

**COMMITTEE OF CONFERENCE
INDEX FOR SIDE BY SIDE COMPARISON - BACK OF BUDGET SECTIONS
HB 1 (HOUSE FINANCE) VS HB 144 (SENATE PASSED)**

House Finance Section	Senate Passed Section	Page	Section Title	Action	C of C Status	Comments
1.08	1.08	2	Budget Footnotes; General.	No Change		
2	2	3	General Fund and Total Appropriation Limits.	No Change		
3	3	4	Assignment of Office Space.	No Change		
4	4	4	Lottery Commission; Authority Granted.	No Change		
5	5	4	Positions Abolished.	Not Included		
6	6	5	Department of Health and Human Services; Division of Child Support Services; Payments to the Administrative Office of the Courts.	No Change		
7	N/A	6	Judicial Branch; General Fund Appropriation Reduction.	Not Included		
8	N/A	6	Department of Corrections; General Fund Appropriation Reduction.	Not Included		
9	7	6	Estimates of Unrestricted Revenue.	Amended		
10	8	8	Effective Date.	No Change		

1.08 Budget Footnotes; General. For any state department, as defined in RSA 9:1 the following general budget footnotes that contain class codes shall apply to all specified class codes in section 1.01 through 1.07 unless specifically exempted.

A. The appropriation budgeted in class 023-heat-electricity-water, class 027-transfers to DoIT, class 028-transfers to general services, class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance, shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO. For the biennium ending June 30, 2019, the following account numbers within the department of natural and cultural resources: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 0335-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 0335-35-351510-3717 and 03-35-35-351510-3703 shall be exempt from these provisions.

B. The appropriation budgeted in class 047-own forces maintenance-buildings and grounds, class 048-contractual maintenance-buildings and grounds, shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2019. For the biennium ending June 30, 2019, the following account numbers within the department of natural and cultural resources: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 0335-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 0335-35-351510-3717 and 03-35-351510-3703 shall be exempt from the shall not be transferred or expended for any other purpose portion of this provision.

C. Revenue in excess of the estimate may be expended with prior approval of the fiscal committee and the approval of the governor and council.

1.08 Budget Footnotes; General. For any state department, as defined in RSA 9:1 the following general budget footnotes that contain class codes shall apply to all specified class codes in section 1.01 through 1.07 unless specifically exempted.

A. The appropriation budgeted in class 023-heat-electricity-water, class 027-transfers to DoIT, class 028-transfers to general services, class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance, shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO. For the biennium ending June 30, 2019, the following account numbers within the department of natural and cultural resources: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 0335-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 0335-35-351510-3717 and 03-35-35-351510-3703 shall be exempt from these provisions.

B. The appropriation budgeted in class 047-own forces maintenance-buildings and grounds, class 048-contractual maintenance-buildings and grounds, shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2019. For the biennium ending June 30, 2019, the following account numbers within the department of natural and cultural resources: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 0335-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 0335-35-351510-3717 and 03-35-351510-3703 shall be exempt from the shall not be transferred or expended for any other purpose portion of this provision.

C. Revenue in excess of the estimate may be expended with prior approval of the fiscal committee and the approval of the governor and council.

D. The funds in this appropriation shall not be transferred or expended for any other purpose.

E. The appropriation budgeted in class 040-indirect costs are for general overhead state charges and such sums shall be transferred by the agency to the general fund of the state consistent with federal requirements.

F. This appropriation shall not lapse until June 30, 2019.

G. The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2019.

H. Not used.

I. In the event that estimated revenue in revenue class 001-transfers for other agencies, 002-transfers from department of transportation, 003-revolving funds, 004-agency income, 005-private local funds, 006-agency income, 007-agency income, 008-agency income, 009-agency income is less than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the bureau of accounting services forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficits. For the biennium ending June 30, 2019 account number 02-46-46-4620-5731 within the department of corrections shall be exempt from these provisions. The provisions of this footnote do not apply to federal funds covered by RSA 124:14.

J. This appropriation, to be administered by the commissioner, is for the necessary equipment needs of the department and shall be expended at the commissioner's discretion.

2 General Fund and Total Appropriation Limits. The amounts included in section 1 for all university system accounts and community college system accounts, under estimated source of funds from general funds shall be the total appropriation from general funds for such accounting units that may be expended for the purpose of section 1 of this act. Any funds received by said systems from other than general funds are hereby appropriated for the use of the systems and may

D. The funds in this appropriation shall not be transferred or expended for any other purpose.

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SIDE BY SIDE COMPARISON - BACK OF BUDGET SECTIONS

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HB 144 - SENATE PASSED

<p>be expended by said systems whether or not this will result in an appropriation and expenditure by the system in excess of the total appropriation therefor.</p>	<p>be expended by said systems whether or not this will result in an appropriation and expenditure by the system in excess of the total appropriation therefor.</p>
<p>3 Assignment of Office Space. If, during the biennium ending June 30, 2019, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee of the general court, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the director of the division of accounting services to the bureau of general services, activity number 01-14-14-141510 for maintenance of applicable state buildings.</p>	<p>3 Assignment of Office Space. If, during the biennium ending June 30, 2019, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee of the general court, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the director of the division of accounting services to the bureau of general services, activity number 01-14-14-141510 for maintenance of applicable state buildings.</p>
<p>4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2019, in order to provide sufficient funding to the lottery commission to carryout lottery games that will provide funds for the distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new games, the expansion of any existing lottery games, or for the purchase of any tickets for new or continuing games. Additionally, no expenditures for consultants shall be made without prior approval by the fiscal committee. If approved, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed \$6,000,000 for the biennium ending June 30, 2019.</p>	<p>4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2019, in order to provide sufficient funding to the lottery commission to carryout lottery games that will provide funds for the distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new games, the expansion of any existing lottery games, or for the purchase of any tickets for new or continuing games. Additionally, no expenditures for consultants shall be made without prior approval by the fiscal committee. If approved, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed \$6,000,000 for the biennium ending June 30, 2019.</p>
<p>5 Positions Abolished.</p> <p>I. The following positions are hereby abolished effective at the close of business on June 30, 2017:</p> <p>Department of Administrative Services</p>	<p>AMENDED BY THE SENATE</p> <p>5 Positions Abolished.</p> <p>I. The following positions are hereby abolished effective at the close of business on June 30, 2017:</p> <p>Department of Administrative Services</p>

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01-014-014-140510-2980	12969	13910	14642	18029	19675	01-014-014-140510-2980	12969	13910	14642	18029	19675
	40357	40970					40357	40970			
01-014-014-141510-2042	9U474					01-014-014-141510-2042	9U474				
Secretary of State						Department of State					
01-032-032-321510-1065	11362	18096	43452	43456	11364	01-32-32-3215-1065	11362	18096	43452	43456	11364
	40043	43460					40043	43460			
Department of Safety						Department of Safety					
02-023-023-231015-7546	9U073					02-023-023-231015-7546	9U073				
Liquor Commission											
02-077-077-770512-7878	44148	14267	18573								
02-077-077-771512-1030	14299	14318	14296	14329	14275						
New Hampshire Lottery Commission						New Hampshire Lottery Commission					
06-083-083-830013-2028	9U159	9U163				06-083-083-830013-2028	9U159	9U163			
II. The following position is hereby abolished effective at the close of business on June 30, 2018:						II. The following position is hereby abolished effective at the close of business on June 30, 2018:					
New Hampshire Lottery Commission						New Hampshire Lottery Commission					
06-083-083-830013-2028	9U158					06-083-083-830013-2028	9U158				
6 Department of Health and Human Services; Division of Child Support Services; Payments to the Administrative Office of the Courts. The appropriation in account 05-95-42-427010-7929, class 049, includes funds for payment to the administrative office of the courts in accordance with the cooperative agreement between the division of child support services and the administrative office of the courts. The division of child support services and the administrative office of the courts shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the services to be performed by the administrative office of the courts and the estimated costs of such services. Any change or modification in the services to be performed shall likewise be agreed to in writing						6 Department of Health and Human Services; Division of Child Support Services; Payments to the Administrative Office of the Courts. The appropriation in account 05-95-42-427010-7929, class 049, includes funds for payment to the administrative office of the courts in accordance with the cooperative agreement between the division of child support services and the administrative office of the courts. The division of child support services and the administrative office of the courts shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the services to be performed by the administrative office of the courts and the estimated costs of such services. Any change or modification in the services to be performed shall likewise be agreed to in writing					

