before or after, or before and after, regular school hours, and all day
15 during school holidays and vacations, and which is not licensed under [~~RSA 149~~] **RSA 170-E:56**, for
16 6 or more children who are 4 years and 8 months of age or older. The number of children shall
17 include all children present during the period of the program, including those children related to
18 the caregiver.

19 135 New Subdivision; Recreation Camp Licensing. Amend RSA 170-E by inserting after section
20 52 the following new subdivision:

21 Recreation Camp Licensing

22 170-E:53 Purpose. The purpose of this subdivision is to provide for the licensing of recreation
23 camps and certification of criminal background checks for youth skill camps.

24 170-E:54 Rulemaking.

25 I. The commissioner shall adopt rules under RSA 541-A relative to:

26 (a) Issuance of licenses to recreation camp operators under RSA 170-E:56, I.

27 (b) Requirements for performing criminal background checks at youth skill camps and
28 certifying acceptable results as required under RSA 170-E:56 and establishing appropriate
29 sanctions and penalties for failing to perform the required background checks.

30 II. The commissioner shall adopt all other necessary rules under RSA 541-A, relative to
31 public health and safety issues for the protection of persons attending recreation camps regulated
32 under RSA 170-E:56, I.

33 170-E:55 Definitions.

34 I. "Recreation camp" means any place set apart for recreational purposes for boys and girls.
35 It shall not apply to private camps owned or leased for individual or family use, or to any camp
36 operated for a period of less than 10 days in a year.

37 II. "Youth skill camp" means a nonprofit or for-profit program that lasts 8 hours total or
38 more in a year for the purpose of teaching a skill to minors. Such camps include, but are not limited

1 to, the teaching of sports, the arts, and scientific inquiry.

2 170-E:56 Recreation Camp License; Youth Skill Camp Certification of Criminal Background
3 Check.

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

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

16 (1) Causing or threatening direct physical injury to any individual; or

17 (2) Causing or threatening harm of any nature to any child or children.

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

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

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

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

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

37 170-E:57 Recreation Camp and Youth Skill Camp Fund. There is established the recreation
38 camp and youth skills camp fund. This fund shall be nonlapsing and continually appropriated to

1 the commissioner of the department of health and human services, for the purpose of paying costs
2 associated with administering the provisions of this subdivision.

3 170-E:58 Statement of Health for Recreational Camps. Notwithstanding any law or rule to the
4 contrary, any physical examination which is required before a child may enter a recreational camp
5 may be conducted by a physician, an advance practice registered nurse, or a physician assistant.

6 170-E:59 Possession and Use of Epinephrine Auto-Injectors at Recreation Camps. A recreation
7 camp shall permit a child with severe, potentially life-threatening allergies to possess and use an
8 epinephrine auto-injector, if the following conditions are satisfied:

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

11 (a) The child's name.

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

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

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

16 (e) The date of the order.

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

20 (g) Specific recommendations for administration.

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

22 (i) The name of each required medication.

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

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

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

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

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

34 170-E:60 Use of Epinephrine Auto-Injector. Immediately after using the epinephrine auto-
35 injector, the child shall report such use to the nurse or another camp employee to enable the nurse
36 or camp employee to provide appropriate follow-up care.

37 170-E:61 Availability of Epinephrine Auto-Injector. The recreational camp nurse or, if a nurse
38 is not assigned to the camp, the recreational camp administrator shall maintain for the use of a

1 child with severe allergies at least one epinephrine auto-injector, provided by the child or the child's
2 parent or guardian, in the nurse's office or in a similarly accessible location.

3 170-E:62 Immunity. No recreational camp or camp employee shall be liable in a suit for
4 damages as a result of any act or omission related to a child's use of an epinephrine auto-injector if
5 the provisions of RSA 170-E:59 have been met, unless the damages were caused by willful or
6 wanton conduct or disregard of the criteria established in that section for the possession and self-
7 administration of an epinephrine auto-injector by a child.

8 170-E:63 Possession and Use of Asthma Inhalers at Recreation Camps. A recreation camp shall
9 permit a child to possess and use a metered dose inhaler or a dry powder inhaler to alleviate
10 asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, if the following
11 conditions are satisfied:

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

14 (a) The child's name.

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

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

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

19 (e) The date of the order.

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

23 (g) Specific recommendations for administration.

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

25 (i) The name of each required medication.

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

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

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

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

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

36 170-E:64 Immunity. No recreational camp or camp employee shall be liable in a suit for
37 damages as a result of any act or omission related to a child's use of an inhaler if the provisions of
38 RSA 170-E:63 have been met, unless the damages were caused by willful or wanton conduct or

1 disregard of the criteria established in that section for the possession and self-administration of an
2 asthma inhaler by a child.

3 170-E:65 Injunction. Any person operating or maintaining a recreation camp or youth skill
4 camp without the same having been approved by the department may be enjoined by the superior
5 court or any justice of the court upon petition brought by the attorney general.

6 170-E:66 Penalty; Administrative Fines.

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

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

18 (a) A schedule of administrative fines which may be imposed under this paragraph; and

19 (b) Procedures for notice and hearing prior to the imposition of an administrative fine.

20 136 Water Pollution and Waste Disposal; Safety Regulations for Pools and Bathing Places.
21 Amend the subdivision heading preceding RSA 485-A:23 to read as follows:

22 Safety Regulations for [~~Camps,~~] Pools[~~,~~] and Bathing Places

23 137 Water Pollution and Waste Disposal; Injunction. Amend RSA 485-A:27 to read as follows:

24 485-A:27 Injunction. Any person operating or maintaining a [~~recreation camp, youth skill~~
25 ~~camp,~~] public swimming pool[~~,~~] or bathing place without the same having been approved by the
26 department may be enjoined by the superior court or any justice of the court upon petition brought
27 by the attorney general.

28 138 Repeal. The following are repealed:

29 I. RSA 485-A:6, IX, relative to rulemaking for camp licenses and camp safety standards.

30 II. RSA 485-A:23, relative to safety regulations for camps, pools, and bathing places;
31 definitions.

32 III. RSA 485-A:24, relative to safety regulations for camps, pools, and bathing places;
33 recreation camp license; youth skill camp certification of criminal background check.

34 IV. RSA 485-A:24-a, relative to safety regulations for camps, pools, and bathing places;
35 recreation camp and youth skill camp fund.

36 V. RSA 485-A:25, relative to safety regulations for camps, pools, and bathing places;
37 rulemaking.

38 VI. RSA 485-A:25-a, relative to safety regulations for camps, pools, and bathing places;

1 statement of health for recreational camps.

2 VII. RSA 485-A:25-b, relative to safety regulations for camps, pools, and bathing places;
3 possession and use of epinephrine auto-injectors at recreation camps.

4 VIII. RSA 485-A:25-c, relative to safety regulations for camps, pools, and bathing places;
5 use of epinephrine auto-injector; availability of epinephrine auto-injector.

6 IX. RSA 485-A:25-d, relative to safety regulations for camps, pools, and bathing places;
7 availability of epinephrine auto-injector.

8 X. RSA 485-A:25-e, relative to safety regulations for camps, pools, and bathing places;
9 immunity.

10 XI. RSA 485-A:25-f, relative to safety regulations for camps, pools, and bathing places;
11 possession and use of asthma inhalers at recreation camps.

12 XII. RSA 485-A:25-g, relative to safety regulations for camps, pools, and bathing places;
13 immunity.

14 139 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 216-I:1, VII to read
15 as follows:

16 VII. "Recreational campground or camping park" means a parcel of land on which 2 or more
17 campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes
18 only, and not for permanent year-round residency, excluding recreation camps as defined in ~~[RSA~~
19 ~~485-A:23]~~ ***RSA 170-E:55, I.***

20 140 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 275:35 to read as
21 follows:

22 IX. Employees of a recreation camp or a youth skill camp licensed pursuant to ~~[RSA 485-~~
23 ~~A:24]~~ ***RSA 170-E:56.***

24 141 Department of Military Affairs and Veterans Services. Amend the chapter heading of RSA
25 110-B to read as follows:

26 ~~[THE MILITIA]~~ ***DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES***

27 142 Department of Military Affairs and Veterans Services; The Militia. Amend RSA 110-B:1 to
28 read as follows:

29 110-B:1 ***Department of Military Affairs and Veterans Services.***

30 ***I. The department shall consist of the militia, which shall include the army***
31 ***national guard, air national guard, the inactive national guard, the state guard, and the***
32 ***unorganized militia, and veterans services, which shall include the division of veterans***
33 ***services, the state veterans cemetery, the division of community based military programs,***
34 ***the veterans council, and the military leadership team.***

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

36 ***110-B:1-a*** Composition of the Militia.

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

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

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

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

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

11 143 The Adjutant General. Amend RSA 110-B:8, II and III to read as follows:

12 II. The adjutant general shall be the chief of staff to the governor and shall be the executive
13 head of the [~~adjutant general's~~] department ***of military affairs and veterans services***. The
14 adjutant general may perform any act authorized by this chapter or by the regulations issued
15 pursuant thereto through or with the aid of such officers of the national guard or other personnel as
16 the adjutant general may designate. The adjutant general shall exercise and perform all powers,
17 functions and duties which are or may be imposed by the laws and regulations of the United States.
18 It shall be the duty of the adjutant general to direct the planning and employment of the forces of
19 the national guard in carrying out their state military mission; to establish unified command of
20 state forces whenever they shall be jointly engaged; to submit such written reports to the governor
21 as the governor may prescribe; and to perform such other duties as the governor may direct.
22 Whenever the governor and those who would act in succession to the governor under the
23 constitution and laws of the state shall be unable to perform the duties of commander-in-chief, the
24 adjutant general shall command the militia.

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

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

1 144 Deputy Adjutant General. Amend RSA 110-B:8-b, I-IV to read as follows:

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

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

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

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

10 145 New Subdivision; Department of Military Affairs and Veterans Services; Veterans Services.
11 Amend RSA 110-B by inserting after section 82 the following new subdivision:

12 Division of Veterans Services

13 110-B:83 Division of Veterans Services.

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

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

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

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

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

30 110-B:84 Division of Veterans Services. The division of veterans services under the supervision
31 of a director of veterans services shall:

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

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

38 (a) Points of contact for all federal, state, local, and nonprofit veterans agencies,

1 departments, councils, hospitals, clinics, and other organizations offering services, benefits, and
2 programs to New Hampshire veterans, including addresses, telephone numbers, and e-mail
3 addresses.

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

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

9 110-B:85 Director of the Division of Veterans Services.

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

12 II. The director shall:

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

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

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

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

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

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

29 110-B:86 Copies of Public Records. When a copy of any public record is required by the
30 Department of Veterans Affairs to be used in determining the eligibility of any person to participate
31 in benefits made available by the United States Department of Veterans Affairs, the official
32 custodian of such public record shall without charge provide the applicant for such benefits or any
33 person acting on his or her behalf or the authorized representative of the United States Department
34 of Veterans Affairs with a certified copy of such record; provided, however, that in any case where
35 the copy is made by a town clerk whose official income is derived in part or entirely from fees a
36 charge for services hereunder shall be made and the town shall reimburse the clerk for the charges.

37 110-B:87 Donations and Bequests. The division of veterans services may receive, on behalf of
38 the state, all donations and bequests that may be made to support the delivery of state office of

1 veterans services programs.

2 110-B:88 Division of Community Based Military Programs. The division of community based
3 military programs, under the supervision of an administrator of community based military
4 programs shall facilitate military and civilian partnerships by collaborating, coordinating, and
5 communicating with military and civilian provider groups in the delivery of services to New
6 Hampshire veterans, service members, and their families. The administrator shall:

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

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

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

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

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

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

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

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

23 110-B:89 State Veterans Council Established.

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

33 II. The members of the council shall meet not less than semi-annually to review activities of
34 the division of veterans services and provide guidance to and make recommendations for
35 improvement on the adequacy and delivery of veterans programs to the adjutant general. The
36 adjutant general may designate one of the members to serve as liaison to the state veterans
37 advisory committee.

38 110-B:90 Military Leadership Team. There is hereby established a military leadership team

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1 which shall serve in an advisory capacity and shall provide advice and guidance to the adjutant
2 general regarding the delivery of services to veterans and military service members in New
3 Hampshire. The military leadership team shall choose a chairman, vice-chairman, and a secretary
4 from their membership. The team may, by a majority vote of its members, adopt bylaws governing
5 the management and operation of the team. The military leadership team shall consist of the
6 following members:

7 I. The adjutant general, or designee.

8 II. The director of the division of veterans services, or designee.

9 III. The members of the veterans council.

10 IV. The administrator of the division of community based military programs.

11 V. Representatives of organizations which provide services to veterans and military service
12 members in New Hampshire, appointed by the adjutant general.

13 VI. Members of the private sector who have an interest in serving service members,
14 veterans and their families, appointed by the adjutant general.

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

17 146 Aid for Veterans' Programs. Amend RSA 115-A:2, VII to read as follows:

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

20 147 Replace Term. Replace "office of veterans services" or "state office of veterans services"
21 with "division of veterans services" in the following RSA sections: RSA 21:50, I(b)(24); 72:29, VII;
22 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);
23 261-C:2, 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).

24 148 Repeal. RSA 115, relative to the state office of veterans services, is repealed.

25 149 Sale of Property; National Guard Armory in Berlin. The adjutant general and the
26 department of military affairs and veterans services are authorized to offer for sale the national
27 guard armory land and buildings in the city of Berlin. The adjutant general and the department
28 shall submit quarterly reports on the progress of the sale to the fiscal committee of the general
29 court. Any sale of such land and buildings shall be subject to the requirements of RSA 4:40. All
30 proceeds from the sale may be used for the purchase of a new armory in general proximity to the
31 current armory in Berlin, and any proceeds from the sale that are not used for such a purchase
32 shall lapse to the general fund.

33 150 Department of Business and Economic Affairs; Rest Areas and Welcome Centers. Amend
34 RSA 12-O:18, I to read as follows:

35 I. The department of business and economic affairs shall be responsible for the staffing of
36 rest areas and welcome centers along the state's highways. There is established in the department
37 a bureau of visitor service **within the office of the commissioner** to administer this function. The
38 commissioner may consult with the local chambers of commerce relative to said function, and shall

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1 have the authority to enter into contracts with private or public entities for said function as the
2 commissioner deems appropriate.