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and specify the change and the adjustment to the costs. Funds appropriated for these purposes shall be paid only after demonstration by the administrative office of the courts that it consistently transmits court orders to the division of child support services in accordance with the cooperative agreement.			and specify the change and the adjustment to the costs. Funds appropriated for these purposes shall be paid only after demonstration by the administrative office of the courts that it consistently transmits court orders to the division of child support services in accordance with the cooperative agreement.		
7 Judicial Branch; General Fund Appropriation Reduction. The judicial branch shall reduce state general fund appropriations by \$2,399,062 for the biennium ending June 30, 2019.			DELETED BY THE SENATE		
8 Department of Corrections; General Fund Appropriation Reduction. The department of corrections shall reduce state general fund appropriations by \$1,020,712 for the fiscal year ending June 30, 2018 and \$1,557,454 for the fiscal year ending June 30, 2019.			DELETED BY THE SENATE		
9 Estimates of Unrestricted Revenue.			AMENDED BY THE SENATE 7 Estimates of Unrestricted Revenue.		
GENERAL FUND	<u>FY 2018</u>	<u>FY 2019</u>	GENERAL FUND	<u>FY 2018</u>	<u>FY 2019</u>
BUSINESS PROFITS TAX	\$324,400,000	\$330,600,000	BUSINESS PROFITS TAX	\$329,700,000	\$341,100,000
BUSINESS ENTERPRISE TAX	78,200,000	79,700,000	BUSINESS ENTERPRISE TAX	82,100,000	84,900,000
SUBTOTAL BUSINESS TAXES	\$402,600,000	\$410,300,000	SUBTOTAL BUSINESS TAXES	\$411,800,000	\$426,000,000
MEALS AND ROOMS TAX	320,300,000	336,300,000	MEALS AND ROOMS TAX	319,300,000	335,800,000
TOBACCO TAX	125,300,000	125,000,000	TOBACCO TAX	120,400,000	120,400,000
TRANSFER FROM LIQUOR	146,800,000	148,700,000	TRANSFER FROM LIQUOR	145,000,000	148,400,000
INTEREST AND DIVIDENDS TAX	96,000,000	98,000,000	INTEREST AND DIVIDENDS TAX	98,000,000	99,000,000
INSURANCE	120,000,000	120,000,000	INSURANCE	115,000,000	116,000,000
COMMUNICATIONS TAX	45,400,000	42,000,000	COMMUNICATIONS TAX	45,600,000	43,300,000
REAL ESTATE TRANSFER TAX	100,800,000	106,800,000	REAL ESTATE TRANSFER TAX	107,400,000	111,500,000
COURT FINES & FEES	13,400,000	13,400,000	COURT FINES & FEES	13,100,000	13,000,000
SECURITIES REVENUE	45,500,000	46,500,000	SECURITIES REVENUE	45,800,000	46,500,000
UTILITY CONSUMPTION TAX	6,000,000	6,000,000	UTILITY CONSUMPTION TAX	6,000,000	6,000,000
BEER TAX	13,200,000	13,200,000	BEER TAX	13,200,000	13,200,000

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OTHER REVENUES	75,000,000	75,000,000	OTHER REVENUES	78,000,000	76,500,000
MEDICAID RECOVERIES	<u>9,100,000</u>	<u>9,100,000</u>	MEDICAID RECOVERIES	<u>9,100,000</u>	<u>9,100,000</u>
TOTAL GENERAL FUND	\$1,519,400,000	\$1,550,300,000	TOTAL GENERAL FUND	\$1,527,700,000	\$1,564,700,000
EDUCATION FUND	<u>FY 2018</u>	<u>FY 2019</u>	EDUCATION FUND	<u>FY 2018</u>	<u>FY 2019</u>
BUSINESS PROFITS TAX	\$66,500,000	\$67,700,000	BUSINESS PROFITS TAX	\$67,500,000	\$69,900,000
BUSINESS ENTERPRISE TAX	<u>182,400,000</u>	<u>185,900,000</u>	BUSINESS ENTERPRISE TAX	<u>182,700,000</u>	<u>189,100,000</u>
SUBTOTAL BUSINESS TAXES	\$248,900,000	\$253,600,000	SUBTOTAL BUSINESS TAXES	\$250,200,000	\$259,000,000
MEALS AND ROOMS TAX	9,400,000	9,900,000	MEALS AND ROOMS TAX	9,900,000	10,400,000
TOBACCO TAX	89,700,000	89,500,000	TOBACCO TAX	94,600,000	94,600,000
REAL ESTATE TRANSFER TAX	50,200,000	53,200,000	REAL ESTATE TRANSFER TAX	50,600,000	52,500,000
TRANSFER FROM LOTTERY	75,000,000	75,000,000	TRANSFER FROM LOTTERY	75,000,000	75,000,000
TRANSFER FROM RACING & CHARITABLE GAMING	3,000,000	3,000,000	TRANSFER FROM RACING & CHARITABLE GAMING	3,000,000	3,000,000
TOBACCO SETTLEMENT	35,000,000	35,000,000	TOBACCO SETTLEMENT	35,000,000	35,000,000
UTILITY PROPERTY TAX	43,000,000	43,000,000	UTILITY PROPERTY TAX	42,500,000	42,500,000
STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>	STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>
TOTAL EDUCATION FUND	\$917,300,000	\$925,300,000	TOTAL EDUCATION FUND	\$923,900,000	\$935,100,000
HIGHWAY FUND	<u>FY 2018</u>	<u>FY 2019</u>	HIGHWAY FUND	<u>FY 2018</u>	<u>FY 2019</u>
GASOLINE ROAD TOLL	\$126,300,000	\$126,100,000	GASOLINE ROAD TOLL	\$125,900,000	\$125,900,000
MOTOR VEHICLE FEES	114,600,000	115,700,000	MOTOR VEHICLE FEES	114,600,000	115,700,000
MISCELLANEOUS	<u>200,000</u>	<u>200,000</u>	MISCELLANEOUS	<u>600,000</u>	<u>600,000</u>
TOTAL HIGHWAY FUND	\$241,100,000	\$242,000,000	TOTAL HIGHWAY FUND	\$241,100,000	\$242,200,000

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FISH AND GAME FUND	<u>FY 2018</u>	<u>FY 2019</u>	FISH AND GAME FUND	<u>FY 2018</u>	<u>FY 2019</u>
FISH AND GAME LICENSES	\$9,600,000	\$9,600,000	FISH AND GAME LICENSES	\$9,600,000	\$9,600,000
FINES AND MISCELLANEOUS	<u>1,800,000</u>	<u>1,800,000</u>	FINES AND MISCELLANEOUS	<u>1,800,000</u>	<u>1,800,000</u>
TOTAL FISH AND GAME FUND	\$11,400,000	\$11,400,000	TOTAL FISH AND GAME FUND	\$11,400,000	\$11,400,000
10 Effective Date. This act shall take effect July 1, 2017.			8 Effective Date. This act shall take effect July 1, 2017.		

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HB 2 (HOUSE FINANCE) VS HB 517 (SENATE PASSED)**

House Finance Section	Senate Passed Section	Page	Section Title	Action	C of C Status	Comments
1	1	12	Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.	Amended		See SB 58.
2	N/A	14	New Paragraph; Department of Administrative Services; Duties of the Commissioner.	Not Included		See Senate Transfer Language; Sections 208-212.
3	2	14	New Section; Health Risk Appraisal; Protected Health Information.	No Change		
4	3	15	State Employee Health Plan; Application.	No Change		
5	4	15	Administrative Services; Health Coverage Shared Responsibility.	No Change		
6	5	15	Appropriation; Department of Administrative Services; State Retiree Health Benefits.	No Change		
7	6	16	Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits.	No Change		
8	7	16	Department of Administrative Services; State Employees Group Insurance Retiree Medical Benefits; Premium Contribution for Medicare Eligible.	Amended		
9	8	17	New Hampshire Retirement System; Deductions; Retiree Medical Benefits.	Amended		
10	9	19	Judicial Retirement Plan; Deductions; Retiree Health Insurance.	Amended		
11	10	20	Department of Administrative Services; State Employee Group Insurance; Retiree Medical Benefits.	Amended		
12	N/A	20	Department of Agriculture; Pet Vending.	Not Included		
13	N/A	25	Department of Agriculture; Pet Vendors; Cross Reference Changed.	Not Included		
14	12	25	Liquor Commission Fund; Cost of Legal Services, Judgments, Settlements.	Amended		
15	13	26	Judicial Appointments; Number Limited; Vacancies.	Amended		
16	14	26	Judicial Branch; Transfer Among Accounts and Classes.	No Change		
17	15	26	References Changed; Resources and Economic Development to Natural and Cultural Resources or Business and Economic Affairs.	Amended		
18	16	27	Department of Natural and Cultural Resources; Establishment.	No Change		
19	17	28	Department of Natural and Cultural Resources; General Provisions.	No Change		
20	18	29	Department of Natural and Cultural Resources; Powers and Duties.	No Change		
21	19	30	Department of Natural and Cultural Resources; Police Powers.	No Change		
22	20	30	New Section; Department of Natural and Cultural Resources; Duties of Commissioner.	No Change		
23	21	32	Department of Natural and Cultural Resources; Directors of Divisions.	No Change		
24	22	32	Department of Natural and Cultural Resources; Advisory Commission.	No Change		
25	23	32	Director of Division of Forests and Lands.	No Change		