3 151 Labor; Workers' Compensation; Safety Provisions; Administrative Penalty. Amend RSA
4 281-A:64, VIII to read as follows:

5 VIII. The commissioner may assess an administrative penalty of up to \$250 a day on any
6 employer not in compliance with the written safety program required under paragraph II of this
7 section, the joint loss management committee required under paragraph III of this section, or the
8 directives of the department under paragraph IV of this section. Each violation shall be subject to a
9 separate administrative penalty. All penalties collected under this paragraph shall be deposited in
10 the ~~[general fund]~~ **department of labor restricted fund established pursuant to RSA 273:1-b.**

11 152 Labor; Workers' Compensation; Definitions. Amend RSA 281-A:2, VI(d) to read as follows:

12 (d) If the commissioner finds that an employer has misrepresented the relationship
13 between the employer and the person providing services, the commissioner may assess a civil
14 penalty of up to \$2,500; in addition, such employer may be assessed a civil penalty of \$100 per
15 employee for each day of noncompliance. The fines may be assessed from the first day of the
16 infraction but not to exceed one year. Notwithstanding any provision of law to the contrary, any
17 person with control or responsibility over decisions to disburse funds and salaries and who
18 knowingly violates the provisions of this subparagraph shall be held personally liable for payments
19 of fines. All funds collected under this subparagraph shall be ~~[continually appropriated and
20 deposited into a nonlapsing workers' compensation fraud fund dedicated to the investigation and
21 compliance activities required by this section and related sections pertaining to labor and insurance
22 law.]~~ **deposited into the department of labor restricted fund established pursuant to RSA**
23 **273:1-b.** The commissioner of labor shall appoint as many individuals as necessary to carry out the
24 department's responsibilities under this section.

25 153 Repeal. RSA 6:12, I(b)(267), relative to moneys deposited in the workers' compensation
26 fraud fund, is repealed.

27 154 Administration of Transportation Laws; Certification of Current Workers' Compensation
28 Coverage Required. Amend RSA 228:4-b, IV to read as follows:

29 IV. All funds collected under this section shall be deposited into the ~~[general fund]~~
30 **department of labor restricted fund established pursuant to RSA 273:1-b.**

31 155 New Subdivision; Governor's Finish Line New Hampshire Scholarship Program. Amend
32 RSA 188-F by inserting after section 68 the following new subdivision:

33 Governor's Finish Line New Hampshire Scholarship Program

34 188-F:69 Governor's Finish Line New Hampshire Scholarship Program.

35 I. The community college system of New Hampshire may establish and administer the
36 governor's finish line New Hampshire scholarship program with funds appropriated from the
37 general court. The program shall provide tuition grants, after federal grants and other aid, for
38 eligible students who have already completed 30 credits.

1 II. The program shall be open to any student attending an institution within the
2 community college system who is over 25 years of age and is enrolled in a field which the
3 community college system has identified as being in high demand by employers in the state.

4 III. The community college system shall establish procedures for the administration of the
5 program, identification of high demand fields of employment, and the criteria by which a student
6 shall qualify and be selected for a scholarship, provided that such procedures and criteria shall be
7 consistent with this section.

8 156 Program Transferred. The governor's scholarship program established in the office of
9 strategic initiatives pursuant to RSA 4-C:31-35 is hereby transferred to the department of
10 education. Any administrative rules for the governor's scholarship program shall continue in effect
11 and shall be enforced by the commissioner of the department of education until such rules expire or
12 are repealed or amended in accordance with applicable law.

13 157 New Subdivision; Governor's Scholarship Program. Amend RSA 21-N by inserting after
14 section 12 the following new subdivision:

Governor's Scholarship Program

16 21-N:13 Definitions. In this subdivision:

17 I. "Postsecondary educational institution or training program" means any institution within
18 the university system of New Hampshire as defined in RSA 187-A, any institution within the
19 community college system of New Hampshire as defined in RSA 188-F, any private postsecondary
20 institution approved to operate in this state, or any postsecondary training or certificate program
21 within this state that is approved by the department, and is a not-for-profit institution that is
22 eligible to receive federal Title IV funds.

23 II. "Department" means the department of education.

24 III. "Program" means the governor's scholarship program.

25 21-N:14 Program Established. There is hereby established the governor's scholarship program
26 in the department of education which shall be administered by the department. The program shall
27 provide scholarships which a recipient shall apply to the costs of an education at a postsecondary
28 educational institution or training program. The department shall determine any additional
29 criteria regarding how and when scholarship funds shall be distributed, and may elect to distribute
30 funds to an individual in a lump sum or over a period of months or years.

31 21-N:15 Eligibility.

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

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

38 (b) A person shall be a graduate of a preparatory high school outside of this state while

1 a dependent of a parent or legal guardian who is a legal resident of this state and who has custody
2 of the dependent, and be eligible to receive a Pell grant; or

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

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

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

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

19 21-N:16 Governor's Scholarship Fund Established.

20 I. There is hereby established in the state treasury the governor's scholarship fund which
21 shall be kept distinct and separate from all other funds. The fund shall provide scholarships for the
22 benefit of eligible residents of the state pursuing programs of study or training at a postsecondary
23 educational institution or training program within the state.

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

28 III. All moneys in the fund shall be nonlapsing.

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

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

34 21-N:17 Procedures.

35 I. All scholarship funds shall be distributed by the postsecondary educational institution.
36 The institution shall include the scholarship in the student's financial aid package and may seek
37 subsequent reimbursement. The state shall provide the reimbursements twice per year to each
38 institution for the number of eligible students enrolled in the current semester or term who are

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1 receiving a scholarship in the amount of \$1,000. An institution shall submit the list of scholarship
2 students to the department or its designee no later than November 30 and April 30 of each academic
3 year, and shall be reimbursed within 30 days of those submittal dates.

4 II. An eligible person may receive a scholarship in the amount of \$1,000 per year provided
5 he or she maintains at least a 2.0 grade point average. An eligible person who earned the New
6 Hampshire scholar designation at the time of high school graduation shall be eligible to receive a
7 scholarship in the amount of \$2,000 per year provided he or she maintains at least a 2.5 grade point
8 average. In all cases the postsecondary educational institution shall agree not to reduce any merit
9 or need based grant aid that would have otherwise been provided to the eligible person. An eligible
10 person may receive an annual scholarship for a maximum of 4 years.

11 III. In the event the state does not reimburse a postsecondary educational institution for
12 scholarship amounts paid to an eligible person receiving an award, the institution shall agree not to
13 seek additional payments from the eligible person and to absorb the loss of funds without any
14 consequence to the student.

15 IV. The department shall determine procedures for distributing scholarship funds to an
16 eligible person enrolled in an approved training program.

17 158 Application of Receipts; Governor's Scholarship Program. Amend RSA 6:12, I(b)(336) to
18 read as follows:

19 (336) Moneys deposited into the governor's scholarship fund established in ~~[RSA 4-~~
20 ~~C:34]~~ **RSA 21-N:16**.

21 159 Repeal; Governor's Scholarship Program. RSA 4-C:31-35, relative to the governor's
22 scholarship program, are repealed.

23 160 New Section; Department of Transportation; Bulk Disposal of Highway or Turnpike
24 Funded Real Estate. Amend RSA 4 by inserting after section 39-e the following new section:

25 4:39-f Bulk Disposal of Highway or Turnpike Funded Real Estate. Notwithstanding RSA 4:39-
26 c, the bulk disposal of real estate purchased with state or federal highway funds, or both, or with
27 turnpike funds shall occur as follows:

28 I. The commissioner of the department of transportation may recommend the bulk disposal
29 of real estate purchased with state or federal highway funds or both, or turnpike funds. The
30 request for bulk disposal shall be presented for review and approval by the long range capital
31 planning and utilization committee before submission to the governor and council for approval.
32 Upon determination that the property is no longer needed by the state, the governor and council
33 shall first offer it to the government of the town, city, or county in which the property is located. If
34 the town, city, or county refuses the offer, the governor and council may sell, convey, transfer, or
35 lease the real property.

36 II. Sales of real property under this section shall be at not less than current market value of
37 the subject property, as may be determined by the governor and council.

38 III. The proceeds due back to the department of transportation from a sale, conveyance, or

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1 transfer under this section shall be credited as restricted revenue to the highway fund, or the
2 turnpike fund, or whichever fund provided money for the original purchase. The funds shall be
3 nonlapsing and continually appropriated to the department to be used for right-of-way property
4 management, maintenance, operations, or betterment of state roads and bridges.

5 IV. The commissioner of the department of transportation shall, at least once annually,
6 report to the long range capital planning and utilization committee on the status of all real estate
7 previously approved under this section.

8 V. As used in this section "bulk disposal" means multiple properties within the department
9 of transportation's real estate inventory, which are valued and presented to the long range capital
10 planning and utilization committee as a whole for review and approval to be sold to multiple buyers.

11 161 Number Plates; Official Cover Plates. Amend RSA 261:90 to read as follows:

12 261:90 Official Cover Plates. Upon payment of a fee, the director may issue and shall designate
13 official cover plates with the reproduction of the state seal thereon to be affixed to a vehicle of
14 United States senators from this state, representatives to congress from this state, the governor,
15 members of the governor's council, the president of the senate, members of the senate, the speaker
16 of the house of representatives, members of the house of representatives, the attorney general, the
17 secretary of state, the state treasurer, the President of the United States and members of his or her
18 executive staff, **and** any ambassador or member of the foreign diplomatic corps~~[, and members of~~
19 ~~the Maine-New Hampshire Interstate Bridge Authority]~~. The fee for official cover plates shall be \$1
20 in addition to any other number plate manufacturing fee otherwise required. The official cover
21 plates, exclusive of the seal, shall be white with green lettering, which shall alternate with red
22 lettering every other biennium. Official cover plates shall have the title of the person requesting
23 the plates, except for members of the governor's council whose plates shall have their council
24 district numbers embossed on them, and members of the general court, whose plates shall have
25 their house seat numbers or their senate district numbers embossed on them unless the president of
26 the senate, for members of the senate, or the speaker of the house of representatives, for members
27 of the house of representatives, shall designate a title for their plates. The president of the senate,
28 or a designee, and the speaker of the house of representatives, or a designee, shall provide the
29 director with input as needed on the cover plate design for members of the general court. The
30 director shall not issue more than 2 sets of official cover plates to any person. Official cover plates
31 may be attached only to vehicles registered in the name of the person issued the plates or the name
32 of the spouse of a member of the general court, or any vehicle being operated by a member of the
33 general court. Nothing herein shall be construed as affecting the issuance of regular motor vehicle
34 plates and the payment of the registration fee therefor. Official cover plates shall be manufactured
35 at the state prison and the prison shall provide the plates to the department at the prison's cost.

36 162 Repeal; Maine-New Hampshire Interstate Bridge Authority. The following are repealed:

37 I. RSA 234:43-66, relative to the Maine-New Hampshire Interstate Bridge Authority and
38 the Portsmouth-Kittery Bridge, also known as the Sarah Mildred Long Bridge.

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1 II. RSA 234:67-69, relative to the Sarah Mildred Long Bridge.

2 III. RSA 100-A:3, VIII, relative to New Hampshire retirement system membership for
3 employees of the Maine-New Hampshire Interstate Bridge Authority.

4 163 Executive Branch Code of Ethics; Complaints. Amend RSA 21-G:31, VI to read as follows:

5 VI. In proceedings under this subdivision, the committee shall have the power to issue
6 subpoenas and administer oaths. Such subpoena powers may be exercised for the committee by the
7 chairperson or legal counsel to the committee. The fees for witnesses [~~shall be consistent with RSA~~
8 ~~516:16 and~~] shall be borne by the committee or the party requesting the subpoena.

9 164 Insurance Holding Companies; Examination. Amend RSA 401-B:6, V to read as follows:

10 V. Compelling Production. In the event the insurer fails to comply with an order, the
11 commissioner shall have the power to examine the affiliates to obtain the information. The
12 commissioner shall also have the power to issue subpoenas, to administer oaths, and to examine
13 under oath any person for purposes of determining compliance with this section. Upon the failure
14 or refusal of any person to obey a subpoena, the commissioner may petition a court of competent
15 jurisdiction, and upon proper showing, the court may enter an order compelling the witness to
16 appear and testify or produce documentary evidence. Failure to obey the court order shall be
17 punishable as contempt of court. Every person shall be obliged to attend as a witness at the place
18 specified in the subpoena, when subpoenaed, anywhere within the state. He or she shall be entitled
19 to the same fees and mileage, if claimed, as a witness in RSA 516:13[.] **and** RSA 516:14[~~and RSA~~
20 ~~516:16~~], which fees, mileage, and actual expense, if any, necessarily incurred in securing the
21 attendance of witnesses, and their testimony, shall be itemized and charged against, and be paid by,
22 the company being examined.

23 165 Payment of Witnesses in Criminal Cases. Amend RSA 592-A:12 to read as follows:

24 592-A:12 [~~Payment of~~] Witnesses in Criminal Cases. Any person who attends any court for the
25 state in criminal cases pursuant to subpoena [~~shall be paid the witness fees provided by RSA 516:16.~~
26 ~~Any such person~~] shall sign a witness log, which shall be available in the office of the clerk of court,
27 on which the individual shall provide the following information: name, mailing address, and the
28 name of the case for which the person was subpoenaed. The prosecuting agency shall review the
29 log each day and certify that each individual appeared as indicated on the log. [~~The attorney~~
30 ~~general shall pay all witness fees to all such persons who are entitled to such fees.~~]

31 166 Parole Revocation. Amend RSA 651-A:17 to read as follows:

32 651-A:17 Parole Revocation. Any parolee arrested under RSA 651-A:15-a shall be entitled to a
33 hearing before the board within 45 days, in addition to any preliminary hearing which is required
34 under RSA 504-A:5. The parolee shall have the right to appear and be heard at the revocation
35 hearing. The board shall have power to subpoena witnesses[~~pay said witnesses such fees and~~
36 ~~expenses as allowed under RSA 516:16,~~] and administer oaths in any proceeding or examination
37 instituted before or conducted by it, and to compel, by subpoena duces tecum, the production of any
38 accounts, books, contracts, records, documents, memoranda, papers or tangible objects of any kind.