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HB 2 (HOUSE FINANCE) VS HB 517 (SENATE PASSED)**

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26	24	33	Director of Parks and Recreation.	No Change		
27	25	33	Division of Parks and Recreation.	No Change		
28	26	34	Director of Parks and Recreation.	No Change		
29	27	34	Reference Deleted.	No Change		
30	28	34	New Sections; Department of Natural and Cultural Resources; Divisions.	No Change		
31	29	36	New Section; Commission on Native American Affairs.	No Change		
32	30	39	New Section; Film and Television Commission.	No Change		
33	31	41	Reference Changed.	No Change		
34	32	41	Reference Changed.	No Change		
35	33	41	Reference Changed.	No Change		
36	34	42	Reference Changed.	No Change		
37	35	42	Conservation Number Plate Fund.	No Change		
38	36	43	Conservation Number Plate Fund; Use of Funds.	No Change		
39	37	44	Conservation Number Plates; Report.	No Change		
40	38	44	Repeal.	No Change		
41	39	46	References Changed; Cultural Resources to Natural and Cultural Resources.	Amended		
42	40	47	Transition; Commission on Native American Affairs; Film and Television Commission.	No Change		
43	41	47	New Chapter; Department of Business and Economic Affairs.	Amended		
44	42	88	Member Added; Reference Corrected; Scenic and Cultural Byways Council.	No Change		
45	43	88	Gifts for Historic Sites.	No Change		
N/A	44	89	Council on Resources and Development; Members.	Senate Only		
N/A	45	90	Council on Resources and Development; Members.	Senate Only		
46	46	90	Community Heritage Investment Program; Membership.	No Change		
N/A	47	90	Continuity of Subcommittees of the Site Evaluation Committee.	Senate Only		
47	48	91	Salaries of Unclassified Officers.	No Change		
48	49	91	Commissioner Salaries.	No Change		
49	N/A	92	Department of Business and Economic Affairs; Transfer Among Accounts and Classes.	Not Included		See Senate Transfer Language; Sections 208-212.
50	50	92	Rulemaking. Transfer of Rules.	No Change		
51	51	92	Reference Amended; Travel and Tourism Moneys.	No Change		
52	52	92	Fund Amended; Travel and Tourism.	No Change		
53	53	93	Fund Amended; International Trade Promotion.	Amended		Reference change only.

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54	54	93	Fund Amended; Economic Development Fund.	Amended		Reference change only.
55	55	93	Fund Amended; Travel and Tourism Revolving Fund.	No Change		
56	56	93	Fund Amended; Workforce Opportunity Fund.	Amended		Reference change only.
57	57	93	Fund Amended; Division of Economic Development Fund.	Amended		Reference change only.
58	58	93	Dedicated Fund Review.	No Change		
59	59	93	Comprehensive State Development Plan.	Amended		Reference change only.
60	60	94	Tourism Policy.	No Change		
61	61	94	Unemployment Compensation; Training Fund.	Amended		Reference change only.
N/A	62	94	Energy Facilities; Site Evaluation Committee; Membership.	Senate Only		
62	63	95	Chapter Heading; Office of Energy and Planning Renamed Office of Strategic Initiatives.	No Change		
63	64	95	Office of Energy and Planning Renamed Office of Strategic Initiatives.	Amended		
64	65	95	Name Change.	No Change		
65	66	95	Suspension.	Amended		
66	N/A	96	Department of Transportation; Transfer Among Accounts and Classes.	Not Included		See Senate Transfer Language; Sections 208-212.
67	67	96	New Section; Department of Transportation; Federal Assistance Grant; Appropriation.	No Change		
68	N/A	96	Appropriation; Department of Transportation.	Not Included		See SB 38.
69	68	97	New Chapter; Public School Infrastructure Revitalization Trust Fund.	Amended		
N/A	69	100	Revenue Stabilization Reserve Account; Reference Added.	Senate Only		
N/A	70	100	New Subparagraph; Application of Receipts; Public School Infrastructure Revitalization Trust Fund.	Senate Only		
N/A	71	102	School Building Aid; Alternative School Building Aid.	Senate Only		
70	N/A	102	Revenue Stabilization Reserve Account; General Fund Deficit.	Not Included		
71	72	102	All Agencies; Administrative Services.	No Change		
72	N/A	103	Sale of Property; Laconia State School.	Not Included		See HB 340.
73	189	103	Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation.	No Change		
74	149	103	State Aid Grants; Department of Environmental Services.	No Change		
N/A	73	104	Liquor Commission Funds.	Senate Only		
75	74	104	Meals and Rooms Tax; Distribution to Cities and Towns.	No Change		

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77	75	104	Department of Health and Human Services; Program Eligibility; Additional Revenues.	No Change		
78	76	105	Department of Health and Human Services; Suspension of Home Health Services Rate Setting.	No Change		
79	N/A	105	Department of Health and Human Services; Foster Grandparent Program.	Not Included		
80	77	105	Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services.	Amended		
81	184	105	Department of Health and Human Services; Division for Children, Youth and Families.	Amended		
82	78	106	Department of Health and Human Services; Suspension of Direct Graduate Medical Education.	No Change		
83	79	106	Department of Health and Human Services; Suspension of Indirect Graduate Medical Education.	No Change		
84	80	106	Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women.	No Change		
85	81	107	Commissioner of Health and Human Services; Quarterly Reports.	No Change		
N/A	82	107	Governor; Transfer Among Accounts and Classes.	Senate Only		
86	83	107	New Section; New Hampshire Employment Program and Family Assistance Program; Adjustment of TANF Financial Assistance.	No Change		
87	84	107	County Reimbursement of Funds; Limitations on Payments.	No Change		
88	85	108	Discrimination Prohibited in Determining Eligibility for Services in the State Mental Health Services System; Prospective Repeal Extended.	No Change		
89	86	108	Revenue Sharing; Suspension.	No Change		
90	87	108	New Subdivision; Department of Justice; Internet Crimes Against Children Fund.	Amended		
91	88	108	New Subparagraph; Application of Receipts; Internet Crimes Against Children Fund.	No Change		
92	89	109	Appropriation.	Amended		
93	90	109	Department of Justice; Position Established.	No Change		
94	91	109	Position Reclassification; Banking Department.	No Change		
95	218	109	Judicial Branch; Reimbursement of Sheriff's Office for Court Security.	Amended		
96	92	110	New Section; Agreements to Lease-Purchase Vehicles Authorized.	Amended		
97	93	110	Chartered Public Schools; Definitions.	No Change		

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99	95	112	Chartered Public Schools; Funding; Virtual Learning Academy Charter School.	No Change		
100	96	113	Special Education; State Aid.	No Change		
101	97	114	Special Education; State Aid.	No Change		
102	98	114	Special Education; State Aid.	No Change		
103	99	114	Special Education; State Aid.	No Change		
104	100	115	Special Education; State Aid.	No Change		
105	101	115	Property Tax Rates; Setting of Tax Rates by Commissioner.	No Change		
106	N/A	115	Department of Safety; Transfer Among Accounts and Classes.	Not Included		See Senate Transfer Language; Sections 208-212.
107	102	116	Department of Information Technology; Consolidation of Information Technology Functions.	No Change		
108	103	117	Liquor Commission; Processing of Merchant Cards.	No Change		
109	N/A	118	Department of Corrections; Transfer Among Accounts and Classes.	Not Included		See Senate Transfer Language; Sections 208-212.
110	104	118	Public Utilities Commission; Implementation of Energy Efficiency Resource Standard.	Amended		
111	105	118	Electric Renewable Portfolio Standards; Renewable Energy Fund.	Amended		
112	106	119	Department of Education; Acceptance of Gifts.	No Change		
113	107	119	Regional Career and Technical Education; Program.	No Change		
114	N/A	120	Department of Education; Transfer Among Accounts and Classes.	Not Included		See Senate Transfer Language; Sections 208-212.
115	108	120	New Subdivision; Governor's Scholarship Program.	Amended		
116	109	122	New Subparagraph; Application of Receipts; Governor's Scholarship Fund.	No Change		
N/A	110	123	Repeal.	Senate Only		
117	111	123	Department of Revenue Administration; Reference Change; Document Processing to Taxpayer Services.	No Change		
118	112	123	Department of Revenue Administration; Taxpayer Services Division Created; Document Process Division Eliminated.	No Change		
119	113	123	Department of Revenue Administration; Director of Taxpayer Services Division; Position Established.	No Change		
120	114	124	Repeal.	No Change		
121	N/A	124	Forest Management and Protection Fund.	Not Included		
122	115	125	Department of Safety; Places of Assembly; Definitions.	No Change		
123	116	125	Department of Safety; Places of Assembly; Licensing.	No Change		

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125	118	125	Department of Transportation; Eminent Domain; Occasion for Layout by Governor and Council.	No Change		
126	119	126	Layout of State Highways; Notice of Hearing.	No Change		
127	120	126	Limited Access Highways; Occasion for Layout; Layout.	No Change		
128	121	127	Highways; Definition.	Amended		
129	122	127	Discontinuance of Relocated Portions of Class I and Class II Highways Acquired in 1945 or Earlier.	No Change		
130	123	128	Discontinuance of Relocated Portions of Class I and Class II Highways; Assessment of Damages.	No Change		
131	124	129	Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals.	No Change		
N/A	125	129	Distribution of Meals and Rooms Tax; Division of Travel and Tourism Development.	Senate Only		
132	N/A	129	Appropriation to the Division of Travel and Tourism Development for Highway Safety Rest Area Operations.	Not Included		
N/A	126	129	Joint Committee on Legislative Facilities; Meetings; Transfers.	Senate Only		
N/A	127	130	Legislative Branch; Special Account.	Senate Only		
N/A	128	130	Joint Committee on Legislative Facilities; Funds.	Senate Only		
N/A	129	131	Governor's Commission on Disability; Newline for the Blind; Funding.	Senate Only		
N/A	130	131	Revenue Stabilization Reserve Account.	Senate Only		
N/A	131	131	New Subparagraph; Revenue Information Management System Account; State Heating System Savings Account.	Senate Only		
N/A	132	132	New Section; Revenue Information Management System Account.	Senate Only		
N/A	133	132	New Section; Department of Administrative Services; State Heating System Savings Account.	Senate Only		
N/A	134	133	Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program.	Senate Only		
N/A	135	133	Contingent Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program.	Senate Only		
N/A	136	134	Plan for Funding Required.	Senate Only		
N/A	138	134	Minimum Prices; Milk.	Senate Only		
N/A	139	134	Reference Deleted; Milk Producers Emergency Relief Fund.	Senate Only		

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N/A	142	135	Department of Corrections; Unfunded Positions.	Senate Only		
133	11	135	New Paragraph; State Retiree Health Care Program; Prescriptions.	No Change		
134	N/A	135	Division of Accounting Services; Department of Administrative Services.	Not Included		
135	N/A	136	Repeal.	Not Included		
136	N/A	136	Administrative Services; Funding and Staffing Resource Limitations.	Not Included		
137	N/A	137	New Subparagraph; Bureau of Financial Reporting; Preliminary Financial Statements.	Not Included		
138	143	137	Fees of Sheriffs and Deputy Sheriffs.	Amended		
139	N/A	137	Concord Steam Project Appropriations; Contingency.	Not Included		
140	N/A	138	HB 332; Contingency; Expenses of the Nuclear Decommissioning Financing Committee.	Not Included		
141	N/A	138	Definition of Department.	Not Included		
142	13	138	Circuit Court; Suspension.	No Change		
143	N/A	138	Department of Justice; Position Added; Criminal Justice Investigator.	Not Included		
N/A	144	138	Department of Justice; Collections Related to the Merrimack River Flood Control Compact.	Senate Only		
N/A	145	139	Regulation of Pharmacies; Price of Filling Prescriptions.	Senate Only		
N/A	146	139	Managed Care Law; Price of Filling Prescriptions.	Senate Only		
N/A	147	139	Accident and Health Insurance; Price of Filling Prescriptions.	Senate Only		
144	N/A	140	New Hampshire Drinking Water and Groundwater Trust Fund; Transfer.	Not Included		
145	N/A	140	New Hampshire Drinking Water and Groundwater Trust Fund; Transfer.	Not Included		
146	N/A	140	New Hampshire Drinking Water and Groundwater Trust Fund; Transfer.	Not Included		
147	137	141	National Guard Scholarship Fund.	Amended		Format change only.
148	N/A	142	Repeal.	Not Included		
149	141	142	Department of Corrections; Scanners for State Correctional Facilities.	Amended		
150	N/A	142	New Section; Adequate Representation for Indigent Defendants in Criminal Cases; Additional Funding From State Departments and Agencies.	Not Included		
151	148	143	Integrated Land Development Permits; Procedure Suspended.	No Change		
N/A	150	143	Workers' Compensation; Definitions.	Senate Only		
N/A	151	143	Appropriation; Department of Safety; Fire Standards and Training and Emergency Medical Services Fund; Funding.	Senate Only		

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N/A	153	144	Department of Transportation; Acquisition of Land.	Senate Only		
N/A	154	144	Department of Transportation; Rest Areas, Welcome Centers, and State Liquor Store Sites.	Senate Only		
N/A	155	145	Liquor Commission; Proceeds From Sale of Land.	Senate Only		
152	N/A	145	Appropriation; Department of Safety; Drug Interdiction Task Force Program.	Not Included		See SB 131.
153	N/A	146	Administration of Alcohol Concentration Tests.	Not Included		
154	N/A	146	Liquor Commission; Personnel Transferred; Positions Abolished.	Not Included		
155	N/A	146	Appropriation to the Division of Travel and Tourism Development for Highway Safety Rest Area Operations.	Not Included		
156	N/A	146	Department of Transportation; Mitigation Plan; Appropriation.	Not Included		
157	156	147	Airways Toll.	No Change		
158	N/A	147	Federal and State Highway Aid; Apportionment.	Not Included		
159	159	148	School Money; Distribution Schedule of Adequate Education Grants.	No Change		
160	160	149	Chartered Public Schools; Funding.	No Change		
161	158	149	Screening and Intervention for Dyslexia and Related Disorders; Reading Specialist.	No Change		
N/A	161	150	Robotics Education Fund.	Senate Only		
N/A	162	151	New Section; Robotics Education Development Program.	Senate Only		
N/A	163	152	Controlled Drug Act; Professional Use of Narcotic Drugs.	Senate Only		
162	N/A	153	New Subdivision; Dual and Concurrent Enrollment Program.	Not Included		
163	N/A	155	Appropriation.	Not Included		
164	157	155	Lottery Commission; Authority to Purchase Real Property Granted.	Amended		
N/A	164	156	Emergency Heat and Hot Water System Purchase and Replacement; Appropriation.	Senate Only		
N/A	173	156	Sununu Youth Services Center.	Senate Only		
N/A	174	156	Appropriation; Department of Health and Human Services.	Senate Only		
N/A	175	156	Funding for Operational Costs of the Sununu Youth Services Center.	Senate Only		
165	N/A	157	New Subdivision; Keno.	Not Included		
166	N/A	162	Application of Receipts; Education Trust Fund.	Not Included		
167	N/A	163	Education Trust Fund Creation and Investments; Keno Profits Added.	Not Included		
168	N/A	163	Sale of Lottery Tickets; Internet Sales Added.	Not Included		
169	N/A	163	Sale of Lottery Tickets; Reference Removed.	Not Included		

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171	182	164	New Subparagraph; Commissioner's Duties; Medicaid Managed Care Program; Prior Authorization.	Amended		
172	165	165	New Subparagraph; Delinquent Children; Release or Detention Pending Adjudicatory Hearing.	No Change		
173	166	165	Dispositional Hearing.	Amended		
174	167	166	New Section; Limits on Extended Detention.	No Change		
175	168	166	Dispositional Hearing.	No Change		
176	169	167	New Section; Dispositions and Case Closure in Certain Cases.	No Change		
177	170	168	Youth Development Center; Releases and Discharges.	No Change		
178	171	169	New Paragraph; Youth Services Center; Releases and Discharges.	No Change		
179	N/A	169	Youth Services Center; Population.	Not Included		
180	172	169	Alternative Placement Capacity for Youth; Reporting Requirement.	Amended		
181	N/A	170	Lease of Property; Sununu Youth Services Center.	Not Included		
182	176	170	Worker Displacement.	Amended		
183	177	171	Applicability.	Amended		Reference change only.
184	178	171	Rate-setting.	Amended		Reference change only.
185	179	171	Funding for Alternative Placement Capacity for Youth.	Amended		Reference change only.
N/A	183	171	Special Medicaid Representatives; Applicability.	Senate Only		
N/A	185	172	Advisory Board on Services for Children, Youth, and Families; Legislative Members.	Senate Only		
N/A	186	172	Advisory Board on Services for Children, Youth, and Families; Legislative Members.	Senate Only		
186	187	173	Filling Unfunded Positions; Authorization.	Amended		
187	N/A	173	Independent Review of the Division for Children, Youth and Families.	Not Included		
188	N/A	173	Appropriation.	Not Included		
N/A	188	173	Designated Receiving Facility for Persons with Developmental Disabilities on the Grounds of the Laconia State School Property; Plan for Relocation Required.	Senate Only		
189	N/A	174	Joint Legislative Committee to Examine the Independent Review of the Division for Children, Youth and Families.	Not Included		
190	N/A	175	Medicaid Managed Care Program; Implementation.	Not Included		
191	180	175	New Hampshire Partnership for Long-Term Care Plan.	No Change		