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1 If the board, after a hearing, finds that the parolee has violated the conditions of parole, violated the
2 law, or associated with criminal companions and in its judgment should be returned to the custody
3 of the commissioner of corrections, the board shall revoke the parole. A prisoner whose parole is
4 revoked shall be recommitted to the custody of the commissioner of corrections. This provision shall
5 not apply to a parolee who has accepted an option, offered by a probation/parole officer, to
6 participate in an intermediate sanction program and has waived his or her right to counsel and to a
7 preliminary hearing under RSA 504-A:5.

8 167 Arbitration of Disputes; Witnesses. Amend RSA 542:5 to read as follows:

9 542:5 Witnesses; Summoning; Compelling Attendance. When more than one arbitrator is
10 agreed to, all the arbitrators shall sit at the hearing of the case unless, by consent in writing, all
11 parties shall agree to proceed with the hearing with a less number. Any person may be summoned
12 as provided in RSA 516[.] to attend before the arbitrators as a witness [~~and the fees for such~~
13 ~~attendance shall be the same as the fees of witnesses in the superior court~~]. If any person or
14 persons so summoned to testify shall refuse or neglect to attend, upon petition the court in and for
15 the county in which such arbitrators are sitting may compel the attendance of such person or
16 persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the
17 same manner now provided in RSA 516.

18 168 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, II to read as follows:

19 II. The council shall have the power to subpoena witnesses and administer oaths in any
20 hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of
21 papers and records. [~~Witnesses summoned before the council shall be paid the same fees as~~
22 ~~witnesses summoned to appear before the superior court, and such summons shall have the same~~
23 ~~effect as though issued for appearance before such court.~~]

24 169 Alcoholic Beverages; Hearings and Investigations. Amend RSA 179:56, I to read as follows:

25 I. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its
26 proceedings and to regulate the mode and manner of all investigations and hearings before it. All
27 hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such
28 investigation or hearing the commission shall not be bound by the technical rules of evidence. The
29 commission may subpoena witnesses and administer oaths in any proceeding or examination
30 instituted before or conducted by it, and may compel, by subpoena, the production of any accounts,
31 books, contracts, records, documents, memoranda, and papers of any kind whatever. [~~Witnesses~~
32 ~~summoned before the commission shall be paid the same fees as witnesses summoned to appear~~
33 ~~before the superior court, and such~~] A summons issued by any justice of the peace shall have the
34 same effect as though issued for appearance before such court.

35 170 Repeal. The following are repealed:

36 I. RSA 21-J:26, relative to witness fees for witnesses summoned to appear before the
37 commissioner of the department of revenue administration.

38 II. RSA 153:20, relative to witness fees for witnesses summoned to appear before the state

1 fire marshal.

2 III. RSA 326-H:17, III, relative to witness fees for witnesses summoned before the board of
3 dieticians.

4 IV. RSA 365:11, relative to witness fees for witnesses summoned before the public utilities
5 commission.

6 V. RSA 516:16, relative to fees of witnesses for attendance and travel.

7 VI. RSA 516:16-a, relative to defaults and witness fees for law enforcement officers.

8 VII. RSA 665:13, relative to witness fees for witnesses summoned before the ballot law
9 commission.

10 171 Granite Workforce. 2018, 342:3 through 342:8 are repealed and reenacted to read as
11 follows:

12 342:3 Granite Workforce; Pilot Program Established.

13 I. The commissioner of the department of health and human services shall use allowable
14 funds from the Temporary Assistance to Needy Families (TANF) program along with other
15 available funds, including but not limited to, the job training fund established under RSA 282-
16 A:138-a to create a network of assistance to remove barriers to work for eligible low income families
17 as well as low income individuals and to provide subsidies to employers in high need areas, as
18 determined by the department of employment security based upon workforce shortages. The funds
19 shall be used to fund the granite workforce program, which shall operate as part of the New
20 Hampshire granite advantage health care program established in RSA 126-AA. The program shall
21 be jointly administered by the department of health and human services and the department of
22 employment security. No cash assistance shall be provided to eligible participants through granite
23 workforce.

24 II. To be eligible for granite workforce, applicants shall be enrolled in the New Hampshire
25 granite advantage health care program.

26 III. Allowable funds from the TANF program shall only be used to provide services outlined
27 herein and employment supports to individuals enrolled in the New Hampshire granite advantage
28 health care program that are:

29 (a) Parents aged 19 through 64 responsible for a dependent child under the age of 18; or

30 (b) Childless adults between 19 and 24 years of age.

31 IV. Authorized funding from the job training program along with other available funds
32 shall be used to provide services outlined herein and employment supports to individuals enrolled in
33 the New Hampshire granite advantage health care program that are between 25 and 64 years of
34 age.

35 V. An eligible recipient, participating in the granite workforce program, whose wages
36 subsequently cause the household to exceed 138 percent of the federal poverty level shall continue
37 to receive granite workforce program services as needed, including the subsidy for employers,
38 provided the recipients wages do not cause the household to exceed 250 percent of the federal

1 poverty level. After the second employer subsidy is paid on behalf of a granite workforce recipient,
2 the recipient shall no longer be eligible for granite workforce services as long as household income
3 exceeds 138 percent of the federal poverty level.

4 VI. The department of employment security shall determine eligibility and entry into the
5 program, using nationally recognized assessment tools for vocational and job readiness assessments.
6 Vocational assessments shall include educational needs, vocational interest, personal values, and
7 aptitude. The department shall use the assessment results to work with the participant to produce
8 a long term career plan for moving into the middle class and beyond.

9 VII. No person shall participate in the granite workforce program unless he or she is also
10 enrolled in the New Hampshire granite advantage health care program, as established in RSA 126-
11 AA.

12 VIII. Except as otherwise provided in paragraphs II, III, and IV regarding program
13 eligibility, administrative rules governing the New Hampshire employment program, adopted under
14 RSA 541-A, shall apply to the granite workforce pilot program.

15 342:4 Granite Workforce; Subsidies for Employers.

16 I. After 3 months of the employment of the participant in a paying job and receiving
17 verification of the continued employment and wages from the employer, the department of
18 employment security shall authorize payment to the employer a subsidy equal to 50 percent of the
19 employee's wages for the prior month, not to exceed \$2,000.

20 II. After 9 months of the continued employment of the participant in a paying job and
21 receiving verification of the continued employment and wages from the employer, the department of
22 employment security shall authorize payment to the employer a subsidy equal to 50 percent of the
23 employee's wages for the prior month, not to exceed \$2,000.

24 III. If an overpayment is made, the employer shall reimburse the department that amount
25 upon being notified by the department.

26 342:5 Granite Workforce; Referral for Barriers to Employment.

27 I. The department of health and human services, in consultation with the department of
28 employment security, shall issue a request for applications for community providers interested in
29 offering case management services to participants with barriers to employment.

30 II. Participants shall be identified by the department of employment security using an
31 assessment process that screens for barriers to employment including, but not limited to,
32 transportation, child care, substance use, mental health, and domestic violence.

33 III. Thereafter, the department of employment security shall refer to community providers
34 those individuals deemed needing assistance with removing barriers to employment. When child
35 care is identified as a barrier to employment, the department of employment security or the
36 community provider shall refer the individual to available child care service programs, including
37 specifically the child care scholarship program administered by the department of health and
38 human services.

1 IV. In addition to employer subsidies authorized under this section, TANF or other funds
2 allocated to the granite workforce program shall be used to pay for other services that eliminate
3 barriers to work as established through rulemaking.

4 342:6 Granite Workforce; Network of Education and Training.

5 I. If after the assessment conducted by the department of employment security additional
6 job training, education, or skills development is necessary prior to job placement, the department of
7 employment security shall address those needs by:

8 (a) Referring individuals to training and apprenticeship opportunities offered by the
9 community college system of New Hampshire;

10 (b) Referring individuals to the department of business and economic affairs to utilize
11 available training funds and support services;

12 (c) Referring individuals to education and employment programs for youth available
13 through the department of education; or

14 (d) Referring individuals to training available through other colleges and training
15 programs.

16 II. All industry specific skills and training will be provided for jobs in high need areas, as
17 determined by the department of employment security based upon workforce shortages.

18 342:7 Granite Workforce; Job Placement. Upon determining the participant is job ready, the
19 department of employment security shall place individuals into jobs with employers in high need
20 areas, as determined by the department of employment security based upon workforce shortages.
21 This includes, but is not limited to, high labor need jobs in the fields of healthcare, advanced
22 manufacturing, construction/building trades, information technology, and hospitality. Training and
23 job placement shall focus on:

24 I. Supporting health care/safety issues: training/jobs to combat the opioid crisis, including
25 nurses, nursing assistants, clinicians, social workers, and treatment providers at the licensed
26 alcohol and drug addictions counselor and licensed mental health counselor levels. Additionally,
27 jobs to address long term care needs, home healthcare services, and expanding mental/behavioral
28 health services.

29 II. Advanced manufacturing to meet employer needs: training/jobs that include computer
30 aided drafting and design, electronic and mechanical engineering, precision welding, computer
31 numerical controlled precision machining, robotics, and automation.

32 III. Construction/building trades to address critical infrastructure needs: training/jobs for
33 building roads, bridges, municipality infrastructure, and ensuring safe drinking water.

34 IV. Information technology: training/jobs to allow businesses to excel in an ever increasing
35 network dependent business environment.

36 V. Hospitality training/jobs to address the workforce shortage and support New
37 Hampshire's tourism industry, to include but not be limited to hotel workers, restaurant workers,
38 campground workers, lift operators, state park workers, and amusement park workers.

1 342:8 Reporting Requirement; Measurement of Outcomes.

2 I. The department of health and human services shall prepare a report on the outcomes of
3 the granite workforce program using appropriate standard common performance measures.
4 Program partners, as a condition of participation, shall be required to provide the department with
5 the relevant data. Metrics to be measured shall include, but are not limited to:

6 (a) Degree of participation.

7 (b) Progress with overcoming barriers.

8 (c) Entry into employment.

9 (d) Job retention.

10 (e) Earnings gain.

11 (f) Movement within established federal poverty level measurements, including the
12 Supplemental Nutrition Assistance Program (SNAP) and the New Hampshire granite advantage
13 health care program under RSA 126-AA.

14 (g) Attainment of education or training, including credentials.

15 II. The report shall be issued to the speaker of the house of representatives, the president of
16 the senate, the governor, the commission to evaluate the effectiveness and future of the New
17 Hampshire granite advantage health care program established under RSA 126-AA:4, and the state
18 library on or before December 1, 2019.

19 172 Department of Natural and Cultural Resources; Exemption from Transfer Restrictions.
20 Amend RSA 9:16-a, II-a(d) as follows:

21 (d) The following account units within the department of natural and cultural resources
22 shall be exempt from the transfer restrictions in subparagraphs (a), (b), and (c): 03-35-35-351510-
23 3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414,
24 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-
25 35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-
26 351510-3777, 03-35-35-351510-3717, [and] 03-35-35-351510-3703, **and 03-35-35-351510-4016.**

27 173 Motor Vehicles; Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as
28 follows:

29 I. Such defendant shall receive, in addition to the summons, a uniform fine schedule
30 entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for
31 violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The
32 defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment
33 at the time the summons is issued; except if, for cause, the summoning authority wishes the
34 defendant to appear personally. Defendants summoned to appear personally shall do so on the
35 arraignment date specified in the summons, unless otherwise ordered by the court. Defendants
36 who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall
37 enter their plea on the summons and return it with payment of the fine plus penalty assessment to
38 the director of the division of motor vehicles within 30 days of the date of the summons. The

1 director of the division of motor vehicles may accept payment of the fine by credit card in lieu of
2 cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of
3 the portion of the fine amount which is credited ~~[as agency income]~~ **to the highway fund** and not
4 out of the penalty assessment charged by the district court. The director of the division of motor
5 vehicles shall remit the penalty assessments collected to the state treasurer to be credited and
6 continually appropriated to the state general fund and to the victims' assistance fund and the
7 judicial branch information technology fund in the percentages and manner prescribed in RSA 106-
8 L:10. Fines shall be paid over to the state treasurer, and shall be credited ~~[as agency income by the~~
9 ~~department of safety]~~ **to the highway fund** within 14 days of their receipt ~~[and shall not lapse to~~
10 ~~the general fund until the second year of each biennium]~~.

11 174 Business Finance Authority Revenue Bonds; Additional State Guarantees. Amend RSA
12 162-I:9-b, I(a) to read as follows:

13 I.(a) The governor and council may award an unconditional state guarantee of the principal
14 of and interest on bonds issued under this chapter. The full faith and credit of the state shall be
15 pledged for any such guarantee, but the total amount of bonds guaranteed by the state under this
16 section ~~[shall not exceed in the aggregate at any time \$10,000,000, plus interest, provided that such~~
17 ~~amount shall be increased to \$20,000,000 plus interest on January 1, 1993, to \$30,000,000 plus~~
18 ~~interest on January 1, 1994, to \$40,000,000 plus interest on January 1, 1995, and to \$50,000,000~~
19 ~~plus interest on January 1, 1996. In addition, the amount of bonds guaranteed by the state under~~
20 ~~this section]~~ shall not cause the contingent credit limit under RSA 162-A:22 to be exceeded. The
21 governor, with the advice and consent of the council, is authorized to draw his warrant for such
22 sum as may be necessary out of any money in the treasury not otherwise appropriated, for the
23 purpose of honoring any guarantee awarded under this section. The state's guarantee shall be
24 evidenced on each guaranteed bond by an endorsement signed by the state treasurer in
25 substantially the following form:

26 The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the
27 principal and interest on the within bond and for the performance of such guarantee the full faith
28 and credit of the state are pledged.

29 _____
30 State Treasurer

31 175 Repeal. RSA 162-I:9-b, II, relative to the total amount of state guarantees issued by the
32 business finance authority, is repealed.