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N/A	192	176	Peer Crisis Respite Beds.	Senate Only		
N/A	193	176	Mobile Crisis Teams and Apartments.	Senate Only		
N/A	194	177	Integrated Data Management System.	Senate Only		
N/A	195	177	Evaluation Required.	Senate Only		
N/A	196	177	Department of Health and Human Services; Associate Commissioner of Health and Human Services; Position Established.	Senate Only		
N/A	197	177	Department of Health and Human Services; Salaries; Reference to Associate Commissioner Added; Reference to Senior Division Director Removed.	Senate Only		
N/A	198	178	Salary of Associate Commissioner.	Senate Only		
N/A	199	178	New Subparagraph; Department of Health and Human Services; Position Established.	Senate Only		
193	N/A	178	Purpose Statement.	Not Included		
194	N/A	179	Granite Workforce; Pilot Program Established.	Not Included		
195	N/A	180	Granite Workforce; Subsidies for Employers.	Not Included		
196	N/A	180	Referral for Barriers to Employment.	Not Included		
197	N/A	180	Network of Education and Training.	Not Included		
198	N/A	181	Job Placement.	Not Included		
199	N/A	182	Reporting Requirement; Measurement of Outcomes.	Not Included		
200	N/A	182	Repeal.	Not Included		
201	N/A	182	Commission to Review Child Abuse Fatalities; Reporting Dates.	Not Included		
202	N/A	183	Commission to Review Child Abuse Fatalities; Repeal Date Extended.	Not Included		
203	N/A	183	Appropriation; State Treasurer; Municipal Aid.	Not Included		
204	N/A	183	Contingency.	Not Included		
N/A	200	183	New Subdivision; Office of the Child Advocate.	Senate Only		
N/A	201	186	Department of Health and Human Services; Director of Legal Services; Memorandum of Understanding between the Department of Health and Human Services and the Department of Justice.	Senate Only		

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2, 49, 66, 76, 106, 109, 114	208	192	Budget and Appropriations; Transfers.	Senate Only		
	209	192	Budget and Appropriations; Limitations of Transfers.	Senate Only		
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N/A	216	200	Department of Education; Chartered Public School Program Officer.	Senate Only		
N/A	217	201	Department of Transportation; Town of Ossipee.	Senate Only		
N/A	219	201	Reproductive Health Care Facilities; Funding Restriction.	Senate Only		
N/A	220	201	Division of Motor Vehicle; Milford Substation.	Senate Only		
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205	229	204	Effective Dates.	Amended		

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

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

- (a) Accounts receivable;
- (b) Accounts payable;
- (c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to the state; and

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

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

AMENDED BY THE SENATE

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

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

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

V. Any unspent balance remaining on the \$250,000 appropriation made by 2011, 224:86 to

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

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

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

V. Any unspent balance remaining on the \$250,000 appropriation made by 2011, 224:86 to

<p>the department of administrative services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an independent business processing consultant to evaluate and make recommendations relative to the consolidation of business processing functions within state government, shall not lapse until June 30, 2019. The department of administrative services may use this balance to fund such projects, functions, or activities as the commissioner of administrative services may direct relating to the efficiency of state government, including, but not limited to, the selection and retention of an independent business processing consultant and/or other projects, functions, or activities relating to the consolidation or deconsolidation of human resource, payroll and business processing functions.</p> <p>VI. For the biennium ending June 30, 2019, the department of state shall be exempt from the provisions of this section as they relate to the execution of the constitutional duties of the office of the secretary of state.</p>	<p>the department of administrative services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an independent business processing consultant to evaluate and make recommendations relative to the consolidation of business processing functions within state government, shall not lapse until June 30, 2019. The department of administrative services may use this balance to fund such projects, functions, or activities as the commissioner of administrative services may direct relating to the efficiency of state government, including, but not limited to, the selection and retention of an independent business processing consultant and/or other projects, functions, or activities relating to the consolidation or deconsolidation of human resource, payroll and business processing functions.</p>
<p>2 New Paragraph; Department of Administrative Services; Duties of the Commissioner. Amend RSA 21-I:13 by inserting after paragraph XVII the following new paragraph:</p> <p>XVIII. Notwithstanding any provision of law to the contrary, except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and the governor and council, have the authority to transfer funds within and among all accounting units and/or class codes within the department, and is further authorized to create new class codes within the department into which funds may be transferred or placed, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided that if a transfer does not include new class codes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court and the governor and council.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (SEE SENATE SECTIONS 208-212).</p>
<p>3 New Section; Health Risk Appraisal; Protected Health Information. Amend RSA 21-I by inserting after section 30-e the following new section:</p>	<p>2 New Section; Health Risk Appraisal; Protected Health Information. Amend RSA 21-I by inserting after section 30-e the following new section:</p>

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<p>21-I:30-f Health Risk Appraisal. All information contained in a state employee’s health risk appraisal as referenced in any collective bargaining agreement shall be considered protected health information and entitled to all of the non-disclosure and other restrictions set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as amended, and the Standards for Privacy of Individually Identifiable Health Information at 45 C.F.R. part 160 and subparts A and E of part 164 (“Privacy Rule”).</p>	<p>21-I:30-f Health Risk Appraisal. All information contained in a state employee’s health risk appraisal as referenced in any collective bargaining agreement shall be considered protected health information and entitled to all of the nondisclosure and other restrictions set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA), as amended, and the Standards for Privacy of Individually Identifiable Health Information at 45 C.F.R. part 160 and subparts A and E of part 164 (“Privacy Rule”).</p>																																										
<p>4 State Employee Health Plan; Application. The cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees’ Association of New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who participate in the health plans offered by the state shall be in accordance with the provisions of the collective bargaining agreements between the state and the employee organizations representing those employees.</p>	<p>3 State Employee Health Plan; Application. The cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees’ Association of New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who participate in the health plans offered by the state shall be in accordance with the provisions of the collective bargaining agreements between the state and the employee organizations representing those employees.</p>																																										
<p>5 Administrative Services; Health Coverage Shared Responsibility. Agencies may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared responsibility for health coverage under section 4980H of the Internal Revenue Code.</p>	<p>4 Administrative Services; Health Coverage Shared Responsibility. Agencies may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared responsibility for health coverage under section 4980H of the Internal Revenue Code.</p>																																										
<p>6 Appropriation; Department of Administrative Services; State Retiree Health Benefits. The following sums are hereby appropriated from the following sources to the commissioner of the department of administrative services for the purpose of funding state retiree health care expenses for eligible state retirees who have a date of birth on or before December 31, 1948, for the fiscal years ending June 30, 2018 and June 30, 2019:</p> <table border="1" data-bbox="83 1299 1319 1445"> <thead> <tr> <th colspan="7">FY 2018</th> </tr> <tr> <th>All:</th> <th>Liquor</th> <th>Highway</th> <th>Turnpike</th> <th>Fish & Game</th> <th>Sweepstakes</th> <th>Other</th> </tr> </thead> <tbody> <tr> <td>\$264,400</td> <td>\$30,200</td> <td>\$147,833</td> <td>\$33,813</td> <td>\$7,400</td> <td>\$6,500</td> <td>\$38,654</td> </tr> </tbody> </table>	FY 2018							All:	Liquor	Highway	Turnpike	Fish & Game	Sweepstakes	Other	\$264,400	\$30,200	\$147,833	\$33,813	\$7,400	\$6,500	\$38,654	<p>5 Appropriation; Department of Administrative Services; State Retiree Health Benefits. The following sums are hereby appropriated from the following sources to the commissioner of the department of administrative services for the purpose of funding state retiree health care expenses for eligible state retirees and spouses who have a date of birth on or before December 31, 1948, for the fiscal years ending June 30, 2018 and June 30, 2019:</p> <table border="1" data-bbox="1319 1299 2599 1445"> <thead> <tr> <th colspan="7">FY 2018</th> </tr> <tr> <th>All:</th> <th>Liquor</th> <th>Highway</th> <th>Turnpike</th> <th>Fish & Game</th> <th>Sweepstakes</th> <th>Other</th> </tr> </thead> <tbody> <tr> <td>\$264,400</td> <td>\$30,200</td> <td>\$147,833</td> <td>\$33,813</td> <td>\$7,400</td> <td>\$6,500</td> <td>\$38,654</td> </tr> </tbody> </table>	FY 2018							All:	Liquor	Highway	Turnpike	Fish & Game	Sweepstakes	Other	\$264,400	\$30,200	\$147,833	\$33,813	\$7,400	\$6,500	\$38,654
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FY 2019							FY 2019						
All:	Liquor	Highway	Turnpike	Fish & Game	Sweepstakes	Other	All:	Liquor	Highway	Turnpike	Fish & Game	Sweepstakes	Other
\$816,000	\$88,400	\$459,754	\$83,835	\$30,100	\$18,800	\$135,111	\$816,000	\$88,400	\$459,754	\$83,835	\$30,100	\$18,800	\$135,111
<p>7 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Amend RSA 21-I:30, II to read as follows:</p> <p>II. The state shall pay a premium <i>or partial premium</i> for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court, after a duly noticed public hearing on any proposed changes to the plan is held before the fiscal committee, prior to its adoption. Retired employees who are eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.</p>							<p>6 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Amend RSA 21-I:30, II to read as follows:</p> <p>II. The state shall pay a premium <i>or partial premium</i> for each Medicare-eligible retired employee, as defined in paragraphs VI and VII of this section, and his or her spouse for their lifetimes, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan or a self-funded alternative within the limits of the funds appropriated at each legislative session and providing any change in plan is approved by the fiscal committee of the general court, after a duly noticed public hearing on any proposed changes to the plan is held before the fiscal committee, prior to its adoption. Retired employees who are eligible for Medicare may voluntarily cease participation in plan benefits at any time and may reenroll without restriction.</p>						
<p>8 Department of Administrative Services; State Employees Group Insurance Retiree Medical Benefits; Premium Contribution for Medicare Eligible. Amend RSA 21-I:30, XIII to read as follows:</p> <p>XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse who are not Medicare eligible and receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than [12.5] 17.5 percent.</p>							<p>AMENDED BY THE SENATE</p> <p>7 Department of Administrative Services; State Employees Group Insurance Retiree Medical Benefits; Premium Contribution for Medicare Eligible. Amend RSA 21-I:30, XIII to read as follows:</p> <p>XIII.(a) The commissioner of administrative services shall invoice and collect from retired state employees and/or each applicable spouse who are not Medicare eligible and receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than [12.5] 20 percent.</p>						