33 176 Business Finance Authority; Unified Contingent Credit Limit. Amend RSA 162-A:22 to
34 read as follows:

35 162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under
36 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,
37 ~~[RSA 162-I:9-a,]~~ and RSA 162-I:9-b shall not exceed in the aggregate at any time \$50,000,000 plus
38 interest, provided that such amount shall be increased to \$80,000,000 plus interest on January 1,

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1 1993, to \$95,000,000 plus interest on January 1, 1994, and to \$115,000,000 plus interest on May 1,
2 2015. [~~After May 1, 2015, an amount not to exceed \$30,000,000 plus interest may be used solely for~~
3 ~~bonds guaranteed pursuant to RSA 162-I:9-a, and an amount not to exceed the remaining~~
4 ~~\$85,000,000 plus interest may be used solely for bonds issued pursuant to sections other than RSA~~
5 ~~162-I:9-a.]~~

6 177 Repeal. The following are repealed:

7 I. RSA 12-G:33, relative to submission of a comprehensive development plan by the Pease
8 development authority.

9 II. RSA 12-G:35, relative to loans to Pease development authority to enable the authority to
10 obtain matching funds.

11 178 Office of Professional Licensure and Certification; Fees. Amend RSA 310-A:1-e, I(b) to read
12 as follows:

13 (b) ~~There is hereby established the office of professional licensure and certification fund~~
14 ~~into which the fees collected under subparagraph (a) shall be deposited. [The fund shall be a~~
15 ~~separate, nonlapsing fund, continually appropriated to the office for the purpose of paying all costs~~
16 ~~and salaries associated with the office]~~ **After paying all costs and salaries associated with the**
17 **office, moneys in this fund shall lapse to the general fund at the close of each fiscal year.**

18 179 New Paragraphs; Department of Justice; Director of the Office of Victim/Witness
19 Assistance. Amend RSA 21-M:3 by inserting after paragraph X the following new paragraphs:

20 XI. The attorney general, subject to the approval of the governor and council, may appoint
21 a director of the office of victim/witness assistance, within the limits of the appropriation made for
22 the appointment, who shall hold office for a term of 5 years. Any vacancy in such office may be
23 filled for the unexpired term. The director of the office of victim/witness assistance may be removed
24 only as provided by RSA 4:1.

25 XII. The attorney general, subject to the approval of the governor and council, may appoint
26 a director of communications within the limits of the appropriation made for the appointment, who
27 shall hold office for a term of 5 years. Any vacancy in such office may be filled for the unexpired
28 term. The director of communications may be removed only as provided by RSA 4:1.

29 180 Department of Justice; Office of Victim/Witness Assistance. Amend the introductory
30 paragraph in RSA 21-M:8-b, II to read as follows:

31 II. There is hereby established within the criminal justice bureau of the department of
32 justice, the office of victim/witness assistance. **The office shall be supervised by the director of**
33 **victim/witness assistance who shall be appointed by the attorney general in accordance**
34 **with the provisions of RSA 21-M:3, XI and who shall carry out the duties imposed by this**
35 **section under the supervision of the attorney general and perform such other work as the**
36 **attorney general may assign.** The office shall provide information and services to victims and
37 witnesses in criminal cases prosecuted by the attorney general and shall develop and coordinate a
38 statewide victim/witness rights information program. The victim/witness rights information

1 program shall:

2 181 New Paragraph; Department of Justice; Officer-Involved Deadly Force Investigator
3 Position Established. Amend RSA 21-M:8 by inserting after paragraph III the following new
4 paragraph:

5 IV.(a) To assist the attorney general in his or her duty to exercise general supervision of
6 officer-involved use of deadly force investigations and to provide training to local law enforcement
7 officers, the department of justice may hire an unclassified full-time investigator assigned the
8 bureau, who shall work on officer-involved use of deadly force investigations.

9 (b) There is established within the department of justice an unclassified full-time
10 investigator position for the purpose of working on officer-involved use of deadly force investigations
11 as required in this paragraph. Notwithstanding RSA 14:14-c and RSA 94:1-d, the salary for the
12 full-time investigator position shall be established as a labor grade BB pursuant to RSA 94:1-a, I(a).

13 182 Department of Justice; Position Reclassified and Established.

14 I. The position of administrator II-public/legislative information officer, position number
15 18030, within the department of justice shall be designated as an unclassified position.

16 II. There is established within the department of justice the unclassified position of director
17 of communications. The salary of the director of communications shall be determined after
18 assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for
19 the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion
20 of this action and appointment of the director of communications, position number 18030 shall be
21 abolished to allow for the transition of its available appropriations into the unclassified position of
22 director of communications. Funding shall be transferred into the proper unclassified expenditure
23 class for the attorney general accounting unit. The incumbent in the abolished classified position
24 shall be offered the opportunity to seek the attorney general's nomination for the unclassified
25 position of director of communications.

26 183 Department of Justice; Position Reclassified and Established.

27 I. The position of attorney III-assistant director of charitable trust, position number 10321,
28 within the department of justice shall be designated as an unclassified position.

29 II. There is established within the department of justice the unclassified position of
30 assistant attorney general. The salary of the assistant attorney general is established in RSA 94:1-
31 a, I-c. Upon completion of this action and appointment of the assistant attorney general, position
32 number 10321 shall be abolished to allow for the transition of its available appropriations into the
33 unclassified position of assistant attorney general. Funding shall be transferred into the proper
34 unclassified expenditure class for the charitable trust accounting unit. The incumbent in the
35 abolished classified position shall be offered the opportunity to seek the attorney general's
36 nomination for the unclassified position of assistant attorney general.

37 184 Department of Administrative Services; Rehiring of Laid Off Classified State Employees.

38 I. For purposes of this section, "laid off" means any person in a classified position as

1 described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or
2 who is laid off between July 1, 2019 and June 30, 2021, as a result of reorganization or downsizing
3 of state government.

4 II. It is the intent of the general court that any classified position which becomes available
5 in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state
6 employee laid off, as defined in paragraph I, if such person is not currently employed by the state of
7 New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she
8 does not receive a promotion as a result of the rehire.

9 III. The head of each department or agency shall submit the name and classification of any
10 individual laid off between July 1, 2019 and June 30, 2021, to the director of the division of
11 personnel within 10 days of the layoff.

12 185 Appropriation; State Treasurer; Municipal Aid. The sum of \$12,500,000 for the fiscal year
13 ending June 30, 2021 is hereby appropriated to the state treasurer for the purpose of providing
14 municipal aid to each city, town, and unincorporated place in the state. The treasurer shall
15 distribute the municipal aid pursuant to the formula established in RSA 31-A:4, notwithstanding its
16 suspension in this act, but without regard to annual appropriation and distribution requirements
17 set forth therein, to each city, town, and unincorporated place in the state by September 1, 2020.
18 The governor is authorized to draw a warrant for said sums out of any money in the treasury not
19 otherwise appropriated. Notwithstanding RSA 31:95-b or any other provision of law no such
20 additional municipal aid shall be considered unanticipated money from the state.

21 186 New Section; Community Development Fund for New Hampshire Established. Amend
22 RSA 162-L by inserting after section 4 the following new section:

23 162-L:4-a Community Development Fund for New Hampshire. There is hereby established in
24 the state treasury the community development fund for New Hampshire, which shall be kept
25 distinct and separate from all other funds. All moneys in the fund shall be nonlapsing and
26 continually appropriated to the community development finance authority. In addition to any state
27 appropriations, the community development finance authority may except gifts, grants, and
28 donations from other sources, including contributions and loans from businesses, for deposit into
29 the fund. The fund shall be used to provide flexible loan capital for community development
30 initiatives and for one-time capital infrastructure revitalization and strategic investments.

31 187 New Subparagraph; Dedicated Funds or Accounts; Community Development Fund.
32 Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

33 (344) Moneys deposited in the community development fund for New Hampshire
34 established in RSA 162-L:4-a.

35 188 Appropriation; Community Development Finance Authority; Community Development
36 Fund for New Hampshire. There is hereby appropriated to the community development finance
37 authority the sum of \$1,000,000 for the biennium ending June, 30 2021, for deposit in the
38 community development fund for New Hampshire established in RSA 162-L:4-a. The governor is

1 authorized to draw a warrant for such sum from any money in the treasury not otherwise
2 appropriated.

3 189 State Aid Grant Program; Appropriation to Department of Environmental Services.

4 I. The sum of \$2,877,449 for the fiscal year ending June 30, 2020, is hereby appropriated to
5 the department of environmental services for the purpose of funding state aid grant programs
6 under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580 with substantial project
7 completion dates on or before December 1, 2018. The governor is authorized to draw a warrant for
8 said sum out of any money in the treasury not otherwise appropriated.

9 II. The sum of \$2,815,482 for the fiscal year ending June 30, 2021, is hereby appropriated to
10 the department of environmental services for the purpose of funding state aid grant programs
11 under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580 with substantial project
12 completion dates on or before December 1, 2018. The governor is authorized to draw a warrant for
13 said sum out of any money in the treasury not otherwise appropriated.

14 190 Department of Justice; Victim/Witness Specialist Positions Reclassified and Established.
15 The positions of victim/witness specialist position numbers 18674, 19419, 9T2817, and 9T2811,
16 within the department of justice shall be designated as unclassified positions. There are hereby
17 established within the department of justice 4 unclassified victim/witness specialist positions. The
18 salary of the victim/witness specialist positions shall be determined after assessment and review of
19 the appropriate temporary letter grade allocation for the positions which shall be conducted
20 pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointments to the
21 unclassified positions, position numbers 18674, 19419, 9T2817, and 9T2811 shall be abolished to
22 allow for the transition of the available appropriations to the unclassified positions. Funding shall
23 be transferred into the proper unclassified expenditure class in the victim witness general
24 accounting unit. The incumbents in the abolished classified positions shall be offered the
25 opportunity to seek the attorney general's nomination for the unclassified victim/witness specialist
26 positions.

27 191 New Paragraphs; Department of Justice; Criminal Justice Bureau; Victim/Witness
28 Specialist Positions Established. Amend RSA 21-M:8 by inserting after paragraph III the following
29 new paragraphs:

30 IV. The attorney general, subject to the approval of the governor and council, may appoint
31 permanent victim/witness specialists within the limits of the appropriation made for the
32 appointments, who shall hold office for a term of 5 years. Any vacancy in such position may be
33 filled for the unexpired term. The victim/witness specialists may be removed only as provided by
34 RSA 4:1.

35 V. The attorney general, subject to the approval of the governor and council, may appoint
36 unclassified, full-time temporary victim/witness specialists within the federal appropriations made
37 for the appointment, who shall hold office subject to continuation of the federal grant funds
38 supporting the victims/witness program. Any vacancy shall be filled in the same manner as the

1 original appointment. The victim/witness specialists may be removed only as provided by RSA 4:1,
2 or if the federal appropriation no longer supports the positions.

3 192 New Paragraph; Department of Justice; Elections Attorney Position Established. Amend
4 RSA 21-M:8 by inserting after paragraph III the following new paragraph:

5 IV. There is established within the department of justice an unclassified full-time elections
6 attorney. The salary of the elections attorney shall be determined after assessment and review of
7 the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be
8 conducted pursuant to RSA 94:1-d and RSA 14:14-c.

9 193 Department of Natural and Cultural Resources; Curatorial Responsibilities Suspended.
10 Due to inadequate funding and staffing resources at the department of natural and cultural
11 resources, the commissioner of the department of natural and cultural resources may suspend the
12 requirements of RSA 227-C and RSA 12-A relative to curatorial responsibilities, for each year of the
13 biennium ending June 30, 2021.

14 194 Statewide Public Boat Access Fund; Appropriation to Department of Natural and Cultural
15 Resources. Amend RSA 233-A:13 to read as follows:

16 233-A:13 Statewide Public Boat Access Fund Established. There is hereby established a
17 nonlapsing statewide public boat access fund. The \$5 boat registration surcharge collected
18 pursuant to RSA 270-E:5, II(d) and any other public access funds donated to the state shall be
19 placed in this fund. ~~[A]~~ Funds received under this section are continually appropriated to the fish
20 and game department for the purposes of the statewide public boat access program established
21 under this chapter, ***except for sufficient funds which are hereby appropriated to the***
22 ***department of natural and cultural resources for payment of principal and interest on***
23 ***bonds and notes for the Mount Sunapee state park beach boat ramp project.***

24 195 Appropriation; Department of Natural and Cultural Resources; Fort Stark Historic Site.
25 The sum of \$100,000 for the fiscal year ending June 30, 2021, is hereby appropriated to the
26 department of natural and cultural resources for the purpose of redevelopment and improvement
27 projects at the Fort Stark historic site, including alleviating life safety issues that exist due to the
28 type of buildings found at Fort Stark and their current condition, redeveloping the parking area by
29 raising the grade to improve drainage and maximize capacity, providing historical interpretation
30 and administrative rules that apply to the site, and aesthetically enhancing the site through
31 landscape improvements including security lighting, benches, and hardscape. The governor is
32 authorized to draw a warrant for said sum out of any money in the treasury not otherwise
33 appropriated.

34 196 Department of State; Archives and Records Management; Appointment of Director. Amend
35 RSA 5:28 to read as follows:

36 5:28 Appointment of Director. The secretary of state, with the approval of governor and
37 council, shall appoint the director of the division of archives and records management, who shall be
38 known as the state archivist and who shall be an unclassified state employee. The director shall

1 have a minimum of a master's degree in library science [ø], history, *or equivalent* or 10 years
2 prior experience as an archivist or experience in a related field. The term of office for the state
3 archivist shall be for 4 years. Any vacancy shall be filled for the unexpired term. The salary of the
4 state archivist shall be as specified in RSA 94:1-a.

5 197 Department and Secretary of State; Election Fund. Amend RSA 5:6-d, I-III to read as
6 follows:

7 I. There is established in the office of the state treasurer a nonlapsing fund to be known as
8 the election fund which shall be kept distinct and separate from all other funds. The election fund
9 is established to meet the requirements of section 254(b) of the Help America Vote Act, Public Law
10 107-252 *and the 2018 Election Reform Program authorized by the Consolidated*
11 *Appropriations Act of 2018, Public Law 115-141, hereafter referred to as the "2018 Election*
12 *Reform Program"*.

13 II. The treasurer shall deposit in the election fund all monies received by the state pursuant
14 to the Help America Vote Act of 2002, Public Law 107-252 *and the 2018 Election Reform*
15 *Program*. The treasurer shall also deposit in the election fund such other funds received under
16 state or federal law, or donated to the state by private parties, for the purposes of conducting
17 elections, voter and election official education, election law enforcement, and related information
18 technology projects and improvements, and shall credit any interest or income earned on monies on
19 deposit to the fund.