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(b) The commissioner of administrative services shall invoice and collect from retired state employees and/or spouses who are eligible for Medicare Parts A and B due to age or disability receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible state retirees and spouses with a date of birth on or after January 1, 1949.

(c) The commissioner of administrative services is also authorized to invoice and collect from such other participants contribution amounts as specified by law.

(d) Collected amounts shall be deposited in the employee and retiree benefit risk management fund. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6 months of the termination date. If a participant fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified mail, return receipt requested, that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th business day after receipt of the letter and that reenrollment shall be dependent upon payment of any outstanding contribution or other amount within 6 months of the termination date.

9 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

(b) The commissioner of administrative services shall invoice and collect from retired state employees and/or spouses who are eligible for Medicare Parts A and B due to age or disability receiving medical and surgical benefits provided under this section, who do not receive a retirement allowance as defined in RSA 100-A:1, XXII, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible state retirees and spouses with a date of birth on or after January 1, 1949.

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AMENDED BY THE SENATE

8 New Hampshire Retirement System; Deductions; Retiree Medical Benefits. Amend RSA 100-A:54, III to read as follows:

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse who are not Medicare eligible and receiving medical and surgical benefits provided pursuant to RSA 21-I:30, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court provided the percentage is not lower than [~~12.5~~] 17.5 percent.

(b) The retirement system shall deduct from the monthly retirement allowance of a retired state employee and/or spouse who are eligible for Medicare Parts A and B due to age or disability receiving medical and surgical benefits provided pursuant to RSA 21-I:30, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible state retirees and spouses with a date of birth on or after January 1, 1949.

(c) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6

III.(a) The retirement system shall deduct from the monthly retirement allowance of retired state employees and/or each applicable spouse who are not Medicare eligible and receiving medical and surgical benefits provided pursuant to RSA 21-I:30, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court provided the percentage is not lower than [~~12.5~~] 20 percent.

(b) The retirement system shall deduct from the monthly retirement allowance of a retired state employee and/or spouse who are eligible for Medicare Parts A and B due to age or disability receiving medical and surgical benefits provided pursuant to RSA 21-I:30, a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible state retirees and spouses with a date of birth on or after January 1, 1949.

(c) The department of administrative services shall provide information as to the total monthly premium cost for each participant to the retirement system for purposes of calculating this deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree and/or each applicable spouse the remaining contribution amount. Failure to remit payment of the contribution amount in full within 30 days of billing shall be grounds for terminating benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts within 6

months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

months of the termination date. The department of administrative services shall provide notice of the termination of benefits as provided in RSA 21-I:30, XIII.

10 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:

AMENDED BY THE SENATE

9 Judicial Retirement Plan; Deductions; Retiree Health Insurance. Amend RSA 100-C:11-a to read as follows:

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.

100-C:11-a Retiree and Spouse Health Insurance Premium Contribution.

*I. Retired judges and their applicable spouses who are not Medicare eligible and receiving medical and surgical benefits shall be responsible for payment of a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than ~~[12.5]~~ **17.5** percent.*

*I. Retired judges and their applicable spouses who are not Medicare eligible and receiving medical and surgical benefits shall be responsible for payment of a premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than ~~[12.5]~~ **20** percent.*

II. Retired judges and/or spouses who are eligible for Medicare Parts A and B due to age or disability shall be responsible for payment of the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible retired judges and spouses with a date of birth on or after January 1, 1949.

II. Retired judges and/or spouses who are eligible for Medicare Parts A and B due to age or disability shall be responsible for payment of the premium contribution amount based on a percentage of the total monthly premium attributable to the applicable retiree and/or spouse, as determined by the commissioner of administrative services, with prior approval by the fiscal committee of the general court, provided the percentage is not lower than 10 percent. Such premium contribution shall only be collected from eligible retired judges and spouses with a date of birth on or after January 1, 1949.

III. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

III. The department of administrative services shall provide information as to the total monthly premium cost for each participant to the judicial retirement plan for purposes of calculating this deduction. The judicial retirement plan shall deduct the payment required under this section from the retiree's monthly retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts within 14 days along with a statement identifying from whom the deduction was made, and shall be used to pay for plan retiree and spouse health care expenses and any administrative costs related thereto.

<p>11 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits. Notwithstanding requirements of RSA 21-I:30, XIII(b), RSA 100-A:54, III(b) and 100-C:11-a, II, effective January 1, 2018 the percentage of premium attributable to each retiree and/or spouse shall be 10 percent and shall continue until such time that the commissioner of administrative services determines it is necessary to seek approval from the fiscal committee to revise that percentage.</p>	<p>AMENDED BY THE SENATE</p> <p>10 Department of Administrative Services; State Employees Group Insurance; Retiree Medical Benefits.</p> <p>I. Notwithstanding the requirements of RSA 21-I:30, XIII(b), RSA 100-A:54, III(b) and 100-C:11-a, II, effective January 1, 2018 the percentage of premium attributable to each retiree and/or spouse shall be 10 percent and shall continue until such time that the commissioner of administrative services determines it is necessary to seek approval from the fiscal committee to revise that percentage. Such premium contribution shall only be collected from eligible state retirees and spouses with a date of birth on or after January 1, 1949.</p> <p>II. Notwithstanding the requirements of RSA 21-I:30, XIII(a), RSA 100-A:54, III(a), and RSA 100-C:11-a, I, effective October 1, 2017 the percentage of premium attributable to each non-Medicare eligible retiree and/or spouse shall be 20 percent and shall continue until such time as the commissioner of administrative services determines it is necessary to seek approval of the fiscal committee of the general court to revise that percentage.</p>
<p>12 Department of Agriculture; Pet Vending. RSA 437:1 through RSA 437:13-a are repealed and reenacted to read as follows:</p> <p style="text-align: center;">Transfer of Animals and Birds</p> <p>437:1 Definitions. In this subdivision:</p> <p>I. "Animal shelter facility" means a facility, including the building and the immediate surrounding area, which is used to house or contain animals and which is owned, operated and maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection and humane treatment of animals, and also a public pound for the housing of strays or a pound operated by any person, excluding veterinarians, who contracts with a municipality to serve that function.</p> <p>II. "Commercial kennel" means any person, business, corporation, or other entity that</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

transfers 10 or more litters or 50 or more puppies in any 12-month period.

III. "Commissioner" means the commissioner of the department of agriculture, markets, and food.

IV. "Pet vendor" means any person, firm, corporation, or other entity engaged in the business of transferring live animals or birds customarily used as household pets to the public, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire, when transfer to the final owner occurs within New Hampshire.

V. "Transfer" means transfer of ownership of live animals or birds from any person, firm, corporation, or other entity to a member of the public.

437:2 Declaration of Policy. This subdivision establishes standards for the regulation of animal health that are consistent with the pattern established throughout statute by the general court. Animal health regulation shall focus either on those conditions that pose a threat to public health or that would require regulatory intervention to protect the economy of the state, or both.