20 III. The secretary of state is authorized to accept, budget, and, subject to the limitations of
21 this paragraph, expend monies in the election fund received from any party for the purposes of
22 conducting elections, voter and election official education, the purchase or lease of equipment that
23 complies with the Help America Vote Act of 2002, Public Law 107-252, or with RSA 659:13, V,
24 reimbursing the department of safety for the actual cost of voter identification cards, election law
25 enforcement, *enhancing election technology, making election security improvements*, and
26 improvements to related information technology, including acquisition and operation of an
27 automated election management system. *With the exception of federal and state portions of*
28 *funds associated with the 2018 Election Reform Program*, the secretary of state shall not
29 expend any monies in the election fund unless the balance in the fund following such expenditures
30 shall be at least 12 times the estimated annual cost of maintaining the programs established to
31 comply with the Help America Vote Act of 2002, Public Law 107-252.

32 198 Appropriation; Department of State. The sum of \$155,113 for the biennium ending June
33 30, 2021 is hereby appropriated to the department of state to meet the requirements of the 2018
34 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law
35 115-141, pursuant to RSA 5:6-d. Said sum shall not lapse and may also be used for the purposes of
36 the Help America Vote Act of 2002, Public Law 107-252. The governor is authorized to draw a
37 warrant for said sum out of any money in the treasury not otherwise appropriated.

38 199 Unemployment Compensation; Contribution Rates. Amend RSA 282-A:87, IV(a) to read as

1 follows:

2 (a)(1) Each employer subject to payment of contributions pursuant to RSA 282-A:69, I
3 shall have its rate reduced by [~~2/10~~] **3/10** of one percent beginning in the [~~second~~] **third** quarter of
4 [~~2007~~] **2019**. An administrative contribution equal to the amount of this reduction shall be paid by
5 all such employers.

6 (2) Commencing [~~July~~] **October** 1, [~~2007~~] **2019**, after deduction of all costs incurred
7 in the collection of the administrative contribution, 1/3 of the quarterly administrative contribution
8 collected, not to exceed [~~\$2,000,000~~] **\$2,500,000** annually, shall be deposited each quarter in the
9 fund established by RSA 282-A:138-a and shall be expended only as provided by and for the
10 purposes provided in that section. The remaining quarterly administrative contribution collected
11 shall be deposited in the fund established by RSA 282-A:140 and shall be expended only as provided
12 by and for the purposes provided in that section, and not for any other purpose.

13 200 New Subdivision; Job Training Program for Economic Growth. Amend RSA 282-A by
14 inserting after section 180 the following new subdivision:

15 **Job Training Program for Economic Growth**

16 282-A:181 Job Training Program for Economic Growth. The purpose of this program is to:

17 I. Enhance the state's economic growth and vitality by offering assistance to privately
18 owned businesses and industries in preparing and training a new workforce and retraining existing
19 employees to implement new technologies, creating new jobs, and in retaining and upgrading
20 existing jobs.

21 II. Expand the state's labor force by addressing job readiness and job placement needs of
22 underserved populations, by providing training, reemployment services, subsidized employment,
23 and employment supports for individuals who are underemployed or unemployed.

24 III. Provide technical education, training, and related supports to help individuals secure
25 employment in order to continue to expand the labor force and to include those individuals not
26 currently eligible for other federal or state workforce training programs.

27 IV. Be flexible and responsive to the training needs of business and industry in New
28 Hampshire.

29 282-A:182 Training Programs. Training programs may include, but shall not be limited to:

30 I. Structured, on-site laboratory or classroom training.

31 II. Basic skills.

32 III. Technical skills.

33 IV. Quality improvement.

34 V. Safety.

35 VI. Management and supervision.

36 VII. English as a second language.

37 282-A:183 Administration; Rulemaking. The department of employment security shall
38 administer this program. The commissioner of the department of employment security shall adopt

1 rules under RSA 541-A, relative to the administration of this subdivision.

2 282-A:184 Eligibility for Training Grants.

3 I. In this subdivision, "grant recipient" means the business entity that receives funds from
4 the department and which provides funds to the training provider.

5 II. Only those businesses that are physically located in or intend to be physically located in
6 the state and that are in compliance with state laws and regulations may be grant recipients under
7 this subdivision.

8 III. Only unemployed or underemployed residents of New Hampshire or individuals who
9 work for a business that is located in or intends to locate in the state shall be eligible for training,
10 reemployment services, subsidized employment, and employment supports under this subdivision.

11 IV. A business entity that receives a training grant under this subdivision shall match no
12 less than one dollar for each dollar provided through the grant award. The matching funds shall
13 include only those costs extraordinary to the regular employee expenses incurred by the business
14 and shall be directly related to training.

15 V. Priority shall be given for grants to small businesses for the implementation of
16 technological innovations.

17 VI. Intent to locate within the state shall be established to the satisfaction of the
18 commissioner of the department of employment security. Intent shall be established by:

19 (a) Proof of substantial investment or a binding contractual obligation consistent with
20 such intent;

21 (b) The lease or purchase of real estate or equipment within the state necessary for the
22 planned move; or

23 (c) Such other requirements as may be established under rules adopted by the
24 commissioner of the department of employment security.

25 VII. Submission of documents to substantiate proof of intent by a business to locate within
26 the state shall be in accordance with rules adopted by the commissioner of the department of
27 employment security.

28 VIII. No grant shall be made to the state, including the university system of New
29 Hampshire, except that the New Hampshire department of employment security may expend job
30 training funds to the university system of New Hampshire, state community college system, and
31 other public and private training providers to address job readiness and job placement needs of
32 underserved populations by providing for training, education, reemployment services, subsidized
33 employment, and employment supports for individuals who are not employed, or are
34 underemployed, and not eligible for other state or federal workforce training programs.

35 IX. No grant shall be made to any county, city, town, or other political subdivision which
36 has not currently elected to pay contributions pursuant to RSA 282-A:71, II.

37 X. No grant shall be made to any organization or group of organizations, described in
38 section 501(c)(3) and exempt under section 501(a) of the Internal Revenue Code, which has not

1 currently elected to pay contributions pursuant to RSA 282-A:69, II except that such entity may be
2 eligible to receive job training funds in connection with training, education, reemployment services,
3 subsidized employment, and employment supports provided for individuals who are unemployed or
4 underemployed and not eligible for other state or federal workforce training programs.

5 282-A:185 Eligible Costs.

6 I. To be eligible for a training grant under this subdivision, a cost shall be necessary and
7 reasonable for the proper and efficient delivery of training to the employees of the grant recipient.

8 II. The following costs shall not be eligible for training grants:

9 (a) Costs resulting from violations of or failure to comply with federal, state, or local
10 laws and regulations.

11 (b) Entertainment costs.

12 (c) Administrative costs.

13 (d) Salaries and wages of employees in training.

14 III. Funds for training grants shall supplement, and not replace, funds available through
15 existing programs conducted by the business entity, or other public or private training programs.

16 IV. The department may use no more than 10 percent, or \$250,000, of any moneys received
17 from the training fund established in RSA 282-A:188, whichever is less, to administer this program.

18 282-A:186 Training Facilities.

19 I. Training provided to unemployed or underemployed individuals through this program
20 shall include training and education opportunities offered by the university system of New
21 Hampshire and the community college system of New Hampshire as well as training available
22 through other colleges and public and private training programs.

23 II. The provider shall be specified in the grant award.

24 282-A:187 Performance; Report.

25 I. The grant review committee shall establish performance criteria. The committee shall
26 submit no later than 60 days after the close of each fiscal year, to the commissioner of the
27 department of business and economic affairs, the commissioner of the department of employment
28 security, the governor, the senate president, the speaker of the house of representatives, and the
29 fiscal committee of the general court, a report indicating the level of performance achieved through
30 the program.

31 II. The department shall evaluate the performance level for each training grant provided to
32 a business.

33 III. The grant recipient shall file the information required under paragraphs I and II, as
34 requested by the commissioner.

35 282-A:188 Training Fund.

36 I. There is hereby created in the state treasury a special fund to be known as the training
37 fund. Commencing January 1, 2020, the moneys in this fund may be used, solely as determined by
38 the commissioner of employment security in accordance with rules and guidelines adopted by the

1 commissioner of employment security, for funding training under the job training program for
2 economic growth, established under RSA 282-A:181 through RSA 282-A:187. Rulemaking authority
3 relative to administration of the grant award process shall be with the commissioner of employment
4 security pursuant to RSA 282-A:183.

5 II. The commissioner of employment security shall act as the fiscal agent for moneys
6 deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the
7 training fund shall be paid from such fund.

8 III. Any interest earned on the moneys in this fund shall remain in the fund and shall be
9 expended as provided in paragraph I.

10 IV. Any moneys paid into the training fund during a calendar year, which are either not
11 obligated by June 30 of the following year or spent by June 30 of the year thereafter, shall be
12 continually appropriated and shall not lapse.

13 201 Commission to Review and Evaluate Workforce and Job Training Programs in New
14 Hampshire. Amend RSA 273:28, IV(g)(12) to read as follows:

15 (12) Department of [~~business and economic affairs~~] **employment security**, job
16 training program for economic growth pursuant to RSA [~~12-O:30-37~~]-**RSA 282-A:181 through RSA**
17 **282-A:187**.

18 202 Application of Receipts. Amend RSA 6:12, I(b)(74) to read as follows:

19 (74) Moneys deposited in the training fund established by RSA [~~282-A:138-a~~] **282-**
20 **A:188**.

21 203 New Hampshire Workforce Opportunity Fund. Amend RSA 12-O:45, V to read as follows:

22 V. In accordance with RSA [~~12-O:30~~] **282-A:181** through RSA [~~12-O:37~~] **282-A:187**, the
23 commissioner of the department of employment security shall have the authority to make grants to
24 New Hampshire employers for the purpose of training employees in accordance with this chapter,
25 such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any
26 single employer in any grant year the sum of \$70,000, unless first approved by governor and
27 council. The commissioner shall provide the governor and council an information item not less
28 frequently than semi-annually describing all such grants expended pursuant thereto. Such grants
29 shall be made pursuant to a form of agreement that shall be approved by governor and council after
30 review by the attorney general and the commissioner of the department of administrative services.

31 204 Unemployment Compensation Rates. Amend RSA 282-A:87, IV(a)(2) to read as follows:

32 (2) Commencing July 1, 2007, after deduction of all costs incurred in the collection
33 of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to
34 exceed \$2,000,000 annually, shall be deposited each quarter in the fund established by RSA [~~282-~~
35 ~~A:138-a~~] **282-A:188** and shall be expended only as provided by and for the purposes provided in that
36 section. The remaining quarterly administrative contribution collected shall be deposited in the
37 fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes
38 provided in that section, and not for any other purpose.

1 205 Repeal. The following are repealed:

2 I. RSA 12-O:30 through RSA 12-O:37, relative to the job training program for economic
3 growth.

4 II. RSA 282-A:138-a, relative to the training fund.

5 206 Appropriation; Affordable Housing Fund. The sum of \$5,000,000 for the fiscal year ending
6 June 30, 2020, is hereby appropriated to the housing finance authority for deposit in the affordable
7 housing fund established in RSA 204-C:57, for the purpose of providing financing or state matching
8 funds for affordable housing. The appropriation shall be in addition to any other funds
9 appropriated to the housing finance authority. The governor is authorized to draw a warrant for
10 said sum out of any money in the treasury not otherwise appropriated.

11 207 New Section; Special Account. Amend RSA 432 by inserting after section 30 the following
12 new section:

13 432:30-a Special Account. There is established a separate account to which shall be credited all
14 funds appropriated or acquired to provide financial and technical assistance associated with this
15 subdivision. This shall be a nonlapsing account, and funds in said account are hereby appropriated
16 for the purpose of this subdivision.

17 208 Appropriation. Department of Agriculture, Markets and Food. There is hereby
18 appropriated to the department of agriculture, markets and food the sum of \$250,000 for the fiscal
19 year ending June 30, 2020 and \$500,000 for the fiscal year ending June 30, 2021 for deposit in the
20 special account established in RSA 432:30-a. The governor is authorized to draw a warrant for said
21 sum out of any money in the treasury not otherwise appropriated.

22 209 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after
23 subparagraph (343) the following new subparagraph:

24 (344) Moneys deposited in the special account for agriculture development rights
25 under RSA 432:30-a.

26 210 State Demographer. For the biennium ending June 30, 2021, the provisions of RSA 4-C:36
27 and RSA 14:46, VII are hereby suspended. For said biennium, the director of the office of strategic
28 initiatives may provide assistance to the commission on demographic trends established pursuant to
29 RSA 4-C:37, the department of health and human services pursuant to RSA 9:9-e, or the legislative
30 budget assistant pursuant to RSA 9:9-f, in place of the state demographer.

31 211 Board of Tax and Land Appeals; Staff. Amend RSA 71-B:14 to read as follows:

32 71-B:14 Staff. The board shall have upon its staff [2] **at least one** review [~~appraisers~~]
33 **appraiser** who shall be **a** classified state [~~employees~~] **employee** and who shall be competent to
34 review the value of property for tax and eminent domain purposes. In addition, the board shall
35 have such clerical and technical staff as may be necessary within the limits of appropriation made
36 therefor.

37 212 Coos County Job Creation Tax Credit Extended. Amend RSA 77-E:3-c, II to read as
38 follows:

1 II. ~~[The initial job creation tax credit allowed under this paragraph shall not apply to any~~
2 ~~tax period ending prior to the effective date of this section, or to any tax period ending after~~
3 ~~December 31, 2018.]~~ After being initially granted, the tax credit shall be renewable for 4
4 consecutive additional years, provided that no additional tax credit shall be granted under this
5 chapter for any tax period after December 31, ~~[2022]~~ **2027**.

6 213 Business Profits Tax; Imposition of Tax; 2019. RSA 77-A:2 is repealed and reenacted to
7 read as follows:

8 77-A:2 Imposition of Tax. A tax is imposed at the rate of 7.9 percent upon the taxable business
9 profits of every business organization.

10 214 Business Enterprise Tax; Imposition of Tax; 2019. RSA 77-E:2 is repealed and reenacted to
11 read as follows:

12 77-E:2 Imposition of Tax. A tax is imposed at the rate of .675 percent upon the taxable
13 enterprise value tax base of every business enterprise.

14 215 Repeal of Prospective Amendments. The following are repealed:

15 I. 2017, 156:215; relative to the rate of the business profits tax in 2021.

16 II. 2017, 156:216; relative to the rate of the business enterprise tax in 2021.

17 III. 2017, 156:217, II, relative to the applicability of the 2021 rates changes.

18 216 Applicability. Sections 213 and 214 of this act shall apply to taxable periods ending on or
19 after December 31, 2019.

20 217 Education Trust Fund. Amend the introductory paragraph of RSA 198:39, I to read as
21 follows:

22 I. The state treasurer shall establish an education trust fund in the treasury. Moneys in
23 such fund shall not be used for any purpose other than to distribute adequate education grants to
24 municipalities' school districts and to approved charter schools pursuant to RSA 198:42, **to**
25 ***distribute school building aid to school districts and approved chartered public schools***
26 ***pursuant to RSA 198:15-b, to distribute tuition and transportation funds to school districts***
27 ***for students attending career and technical education programs pursuant to RSA 188-E:9,***
28 ***to distribute special education aid to school districts pursuant to RSA 186-C:18, and*** to
29 provide low and moderate income homeowners property tax relief under RSA 198:56-198:61~~[, and to~~
30 ~~fund kindergarten programs as may be determined by the general court]~~. The state treasurer shall
31 deposit into this fund immediately upon receipt:

32 218 New Section; The Budget; Transmission to the Legislature; Changes to Statutory Law.
33 Amend RSA 9 by inserting after section 2 the following new section:

34 9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15
35 of the first year of each biennial legislative session, the governor shall transmit to the legislature a
36 document to be known as the trailer bill containing any changes to statutory law deemed necessary
37 for the ensuing biennium. This document shall be separate from the document known as the
38 budget as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II,

1 article 18-a of the New Hampshire constitution. This document shall be available in printed format
2 and at least one electronic computer file format in common use at the time.

3 219 Department of Safety; Deputy Director of Administration; Position Established. There is
4 established within the department of safety the unclassified position of deputy director of
5 administration. The deputy director of administration shall be qualified to hold that position by
6 reason of education and experience, and shall be appointed by and serve at the pleasure of the
7 commissioner of safety. The deputy director of administration shall assist the director of
8 administration in carrying out the duties of the department of safety. The salary of the deputy
9 director of administration shall be determined after assessment and review of the appropriate
10 temporary letter grade allocation in RSA 94:1-a, I for the position which shall be conducted
11 pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class
12 012, within accounting unit 02-23-23-232015-2310.

13 220 New Section; Department of Safety; Deputy Director of Administration. Amend RSA 21-P
14 by inserting after section 6 the following new section:

15 21-P:6-a Deputy Director of Administration.

16 I. The commissioner of safety shall nominate a deputy director of administration for
17 appointment by the governor, with the consent of the council. The deputy director of
18 administration shall serve a term of 4 years, and may be reappointed. The deputy director of
19 administration shall be qualified to hold that position by reason of education and experience.

20 II. The deputy director of administration shall perform such duties as are assigned by the
21 director of administration. The deputy director of administration shall assume the duties of the
22 director of administration in the event that the director of administration is unable for any reason
23 to perform such duties.

24 III. The salary of the deputy director of administration shall be as specified in RSA 94:1-a.

25 221 Assistant Director of Division of Fire Standards and Training and Emergency Medical
26 Services; Membership in New Hampshire Retirement System. Notwithstanding any provision of
27 RSA 100-A to the contrary, the current assistant director of the division of fire standards and
28 training and emergency medical services, department of safety, shall be considered to have been
29 properly enrolled as a member in group II of the New Hampshire retirement system as of his
30 original date of hire with the division of fire standards and training and emergency medical services
31 and he shall retain such membership for the duration of service in his present capacity.

32 222 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15, II to
33 read as follows:

34 II. The department may issue a copy of any motor vehicle record upon the request of an
35 insurance company or any other authorized agent, and notwithstanding RSA 91-A shall require
36 payment by the insurance company or authorized agent of a fee of [~~\$12~~] **\$13** for email or other
37 computer-generated requests where payment is debited against an account established with the
38 department, or \$15 for all other requests, which shall be deposited in the fire standards and

1 training and emergency medical services fund established in RSA 21-P:12-d.

2 223 Motor Vehicles; Drivers' Licenses; Real ID Compliant; Fee. Amend RSA 263:42, I to read
3 as follows:

4 I. For each original driver's license and examination or driver's license renewal, other than
5 for a commercial vehicle or motorcycle- ***\$60 for a Real ID Act compliant license under RSA***
6 ***263:14-b or \$50 for each other license***; for each license issued under RSA 263:5-f- \$10; for each
7 youth operator's license and examination- \$10 per year, not to exceed \$50; for each license issued to
8 a nonresident alien for less than 5 years- \$10 per year or portion thereof; for each original
9 commercial driver license and examination or commercial driver license renewal- \$60; for each
10 commercial driver license reexamination in a one-year period- \$20; for each commercial vehicle
11 endorsement, renewal of an endorsement, or removal of a restriction- \$10; for each special
12 motorcycle original license and examination or special motorcycle license renewal- \$50; for each
13 original motorcycle endorsement- \$25; for each 3-wheeled motorcycle endorsement- \$25; for each
14 motorcycle endorsement and 3-wheeled motorcycle endorsement renewal- no charge. For each
15 original driver's license issued, \$5 shall be credited to the driver training fund established by RSA
16 263:52. Except as provided in RSA 263:5-f, I, RSA 263:14, and RSA 263:39-a, III, every license shall
17 expire on the licensee's birthdate in the fifth year following the issuance of such license. No fee
18 collected under this paragraph shall be refunded once an examination has been taken or a license
19 issued, except as provided in RSA 263:43.

20 224 Department of Transportation; Capital Corridor Rail Expansion. The department of
21 transportation is hereby authorized to access the Boston Urbanized Area Formula Funding program
22 of the Federal Transit Administration, 49 U.S.C. section 5307, identified in the 2019-2028 Ten Year
23 Transportation Improvement Plan, to complete the project development phase of the project named
24 Nashua-Manchester-Concord, project number 40818. The department may use toll credits pursuant
25 to RSA 228:12-a for this project.

26 225 Department of Transportation; Use of Toll Credits. Amend RSA 228:12-a to read as
27 follows:

28 228:12-a Use of Toll Credits. The department may use toll credits as a match for federal
29 highway funds solely for the funding of highway and road projects, [Ø] projects concerning the
30 travel of motor vehicles on such highways and roads, ***and the completion of the project***
31 ***development phase of the project named Nashua-Manchester-Concord, project number***
32 ***40818, in the 2019-2028 Ten Year Transportation Improvement Plan***. Any other use of toll
33 credits shall require approval of the joint legislative capital budget overview committee, established
34 in RSA 17-J:1, prior to moving the project forward for approval in the state 10-year transportation
35 improvement program.

36 226 Department of Transportation; Appropriation. There is hereby appropriated to the
37 department of transportation the sum of \$1,640,000 for the fiscal year ending June 30, 2020, for the
38 purpose of demolition and environmental mitigation of structures on state-owned property. Such

1 funds shall not lapse. The governor is authorized to draw a warrant for said sum out of any money
2 in the treasury not otherwise appropriated.

3 227 Rulemaking Exception; Medicaid Rate of Reimbursement Methodology for Nursing
4 Facilities. Amend RSA 541-A:21 by inserting after paragraph III the following new paragraph:

5 III-a. Rules adopted relative to the budget adjustment factor contained within the Medicaid
6 rate of reimbursement methodology for nursing facilities shall be exempt from the provisions of 541-
7 A:5 through 541-A:14 provided that the budget adjustment factor applied to the reimbursement
8 methodology is equal to or less than 28.76 percent. If the budget adjustment factor to be applied to
9 the reimbursement methodology is greater than 28.76 percent, the provisions of 541-A shall apply.

10 228 Alcohol Abuse Prevention and Treatment Fund; Disbursements. Amend RSA 176-A:1, III
11 to read as follows:

12 III. Moneys received from all other sources other than the liquor commission pursuant to
13 RSA 176:16, III, ***including any community benefit contribution made by New Hampshire's***
14 ***hospitals***, shall be disbursed from the fund upon the authorization of the governor's commission on
15 alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1
16 ***and shall not be diverted for any other purposes***. Funds disbursed shall be used for alcohol
17 and other drug abuse prevention, treatment, and recovery services, and other purposes related to
18 the duties of the commission under RSA 12-J:3; provided, however, that funds received from any
19 source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support
20 the New Hampshire granite advantage health care program and shall not be deposited into the fund
21 established in RSA 126-AA:3.

22 229 Appropriation; Department of Health and Human Services; Construction of Designated
23 Receiving Facility Beds. There is hereby appropriated to the department of health and human
24 services the sum of \$2,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing,
25 for the purpose of funding rate increases for and construction of designated receiving facility beds.
26 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
27 otherwise appropriated.

28 230 Appropriation; Department of Health and Human Services; Inpatient Psychiatric
29 Treatment Facility. There is hereby appropriated the sum of \$5,000,000 for the fiscal year ending
30 June 30, 2020, which shall be nonlapsing, to the department of health and human services for the
31 purpose of obtaining and renovating a new treatment facility for children who are in need of acute
32 inpatient psychiatric treatment. The plans for developing such facility shall be completed by
33 December 31, 2019, and the facility shall be operational by December 31, 2020. The governor is
34 authorized to draw a warrant for said sum out of any money in the treasury not otherwise
35 appropriated.

36 231 Appropriation; Department of Health and Human Services; New Hampshire Hospital
37 Repurposing. There is hereby appropriated to the department of health and human services the
38 sum of \$4,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the

1 purpose of repurposing the children's unit at New Hampshire Hospital for adult beds. The plans for
2 repurposing the unit shall be developed by the department in consultation with the advisory council
3 on patients civilly committed to the secure psychiatric unit, established in RSA 622:52-a, and shall
4 be completed by June 1, 2020. The unit shall be operational for adult patients by June 1, 2021. The
5 governor is authorized to draw a warrant for said sum out of any money in the treasury not
6 otherwise appropriated.

7 232 Appropriation; Department of Health and Human Services; Transitional Housing Beds.
8 There is hereby appropriated to the department of health and human services the sum of
9 \$2,500,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the purpose of
10 funding 20 new transitional housing beds for forensic patients and/or patients with complex
11 behavioral health conditions including those transitioning from the New Hampshire hospital. The
12 plans for constructing such beds shall be completed by January 1, 2020, and the beds shall be
13 operational by June 1, 2021. The governor is authorized to draw a warrant for said sum out of any
14 money in the treasury not otherwise appropriated.

15 233 Appropriation; Department of Health and Human Services; Patients Residing in Hospital
16 Emergency Rooms. There is hereby appropriated to the department of health and human services
17 the sum of \$1,000,000 for the fiscal year ending June 30, 2019, which shall be nonlapsing, and shall
18 be expended for the purpose of providing assistance to hospitals in addressing the immediate needs
19 of involuntary emergency admissions patients currently residing in emergency rooms in hospitals
20 further than 30 miles from an established New Hampshire mobile crisis team or a designated
21 receiving facility; provided that no hospital shall receive more than \$100,000. The commissioner of
22 the department of health and human services shall establish the application process for such funds.
23 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
24 otherwise appropriated.

25 234 Transfer of Funds for Operation of the Sununu Youth Services Center. Notwithstanding
26 RSA 9:16-a and RSA 9:16-c, for the biennium ending June 30, 2021, prior approval of the fiscal
27 committee of the general court shall be required for any transfer of funds required for the operation
28 of the Sununu youth services center.

29 235 Medicaid Managed Care Program; Dental Benefits. Amend RSA 126-A:5, XIX(a) to read as
30 follows:

31 XIX.(a) The commissioner shall employ a managed care model for administering the
32 Medicaid program and its enrollees to provide for managed care services for all Medicaid
33 populations throughout New Hampshire consistent with the provisions of 42 U.S.C. **section** 1396u-
34 2. Models for managed care may include, but not be limited to, a traditional capitated managed
35 care organization contract, an administrative services organization, an accountable care
36 organization, or a primary care case management model, or a combination thereof, offering the best
37 value, quality assurance, and efficiency, maximizing the potential for savings, and presenting the
38 most innovative approach compared to other externally administered models. The department shall

1 present the opportunities of the various models or combination of models with a recommendation for
2 the best managed care model for New Hampshire, no later than July 15, 2011, to the fiscal
3 committee of the general court which shall consult with the oversight committee on health and
4 human services. Services to be managed within the model shall include all mandatory Medicaid
5 covered services and may include, but shall not be limited to, care coordination, utilization
6 management, disease management, pharmacy benefit management, provider network management,
7 quality management, and customer services. ~~[The model shall not include mandatory dental~~
8 ~~services.]~~ The commissioner shall issue a 5-year request for proposals to enter into contracts with
9 the vendors that demonstrate the greatest ability to satisfy the state's need for value, quality,
10 efficiency, innovation, and savings. The request for proposals shall be released no later than
11 October 15, 2011. The vendors of the managed care model or combination of models demonstrating
12 the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings
13 shall be selected no later than January 15, 2012 with final contracts submitted to the governor and
14 council no later than March 15, 2012 unless this date is extended by the fiscal committee. After the
15 bidding process, the commissioner shall establish a capitated rate based on the bids by the
16 appropriate model for the contract that is full risk to the vendors. The capitated rate shall be
17 broken down into rate cells for each population including, but not limited to, the persons eligible for
18 temporary assistance to needy families (TANF), aid for the permanently and totally disabled
19 (APTD), breast and cervical cancer program (BCCP), home care for children with severe disabilities
20 (HC-CSD), and those residing in nursing facilities. The capitated rate shall be approved by the
21 fiscal committee of the general court. The managed care model or models' selected vendors
22 providing the Medicaid services shall establish medical homes and all Medicaid recipients shall
23 receive their care through a medical home. In contracting for a managed care model and the
24 various rate cells, the department shall ensure no reduction in the quality of care of services
25 provided to enrollees in the managed care model and shall exercise all due diligence to maintain or
26 increase the current level of quality of care provided. The target date for implementation of the
27 contract is July 1, 2012. The commissioner may, in consultation with the fiscal committee, adopt
28 rules, if necessary, to implement the provisions of this paragraph. The department shall seek, with
29 the approval of the fiscal committee, all necessary and appropriate waivers to implement the
30 provisions of this paragraph.