437:3 Requirements. No pet vendor shall transfer animals or birds without a license. A pet vendor shall apply to the commissioner for a license, giving such information as the commissioner shall require. The application shall include proof that the zoning enforcement official of the municipality wherein any facility is to be maintained has certified that the facility conforms to the municipal zoning regulations. The application shall be accompanied by a non-refundable \$200 fee. All licenses shall expire on June 30 of each year and be subject to renewal upon submission of a new application. No licenses shall be transferable. A pet vendor licensed under this subdivision shall:

I. Maintain in a clean and sanitary condition all premises, buildings, and other enclosures used in the business of dealing in live animals or birds customarily used as household pets.

II. Submit premises, buildings and other enclosures to unannounced inspection by department employees or local animal control, law enforcement, or health officials at reasonable times.

III. Maintain, subject to inspection by the commissioner, his or her agent, local officials, law enforcement, or any member of the public, a proper record in which all live animals or birds customarily used as household pets obtained or transferred shall be listed, giving the breed, date the animal was obtained and transferred, and from whom the animal or bird was obtained and to whom the animal was transferred. Such record shall also show the microchip, leg band, or tattoo number of each animal or bird, where applicable. Animals or birds that do not bear such identification shall be identified by recording markings, a physical description and any other information as the commissioner deems necessary to identify such animals or birds.

IV. Keep records of all animals or birds intended for transfer indicating identification, point of origin, and recipient, and shall submit said records to the commissioner upon request.

V. Abide by such other rules as the commissioner may adopt to control disease.

437:4 Refusal to Issue; Revocation of License. The commissioner, after notice to the licensee and opportunity for hearing, as set forth in the rules adopted under RSA 437:9, may deny an application or revoke a license for any of the following reasons:

I. The applicant or licensee violated the statutes of the state of New Hampshire or of the United States or any rule adopted by the commissioner pursuant to this chapter;

II. The applicant made false or misleading statements in his or her application for a license;

III. The licensee knowingly transferred any animal affected with a communicable disease except as allowed under RSA 437:5 and RSA 437:8, II;

IV. The licensee ceased to operate the business for which the license was issued; or

V. The applicant or licensee held any similar license issued in another jurisdiction which was revoked or suspended by that jurisdiction as a result of engaging in conduct prohibited by RSA 437 during the preceding 5 years.

437:5 Prohibition. No licensee under this subdivision shall transfer, other than to a qualified veterinarian or licensed animal shelter facility, any maimed, sick, or diseased animal or bird other

than as permitted under RSA 437:8, II nor shall any licensee treat inhumanely any animal or bird in his or her care or possession or under his or her control.

437:6 Health Management; Dogs, Cats, and Ferrets.

I. Medical treatment and use of controlled drugs on any animal or bird under the care or possession or under the control of any licensee other than a veterinarian may be administered only under the direction and supervision of a veterinarian for the purposes of this subdivision.

II. Within 14 days of transfer, the transferee of a dog, cat, or ferret from a licensee may have the dog, cat, or ferret examined by a licensed veterinarian selected by the transferee and, unless said examination indicates the dog, cat, or ferret to be free of disease, the transferee shall be entitled to substitution or, at the transferee's option, a full refund of the purchase price of the dog, cat, or ferret, if applicable, upon return of the dog, cat, or ferret to the licensee within 2 business days of said examination, accompanied by the veterinarian's statement that the animal is not free of disease.

437:7 Exceptions. The license provisions of this subdivision shall not apply to breeders of dogs that do not meet the definition of commercial kennel in RSA 437:1, veterinarians, or the transfer of livestock or poultry.

437:8 Health Certificates for Dogs, Cats, and Ferrets.

I. For purposes of this chapter, an official health certificate means a certificate signed by a licensed veterinarian, containing the name and address of the entity transferring ownership of the dog, cat, or ferret, the age, gender, breed, microchip number, tattoo number, ear tag number, or physical description of the dog, cat, or ferret, and the certification of the veterinarian that the dog, cat, or ferret is free from evidence of communicable diseases or internal or external parasites. A list of all vaccines and medication administered to the dog, cat, or ferret shall be included on or attached to the certificate.

II. The original of the official health certificate accompanying the dog, cat, or ferret offered for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed,

and made available for inspection by the department, local officials, or a member of the public upon request up to one year after the animal has left the facility. The public shall be informed of their right to inspect the health certificate for each dog, cat, or ferret by a sign prominently displayed in the area where dogs, cats, or ferrets are displayed. Upon transfer of a dog, cat, or ferret, that animal's health certificate shall be given to the transferee in addition to any other documents which are customarily delivered to the transferee. The transferee may accept a dog, cat, or ferret that has a noncontagious illness, or feline leukemia virus or feline immunodeficiency virus, which has caused it to fail its examination by a licensed veterinarian for an official health certificate. The transferee shall sign a waiver that indicates the transferee has knowledge of such dog, cat, or ferret's noncontagious medical condition and then submit such waiver to the licensee who shall send a copy to the state veterinarian.

III. No person, firm, corporation, or other entity shall ship or bring into the state of New Hampshire, to offer for transfer in the state of New Hampshire, any cat, dog, or ferret less than 8 weeks of age. No person, firm, corporation, or other entity shall offer for transfer any cat, dog, or ferret less than 8 weeks of age.

IV. Once a dog, cat, or ferret intended for transfer has entered the state, it shall be held at least 48 hours at a facility licensed under RSA 437 or at a facility operated by a licensed veterinarian separated from other animals on the premises before being offered for transfer.

437:9 Rulemaking Authority. The commissioner may adopt rules, pursuant to RSA 541-A, relative to:

- I. The information required from an applicant for a license as a pet vendor;
- II. The health and sanitation standards to effectuate the purposes of this subdivision;
- III. Information required to be maintained in records of pet vendors regarding identifying features of animals or birds obtained and transferred;
- IV. Notice and hearing on the refusal to issue or the revocation of a license; and
- V. Any other matter the commissioner may deem necessary to carry out the provisions of

<p>this subdivision.</p> <p>437:10 Penalty.</p> <p>I. Any pet vendor who transfers live animals or birds customarily used as household pets in this state without having a license to do so as required by this chapter shall be guilty of a misdemeanor.</p> <p>II. In addition to the penalty under paragraph I, any pet vendor who violates any of the provisions of this subdivision or rule adopted under it may be subject to an administrative fine levied by the commissioner, not to exceed \$1,000 for each violation.</p>	
<p>13 Department of Agriculture; Pet Vendors; Cross Reference Changed. Amend RSA 437:22, I to read as follows:</p> <p>I. It shall be unlawful for any agent acting on behalf of an animal shelter facility as defined in [RSA 437:2, I] RSA 437:1, I, or an animal care center as defined in RSA 437:18, III, to give, release, sell, trade or transfer with or without a fee any live animal brought, caught, detained, obtained or procured by any means, to any association, corporation, individual, educational institution, laboratory, medical facility, or anyone else, for the purpose of experimentation or vivisection.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>14 Liquor Commission Fund; Cost of Legal Services, Judgments, Settlements. For the biennium ending June 30, 2019, the following shall be paid from the liquor commission fund established in RSA 176:16:</p> <p>I. The cost of any legal services provided by the department of justice to the liquor commission that would not normally be included as part of the statewide cost allocation paid by the commission.</p> <p>II. The cost of any judgment against the liquor commission.</p> <p>III. The cost of any liability of the liquor commission resulting from the settlement of any legal action.</p>	<p>AMENDED BY THE SENATE</p> <p>12 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2019, the liquor commission shall reimburse the cost for any legal services provided by the department of justice to the commission that would not normally be included as part of the statewide cost allocation paid by the commission.</p>