31 236 New Subdivision; Child Abuse Specialized Medical Evaluation Program. Amend RSA 169-
32 C by inserting after section 39-k the following new subdivision:

33 Child Abuse Specialized Medical Evaluation Program

34 169-C:39-1 Child Abuse Specialized Medical Evaluation Program Established. A child abuse
35 specialized medical evaluation program is hereby established in the department. The program shall
36 include the following elements:

37 I. Child protective service workers shall have on-call access, 24 hours a day and 7 days a
38 week, to an experienced health care professional who is trained in and can advise on the

1 standardized diagnostic methods, treatment, and disposition of suspected child sexual abuse and
2 physical abuse.

3 II. Department nurses and child protective service workers performing screenings and
4 assessments of reported cases of child abuse shall receive pre-service training in the standardized
5 medical diagnostic methods, treatment, and disposition as well as periodic in-service training by
6 health care providers experienced in child abuse and neglect.

7 III. Annually, a limited number of designated health care providers geographically
8 distributed shall be trained in nationally recognized curricula to respond to initial presentations of
9 child sexual abuse, physical abuse, and neglect.

10 IV. Health care professionals who participate in the training or are members of a
11 multidisciplinary team, working with the department of health and human services or law
12 enforcement, shall participate in periodic peer or expert reviews of their evaluations and undertake
13 continuing education in the medical evaluation of child abuse and neglect according to professional
14 standards.

15 V. The department shall contract with a health care provider with experience in child
16 abuse and neglect to administer the program in collaboration with participating private and public
17 entities.

18 VI. Reimbursement rates for health care providers who participate in the program shall
19 reflect the average cost to deliver such services, including the participation in multidisciplinary
20 team activities and associated court proceedings. The rates shall be periodically reviewed and, if
21 necessary, revised.

22 VII. The commissioner of the department shall adopt rules, under RSA 541-A, relative to
23 the medical evaluation program, training and continuing education requirements, and
24 reimbursement rates.

25 237 Delinquent Children; Dispositional Hearing; Commitment of Minors. RSA 169-B:19, VI is
26 repealed and reenacted to read as follows:

27 VI.(a) A minor committed to the youth development center pursuant to this section shall be
28 promptly evaluated by the center to determine whether a safe, therapeutic, and cost-effective
29 placement may be made as an alternative to the youth development center. Such evaluation is not
30 required if the minor has been committed for a serious violent offense as defined in RSA 169-B:31-c,
31 II.

32 (b) If the commissioner determines that an alternative placement for a minor would be
33 safe, therapeutic, and cost-effective, the commissioner may place the minor in a residential
34 treatment facility that the commissioner has certified for the immediate transfer of committed
35 minors. If the commissioner determines that an alternative placement for a minor would be safe,
36 therapeutic, and cost-effective, but decides not to make an alternative placement, the commissioner
37 shall notify the court within 5 business days of the decision to not pursue an alternative placement,
38 along with the basis for the decision not to place the minor outside the youth development center.

1 Within 2 business days of receiving notice, the court shall provide a copy of the notice to the parent
2 or guardian of the minor and to the attorney who represented the minor at the time of the
3 commitment to the youth development center.

4 (c) The commissioner shall notify the court of an alternative placement made pursuant
5 to this paragraph within 5 business days of the placement. The commissioner shall notify the court
6 of any change in placement to another facility made during the period of commitment. All such
7 notices shall include a description of the basis for the change in placement, and shall be provided to
8 the parent or guardian of the minor and to the attorney who represented the minor at the time of
9 the commitment to the youth development center.

10 (d) The commissioner shall certify at least 2 facilities for the immediate transfer of
11 committed minors pursuant to this paragraph. Only facilities which are eligible for Medicaid
12 reimbursement may be certified for immediate transfers. The process for certification of residential
13 treatment facilities under this subparagraph shall include consultation with the operators of
14 existing facilities in the state about their physical and programmatic capacity, as well as the
15 identification of any necessary enhancements in programming or rate structure so that the certified
16 facilities are appropriate to receive minors immediately following their commitment to the youth
17 development center.

18 (e) The commissioner shall notify the administrative justice of the circuit court and the
19 fiscal committee of the general court if a facility is certified for alternative placements pursuant to
20 this paragraph within 10 business days of the certification.

21 (f) The commissioner shall maximize the utilization of facilities other than the youth
22 development center and reserve the use of the youth development center for the confinement of only
23 those minors who are so dangerous to themselves or to the public that no other safe placement is
24 available. The commissioner shall pursue the same objectives in complying with the requirements
25 of all provisions of this chapter and the provisions of RSA 621.

26 238 Applicability. RSA 169-B:19, VI, as amended by section 237 of this act, shall apply to
27 children committed to the youth development center on or after November 1, 2019.

28 239 Federal Family Planning Funding. If the proposed federal rule on Compliance with
29 Statutory Program Integrity Requirements, 83 Fed. Reg. 25,502 (to be codified at 42 C.F.R. pt 59)
30 does not go into effect and federal family planning funds are made available to the providers funded
31 out of account 05-95-90-902010-5530, the unused portion of general funds appropriated to that
32 account for the purpose of replacing lost federal funds shall lapse to the general fund.

33 240 New Section; Commission to Study School Funding. Amend RSA 193-E by inserting after
34 section 2-d the following new section:

35 193-E:2-e Commission Established.

36 I. There is established a commission to study school funding.

37 II. The members of the commission shall be as follows:

38 (a) Four members of the house of representatives, appointed by the speaker of the house

1 of representatives.

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

3 (c) Six members of the public, 3 of whom shall be appointed by the president of the
4 senate and 3 of whom shall be appointed by the speaker of the house of representatives.

5 (d) One member appointed by the governor.

6 (e) Three members appointed by the chairperson of the commission pursuant to
7 paragraph V.

8 III. Legislative members of the commission shall receive mileage at the legislative rate
9 when attending to the duties of the commission.

10 IV. The commission shall:

11 (a) Review the education funding formula and make recommendations to ensure a
12 uniform and equitable design for financing the cost of an adequate education for all public school
13 students in the state.

14 (b) Determine whether the New Hampshire school funding formula complies with court
15 decisions mandating the opportunity for an adequate education for all students, with a revenue
16 source that is uniform across the state.

17 (c) Identify trends and disparities across the state in student performance in
18 kindergarten through grade 12 based on current school funding options.

19 (d) Re-establish the baseline for the costs, programs, staffing, and facilities needed to
20 provide the opportunity for an adequate education.

21 (e) Act as an independent commission.

22 (f) Consider other policy issues as the committee deems necessary. The commission
23 may consult with outside resources and state agencies, including but not limited to the department
24 of education, the department of revenue administration, and the legislative budget office.

25 V. The members of the study commission shall elect a chairperson from among the
26 members. The chairperson shall appoint 3 individuals to be members of the commission. The first
27 meeting of the commission shall be called by the first-named house member. The first meeting of
28 the commission shall be held within 60 days of the effective date of this section. Eight members of
29 the commission shall constitute a quorum. The commission shall establish a calendar to meet on a
30 regular basis.

31 VI. The commission shall establish a budget and hire staff with an understanding of school
32 finance options. Such staff shall be independent of government agencies.

33 VII. The commission shall make an initial report to the speaker of the house of
34 representatives, the president of the senate, the senate clerk, the house clerk, the governor, and the
35 state library 9 months after its first meeting, with a subsequent report to the house clerk, the
36 senate clerk, the governor, and the state library on or before September 1, 2020. The commission
37 shall remain active until and when the general court addresses its recommendations.

38 241 Appropriation. The sum of \$500,000 for the biennium ending June 30, 2021 is hereby

1 appropriated to the commission to study school funding established in RSA 193-E:2-e for the
2 purpose of administration, staffing, and the utilization of independent school finance experts.
3 Notwithstanding restrictions on the use of moneys in the education trust fund in RSA 198:39, said
4 appropriation shall be a charge against the education trust fund and shall be nonlapsing.

5 242 Interest and Dividends Tax; Exemptions Increased; Capital Gain Income. Amend RSA
6 77:3, I to read as follows:

7 I. Taxable income is that **interest, dividend, and capital gain** income, **as defined in**
8 **RSA 77:4**, received [~~from interest and dividends~~] during the tax year prior to the assessment date
9 by:

10 (a) Individuals who are inhabitants or residents of this state for any part of the taxable
11 year whose gross interest [~~and~~], **gross** dividend [~~income from all sources~~], **and capital gain**
12 **income, as defined in RSA 77:4**, including income from a qualified investment company pursuant
13 to RSA 77:4, V, exceeds [~~\$2,400~~] **\$5,000** during that taxable period.

14 (b) Partnerships, limited liability companies, and associations, the beneficial interest in
15 which is not represented by transferable shares, whose gross interest [~~and~~], **gross** dividend, [~~income~~
16 ~~from all sources~~] **and capital gain income, as defined in RSA 77:4**, exceeds [~~\$2,400~~] **\$5,000**
17 during the taxable year, but not including a qualified investment company as defined in RSA 77-
18 A:1, XXI, or a trust comprising a part of an employee benefit plan, as defined in the Employee
19 Retirement Income Security Act of 1974, section 3.

20 (c) Executors deriving their appointment from a court of this state whose gross interest
21 [~~and~~], **gross** dividend, [~~income from all sources~~] **and capital gain income, as defined in**
22 **RSA 77:4**, exceeds [~~\$2,400~~] **\$5,000** during the taxable year.

23 243 Taxation of Incomes; What Taxable. Amend RSA 77:4, IV and V to read as follows:

24 IV. [~~Dividends, other than that portion of a dividend declared by corporations to be a return~~
25 ~~of capital and considered by the federal internal revenue service to be such, the exemption of which~~
26 ~~is permitted by RSA 77:7.] **The capital gain reported on the taxpayer's federal income tax**
27 **return which shall be the amount, if any, that is equal to the positive sum of the net short-**
28 **term capital gain or loss and the net long-term capital gain or loss reported on that**
29 **return.**~~

30 V. Amounts reported and taxed federally as [~~dividends or interest~~] **interest, dividend, or**
31 **capital gain income** to a holder of an ownership interest in a qualified investment company as
32 defined in RSA 77-A:1, XXI, a mutual fund, or a unit investment trust.

33 244 Taxation of Incomes; Exclusion of Certain Income; Employee Benefit Plans. Amend
34 RSA 77:4-b to read as follows:

35 77:4-b [~~Interest and Dividend~~] Income of Employee Benefit Plans and Tax Deferred
36 Investments Not Taxable. Notwithstanding any provisions of RSA 77:4 to the contrary, [~~interest~~
37 ~~and dividend income~~] **interest, dividend, and capital gain income, as defined in RSA 77:4**,
38 received by an employee benefit plan as defined by the Employee Retirement Income Security Act of

1 1974, section 3, or any successor act enacted for the purpose of regulating employee benefit plans, or
2 an individual retirement arrangement, Keogh plan or any other arrangement pursuant to which
3 payment of federal tax on the income thereof and of the plan sponsors, participants and
4 beneficiaries is deferred, shall at no time be considered taxable income under RSA 77:4, either to
5 the plan or arrangement or to its sponsors, participants or beneficiaries, irrespective of when or
6 whether all or any portion of such income is accumulated or expended for the benefit of, or
7 distributed in any form or manner to, such sponsors, participants or beneficiaries.

8 245 Taxation of Incomes; Exclusion of Certain Income; Qualified Investment Companies,
9 Mutual Funds, and Unit Investment Trusts. Amend the introductory paragraph of RSA 77:4-d to
10 read as follows:

11 77:4-d Special Rule for Qualified Investment Companies, Mutual Funds, and Unit Investment
12 Trusts. Notwithstanding any other provision of RSA 77:4, the following income items shall not be
13 treated as [~~dividends or interest~~] income taxable under this chapter:

14 246 Taxation of Incomes; Exclusion of Certain Income; College Tuition Savings Plans. Amend
15 RSA 77:4-e to read as follows:

16 77:4-e Interest [~~and Dividends~~], **Dividend, and Capital Gain Income** from Funds Invested
17 in College Tuition Savings Plan Not Taxable. Notwithstanding any provision of RSA 77:4, income
18 and distributions from any qualified tuition program as defined in the Internal Revenue Code of
19 1986, as amended, shall not be taxable under this chapter to the plan or to its sponsors,
20 participants, or beneficiaries to the extent that the same is exempt from federal income taxation
21 under section 529 of the Internal Revenue Code of 1986, as amended, as that section was in effect
22 on July 1, 2003.

23 247 Taxation of Incomes; Excess Compensation. Amend RSA 77:4-g to read as follows:

24 77:4-g [~~Dividend~~] **Excess Compensation**. Excess compensation determined by audit of the
25 department shall not be considered [~~a dividend~~] **taxable income** under this chapter unless such
26 determination is accepted by the Internal Revenue Service.

27 248 Taxation of Incomes; ABLE Plans. Amend RSA 77:4-h to read as follows:

28 77:4-h Interest [~~and Dividends~~], **Dividend, and Capital Gain Income** from Funds Invested
29 in Achieving a Better Life Experience (ABLE) Plan Not Taxable. Notwithstanding any provision of
30 RSA 77:4, income and distributions from any Achieving a Better Life Experience (ABLE) plan as
31 defined in the Internal Revenue Code of 1986, as amended, shall not be taxable under this chapter
32 to the plan or its sponsors, participants, or beneficiaries to the extent that the same is exempted
33 from federal income taxation under section 529A of the Internal Revenue Code of 1986, as amended.

34 249 Exemptions Increased. Amend RSA 77:5 to read as follows:

35 77:5 Exemptions. Each taxpayer shall have the following exemptions:

36 I. Income of [~~\$2,400~~] **\$5,000**.

37 II. An additional [~~\$1,200~~] **\$7,500** if either or both taxpayers are 65 years of age or older on
38 the last day of the tax year.

1 III. An additional [~~\$1,200~~] **\$2,500** if either or both taxpayers are blind.

2 IV. An additional [~~\$1,200~~] **\$2,500** if either or both taxpayers are disabled, unable to work,
3 and have not yet reached their sixty-fifth birthday.

4 250 Taxation of Incomes; Married Taxpayers; Joint Returns. Amend RSA 77:5-a to read as
5 follows:

6 77:5-a Married Taxpayers; Joint Returns. A married taxpayer may claim the exemptions
7 provided in RSA 77:5 for both self and spouse, regardless of the ownership of the [~~income from~~
8 ~~interest or dividends,~~] **interest, dividend, or capital gain income, as defined in RSA 77:4,**
9 provided that both [~~husband and wife~~] **spouses** file a joint return.

10 251 Taxation of Incomes; Decedents Estates. Amend RSA 77:9 to read as follows:

11 77:9 Decedents' Estates. The estates of deceased persons who last dwelt in this state shall be
12 subject to the taxes imposed by this chapter upon all taxable income received by such persons
13 during their lifetime, which has not already been taxed. The [~~income~~] **interest, dividend, or**
14 **capital gain income, as defined in RSA 77:4,** received by such estates during administration
15 shall be taxable to the estate, except such proportion thereof as equals the proportion of the estate
16 to be distributed to non-taxable persons or organizations. The commissioner of revenue
17 administration and executors and administrators of estates may effect a settlement by compromise
18 of any question of doubt or dispute arising under this section.

19 252 Taxation of Incomes; Income From Trusts. Amend RSA 77:10 to read as follows:

20 77:10 Income From Trusts. [~~Interest and dividend income~~] **The interest, dividend, and**
21 **capital gain income,** received by estates held by trustees treated as grantor trusts under section
22 671 of the United States Internal Revenue Code shall be included in the return of their grantor, to
23 the extent that the grantor is an inhabitant or resident of this state. Income reported by, and taxed
24 federally as interest [~~or dividends to~~], **dividend, or capital gain income to** a trust beneficiary
25 who is an individual inhabitant or resident of this state with respect to distributions from a trust
26 that is not treated as a grantor trust under section 671 of the United States Internal Revenue Code
27 shall be included as interest [~~or dividends~~], **dividend, or capital gain income** in the return of
28 such beneficiary and subject to taxation in accordance with the provisions of this chapter.

29 253 Taxation of Incomes; Returns and Declaration. Amend RSA 77:18, IV(a) and (b) to read as
30 follows:

31 (a) Every individual whose total [~~interest and dividend income~~] **interest, dividend, or**
32 **capital gain income, as defined in RSA 77:4,** is less than [~~\$2,400~~] **\$5,000** for a taxable period.

33 (b) For joint filers whose total [~~interest and dividend income~~]] **interest, dividend, or**
34 **capital gain income, as defined in RSA 77:4,** is less than [~~\$4,800~~] **\$10,000** for a taxable period.

35 254 Repeals. The following are repealed:

36 I. RSA 77:4-c, relative to sale or exchange of transferable shares not taxable.

37 II. RSA 77:7, relative to capital distribution.

38 255 Applicability. Sections 242-254 of this act shall be applicable to tax periods ending on and

1 after December 31, 2020.

2 256 Education Trust Fund; Revenue From Tax on Interest and Dividends. Amend RSA 198:39,
3 I, (l) to read as follows:

4 (l) *\$150,000,000 of funds collected and paid to the state treasurer by the*
5 *commissioner of the department of revenue administration pursuant to RSA 77 relative to*
6 *the tax on interest and dividends and capital gains.*

7 (m) Any other moneys appropriated from the general fund.

8 257 School Money; Definitions. Amend RSA 198:38, I(a) to read as follows:

9 (a) "Average daily membership in attendance" or "ADMA" means the average daily
10 membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade
11 12, in the determination year~~[, provided that no kindergarten pupil shall count as more than 1/2~~
12 ~~day attendance per school year]~~. ADMA shall only include pupils who are legal residents of New
13 Hampshire pursuant to RSA 193:12 and educated at school district expense which may include
14 public academies or out-of-district placements. For the purpose of calculating funding for
15 municipalities, the ADMA shall not include pupils attending chartered public schools, but shall
16 include pupils attending a charter conversion school approved by the school district in which the
17 pupil resides.

18 258 Repeal. RSA 198:48-c, III, relative to distribution of a kindergarten grant based on Keno
19 revenue, is repealed.

20 259 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, III to read as
21 follows:

22 III. The sum total calculated under paragraph II shall be the cost of an *opportunity for an*
23 *adequate education*. The department shall determine the cost of an *opportunity for an* adequate
24 education for each municipality based on the ADMA of pupils who reside in that municipality.

25 *IV. A school district which receives adequate education aid under this section for*
26 *schools within its jurisdiction shall separately account for such aid as part of its*
27 *financial accounting procedures. Such aid may also be used to provide enhanced*
28 *programs in schools within its jurisdiction for which such aid has been allocated that are*
29 *known to improve pupil achievement, including but not limited to: pre-kindergarten*
30 *programs, full-day kindergarten programs, extended learning time, professional*
31 *development opportunities for teachers, hiring of additional instructional and non-*
32 *instructional personnel, programs designed to reduce class size, parental involvement*
33 *programs, additional technology resources, dropout prevention programs, principal*
34 *incentive programs, and curriculum enrichment programs. The school district shall*
35 *determine which programs are most needed and most appropriate for their pupils. The*
36 *department shall annually review and update the list of approved programs from which a*
37 *school district may choose.*

38 *V. A school district which receives adequate education aid under this section for*

1 *use in schools within its jurisdiction shall annually submit a report to the commissioner*
2 *documenting for each school within its jurisdiction for which such aid has been allocated,*
3 *the enhanced programs selected for implementation, an explanation of the specific*
4 *educational needs which the program is intended to address, an explanation of how the*
5 *program will be implemented in the school, and an estimate of the cost of implementing*
6 *the program. The commissioner shall review these reports to ensure that adequate*
7 *education aid will be used to provide programs approved under paragraph I.*

8 *VI. A school district which receives adequate education aid for schools within its*
9 *jurisdiction pursuant to this section shall direct such aid to the schools for which such*
10 *aid was calculated. A school district which receives adequate education aid for pupils*
11 *that attend schools in another school district, shall direct such aid to the school district*
12 *where its pupils are being educated. Any adequate education aid directed from one school*
13 *district to another pursuant to this paragraph shall be a credit against any existing*
14 *financial liability between the school districts.*

15 260 School Money; Additional Aid Based on Free or Reduced-Price Meals; Fiscal Capacity
16 Disparity Aid. RSA 198:40-b and 40-c are repealed and reenacted to read as follows:

17 198:40-b Additional Aid Based on Free or Reduced-Price Meals.

18 I. In a school district in which 48 percent or more of the ADMA is eligible to receive a free
19 or reduced-priced meal, an additional \$3,708 for each pupil in the ADMA who is eligible for a free or
20 reduced-priced meal.

21 II. In a school district in which at least 12 percent but less than 48 percent of the ADMA is
22 eligible to receive a free or reduced-priced meal, an amount equal to \$927 plus \$0.7725 for each 0.01
23 percent that its free or reduced-priced meal eligibility rate exceeds 12 percent, for each pupil in the
24 ADMA who is eligible for a free or reduced-priced meal.

25 III. A school district in which less than 12 percent of the ADMA is eligible to receive a free
26 or reduced-priced meal shall receive no additional aid under this section.

27 198:40-c Fiscal Capacity Disparity Aid.

28 I. In addition to aid for the cost of the opportunity for an adequate education provided
29 under RSA 198:40-a, each biennium the commissioner shall calculate fiscal capacity disparity aid
30 and provide that amount of aid in each year of the biennium to a municipality's school districts as
31 follows:

32 (a) A municipality with an equalized valuation per pupil of \$350,000 or less shall
33 receive \$6,000 per pupil in the municipality's ADMA.

34 (b) A municipality with an equalized valuation per pupil between \$350,001 and
35 \$999,999 shall receive a grant equal to .0092 cents for each dollar of difference between its equalized
36 valuation per pupil and \$1,000,000, per pupil in the municipality's ADMA.

37 (c) A municipality with an equalized valuation per pupil of \$1,000,000 or more shall
38 receive no fiscal capacity disparity aid.

1 II. Fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

2 III. In this section, "equalized valuation per pupil" means a municipality's equalized
3 valuation, including properties subject to taxation under RSA 82 and RSA 83-F, as determined by
4 the department of revenue administration, that was the basis for the local tax assessment in the
5 determination year, divided by the school district's kindergarten through grade 12 ADMA in the
6 determination year.

7 261 School Money; Consumer Price Index Adjustment. Amend RSA 198:40-d to read as follows:
8 198:40-d Consumer Price Index Adjustment.

9 I. Beginning July 1, 2017 and every biennium thereafter, the department of education shall
10 adjust the cost of an adequate education under RSA 198:40-a based on the average change in the
11 Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical
12 care services" special aggregate index, as published by the Bureau of Labor Statistics, United States
13 Department of Labor. The average change shall be calculated using the 3 calendar years ending 18
14 months before the beginning of the biennium for which the calculation is to be performed.

15 ***II. Beginning July 1, 2021 and every biennium thereafter, the department of***
16 ***education shall adjust the additional aid based on free or reduced-price meals as***
17 ***provided in RSA 198:40-b based on the average change in the Consumer Price Index for All***
18 ***Urban Consumers, Northeast Region, using the "services less medical care services"***
19 ***special aggregate index, as published by the Bureau of Labor Statistics, United States***
20 ***Department of Labor. The average change shall be calculated using the 3 calendar years***
21 ***ending 18 months before the beginning of the biennium for which the calculation is to be***
22 ***performed.***

23 262 Determination of Adequate Education Grants. Amend RSA 198:41, I to read as follows:

24 I. Except for municipalities where all school districts therein provide education to all of
25 their pupils by paying tuition to other institutions, the department of education shall determine the
26 total education grant for the municipality as follows:

27 (a) Add the per pupil cost of providing the opportunity for an adequate education for
28 which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

29 (b) Subtract the amount of the education tax warrant to be issued by the commissioner
30 of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax
31 year; ***and***

32 ***(c) Add the municipality's additional aid for free or reduced-price meals***
33 ***pursuant to RSA 198:40-b and fiscal capacity disparity aid pursuant to RSA 198:40-c.***

34 263 Determination of Education Grants. RSA 198:41, III is repealed and reenacted to read as
35 follows:

36 III.(a) No municipality shall receive a total education grant which is less than the total
37 education grant received in the preceding fiscal year. This subparagraph shall not apply to a
38 municipality in which the education tax revenue collected pursuant to RSA 76 exceeds the

1 municipality's total cost of an adequate education or to a municipality in which the ADMA is equal
2 to zero.

3 (b) For the fiscal year ending June 30, 2021, the department of education shall adjust a
4 municipality's total education grant to an amount not to exceed 120 percent of the total education
5 grant it received in the preceding fiscal year or an amount equal to its calculated cost of an
6 opportunity for an adequate education under RSA 198:40-a less the amount of its education tax,
7 whichever is greater. However, if a municipality received no education grant in the preceding fiscal
8 year because the municipality's education tax revenue collected pursuant to RSA 76 exceeded its
9 total cost of an adequate education, the commissioner of the department of education shall adjust
10 the municipality's total education grant to an amount not to exceed 120 percent of the amount of its
11 education tax revenue collected in the preceding fiscal year.

12 (c) For the fiscal year ending June 30, 2022, and every fiscal year thereafter, the
13 department of education shall adjust a municipality's total education grant to an amount not to
14 exceed 102 percent of the total education grant it received in the preceding fiscal year or an amount
15 equal to its calculated cost of an opportunity for an adequate education under RSA 198:40-a less the
16 amount of its education tax, whichever is greater.

17 264 Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

18 (d) For fiscal year 2017 ~~[and each fiscal year thereafter]~~ **through fiscal year 2019**, the
19 department of education shall distribute a total education grant to each municipality in an amount
20 equal to the total education grant for the fiscal year in which the grant is calculated plus a
21 percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the
22 municipality; the percentage shall be 96 percent for fiscal year 2017, and shall be reduced by 4
23 percent of the amount of the 2012 education grant for each fiscal year ~~[thereafter]~~ **through fiscal**
24 **year 2019**.

25 (e) **For fiscal year 2020, the department of education shall distribute a total**
26 **education grant to each municipality in an amount equal to the total education grant to**
27 **that municipality for the fiscal year in which the grant is calculated plus the amount of**
28 **the fiscal year 2016 stabilization grant, if any, distributed to the municipality.** No
29 stabilization grant shall be distributed to any municipality for any fiscal year in which the
30 municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of
31 an adequate education or to any municipality for any fiscal year in which the municipality's ADMA
32 is zero.

33 265 Repeal. RSA 198:41, IV, relative to stabilization grants, is repealed.

34 266 General Fund Surplus; Revenue Stabilization Reserve Account. Notwithstanding RSA
35 9:13-e, after transferring \$5,000,000 to the revenue stabilization reserve account at the close of the
36 fiscal biennium ending June 30, 2019, the remainder of the general fund surplus for said biennium
37 shall remain in the general fund.

38 267 Appropriation; Internet Crimes Against Children Fund; Reductions.

HB 2-FN-A-LOCAL - AS AMENDED BY THE HOUSE
- Page 102 -

1 I. The sum of \$250,000 for the fiscal year ending June 30, 2020, and \$250,000 for the fiscal
2 year ending June 30, 2021 are hereby appropriated to the New Hampshire Internet crimes against
3 children fund established in RSA 21-M:17. The governor is authorized to draw a warrant for said
4 sums out of any money in the treasury not otherwise appropriated.

5 II. In order to offset sums appropriated under paragraph I, the department of education
6 shall reduce state general fund appropriations to account 06-56-56-567010-3058, expenditure class
7 631-building aid lease, by \$300,000 for the fiscal year ending June 30, 2020.

8 268 Effective Date.

9 I. Sections 1, 34, 65, 71, 72, 233, and 266 of this act shall take effect June 30, 2019.

10 II. Section 5 of this act shall take effect as provided in section 6 of this act.

11 III. Sections 76, 77, and 240 of this act shall take effect upon its passage.

12 IV. Section 78 of this act shall take effect November 1, 2022.

13 V. Sections 133-140 and 223 of this act shall take effect January 1, 2020.

14 VI. Sections 107-108, 256, 259-263, and 265 of this act shall take effect July 1, 2020.

15 VII. Section 235 of this act shall take effect January 1, 2021.

16 VIII. The remainder of this act shall take effect July 1, 2019.

LBAO
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3/1/19

**HB 2-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to state fees, funds, revenues, and expenditures.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.