<p>15 Judicial Appointments; Number Limited; Vacancies. For the biennium ending June 30, 2019, the number of judges serving on the superior court shall not exceed 21 and the number of full-time judges serving on the circuit court shall not exceed 31.</p>	<p>AMENDED BY THE SENATE (ALSO SEE HOUSE SECTION 142)</p> <p>13 Judicial Appointments; Number Limited; Conversion Suspended.</p> <p>I. For the biennium ending June 30, 2019, the number of judges serving on the superior court shall not exceed 21 and the number of full-time judges serving on the circuit court shall not exceed 33.</p> <p>II. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time judicial position, is hereby suspended for the biennium ending June 30, 2019.</p>
<p>16 Judicial Branch; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2019, the supreme court is hereby authorized to transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.</p>	<p>14 Judicial Branch; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2019, the supreme court is hereby authorized to transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.</p>
<p>17 References Changed; Resources and Economic Development to Natural and Cultural Resources or Business and Economic Affairs.</p> <p>I. Amend the following RSA provisions by replacing "resources and economic development" with "natural and cultural resources": RSA 1:16; 2:1; 2:5; 4:40; 4:43, III; 4-F:1; 6:12, I(b)(9); 6:12, I(b)(13); 6:12, I(b)(46); 6:12-c, II; the chapter heading of 12-A; 12-A:1-a; 12-A:2; 12-A:2-c, I; 12-A:2-d; 12-A:2-i; 12-A:4; the introductory paragraph of 12-A:5, I; 12-A:6; 12-A:9-b; 12-A:9-c; 12-A:10-d; 12-A:10-f, I; 12-A:10-f, IV; 12-A:18; the introductory paragraph of 12-A:21; 12-A:25; 12-A:28; the introductory paragraph of 12-A:29-a; 12-A:29-b, V; 12-A:29-c; 12-B:2; 12-B:4; 12-E:1, III; 12-E:1, XIII; 12-E:4, VI(d); 12-E:6, I; 17-R:1, II(o); 21-I:18, I(e); 21-I:80, I(b); 21-O:5-a, I(c); 21-O:12,</p>	<p>AMENDED BY THE SENATE</p> <p>15 References Changed; Resources and Economic Development to Natural and Cultural Resources or Business and Economic Affairs.</p> <p>I. Amend the following RSA provisions by replacing "resources and economic development" with "natural and cultural resources": RSA 1:16; 2:1; 2:5; 4:40; 4:43, III; 4-F:1; 6:12, I(b)(9); 6:12, I(b)(13); 6:12, I(b)(46); 6:12-c, II; the chapter heading of 12-A; 12-A:1-a; 12-A:2; 12-A:2-c, I; 12-A:2-d; 12-A:2-i; 12-A:4; the introductory paragraph of 12-A:5, I; 12-A:6; 12-A:9-b; 12-A:9-c; 12-A:10-d; 12-A:10-f, I; 12-A:10-f, IV; 12-A:18; the introductory paragraph of 12-A:21; 12-A:25; 12-A:28; the introductory paragraph of 12-A:29-a; 12-A:29-b, V; 12-A:29-c; 12-B:2; 12-B:4; 12-E:1, III; 12-E:1, XIII; 12-E:4, VI(d); 12-E:6, I; 17-R:1, II(o); 21-I:18, I(e); 21-I:80, I(b); 21-O:5-a, I(c); 21-O:12,</p>

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II; 21-P:48, I(j); 21-P:48, IV(v); 31:112, I; 36-A:2; 36-A:6; 78-A:3, III(b); 79:8; 79:10, I(g); 79:11, I; 79:14, II; 79:28-a; 79-A:3, II(e); 100-A:1, VII-a(b); 121:6-a; 125-N:5, I; 154:30-g; 162-H:3, I(c); 207:31; 212:10; 212:14, 212:19; 214:14-c; 215-A; 215-C; 216; 216-A; 216-D:2; 216-D:4; 216-F:1, I; 216-F:4; 216-F:6; 216-F:7, I(c); 216-H:2; 216-J:2, I(e); 217-A:3; 218:6; 219:21; 277:1; 227:3; 227:8; 227:12; 227:14; 227-B:3, I(g); 227-B:6, V-VI; 227-C:29, I(c); 227-D:2; 227-D:3; 227-D:5; 227-D:6; 227-E:6; 227-G:2; 227-G:3, I(c); 227-J:6, II; 227-K:15; 227-L:5-a; 227-L:28; 227-L:32; 230:76; 231:153; 233:8, I; 233-A:2, I(b); 261:75-c; 265:76; 265:102, I-a; 270:107, III; 276-A:24, I; 380:7; 380:17; 380:18; 430:30, I(c); 430:54, I(c); 430:10; 430:19, II(b); 436-A:1; 482:3, I; 482:48; 482:51; 482-A:3; 482-A:14-a; 482-A:32, II(d); 483:8, II; 483:10, I; 483-A:6, III; 483-B:5, I; 483-B:9, V(a)(2)(D)(vi); 483-B:9, V(b)(2)(A); 483-B:15; 485-A:17; 485-A:22-a; 485-B:1-a; 485-G:2, I(d); and 489:6, I(a).

II. Amend the following RSA provisions by replacing "resources and economic development" with "business and economic affairs": RSA 6:12-j, V(a)(4); 12-G:43-a, I; 12-G:44, I; 12-I:1, IV; the introductory paragraph of 21-O:19, I(b); 77-E:3-c, I(a); 125-O:5-a, II(e); 126-A:4, V(b)(1); 162-A:13-d, IV(b); 162-B:4, II; 162-C:1, II; 162-L:2, II; 162-L:15, II(d); 162-N; 162-O:1, I; 162-P:1, I; 162-Q:2; 162-Q:3; 187-A:31; 187-A:32, I(a); 188-E:10-b, II(d); 188-E:22, I(d); 188-F:4; 236:86, II; 238:20, I(c); 238-A:4; 425:2-a, II; and 481:3, X-X-a.

II; 21-P:48, I(j); 21-P:48, IV(v); 31:112, I; 36-A:2; 36-A:6; 78-A:3, III(b); 79:8; 79:10, I(g); 79:11, I; 79:14, II; 79:28-a; 79-A:3, II(e); 100-A:1, VII-a(b); 121:6-a; 125-N:5, I; 154:30-g; 207:31; 212:10; 212:14, 212:19; 214:14-c; 215-A; 215-C; 216; 216-A; 216-D:2; 216-D:4; 216-F:1, I; 216-F:4; 216-F:6; 216-F:7, I(c); 216-H:2; 216-J:2, I(e); 217-A:3; 218:6; 219:21; 227:1; 227:3; 227:8; 227:12; 227:14; 227-B:3, I(g); 227-B:6, V-VI; 227-C:29, I(c); 227-D:2; 227-D:3; 227-D:5; 227-D:6; 227-E:6; 227-G:2; 227-G:3, I(c); 227-J:6, II; 227-K:15; 227-L:5-a; 227-L:28; 227-L:32; 230:76; 231:153; 233:8, I; 233-A:2, I(b); 261:75-c; 265:76; 265:102, I-a; 270:107, III; 276-A:24, I; 380:7; 380:17; 380:18; 430:30, I(c); 430:54, I(c); 430:10; 430:19, II(b); 436-A:1; 482:3, I; 482:48; 482:51; 482-A:3; 482-A:14-a; 482-A:32, II(d); 483:8, II; 483:10, I; 483-A:6, III; 483-B:5, I; 483-B:9, V(a)(2)(D)(vi); 483-B:9, V(b)(2)(A); 483-B:15; 485-A:17; 485-A:22-a; 485-B:1-a; 485-G:2, I(d); and 489:6, I(a).

II. Amend the following RSA provisions by replacing "resources and economic development" with "business and economic affairs": RSA 6:12-j, V(a)(4); 12-G:43-a, I; 12-G:44, I; 12-I:1, IV; the introductory paragraph of 21-O:19, I(b); 77-E:3-c, I(a); 125-O:5-a, II(e); 126-A:4, V(b)(1); 162-A:13-d, IV(b); 162-B:4, II; 162-L:2, II; 162-L:15, II(d); 162-N; 162-O:1, I; 162-P:1, I; 162-Q:2; 162-Q:3; 187-A:31; 187-A:32, I(a); 188-E:10-b, II(d); 188-E:22, I(d); 188-F:4; 236:86, II; 238:20, I(c); 238-A:4; 425:2-a, II; and 481:3, X-X-a.

18 Department of Natural and Cultural Resources; Establishment. Amend RSA 12-A:1 to read as follows:

12-A:1 Establishment. There shall be a department of *natural and cultural* resources [~~and economic development~~] under the executive direction of a commissioner of *natural and cultural* resources [~~and economic development~~], consisting of a division of forests and lands, [~~a division of economic development which shall include but not be limited to subdivisions of development and promotion, a division of travel and tourism development, and~~] a division of parks and recreation, *a division of libraries, a division of arts, a division of film and digital media, and a*

16 Department of Natural and Cultural Resources; Establishment. Amend RSA 12-A:1 to read as follows:

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division of historical resources, which shall also be known as the state historic preservation office. ~~[Its]~~ *The department's* purpose shall be to ensure the efficient coordinated function of the [4] **6** divisions, whereby the interests of ~~[economic development,]~~ protection and responsible management of natural **and cultural** resources, public enjoyment of state parks and forests, ~~[and promotion of travel and tourism development]~~ **the state library, arts, film and digital media, and historic resources** are each held to be of integral importance in the overall functioning of the department. **All functions of the former department of cultural resources are hereby transferred, as of July 1, 2017, to the department of natural and cultural resources.**

division of historical resources, which shall also be known as the state historic preservation office. ~~[Its]~~ *The department's* purpose shall be to ensure the efficient coordinated function of the [4] **6** divisions, whereby the interests of ~~[economic development,]~~ protection and responsible management of natural **and cultural** resources, public enjoyment of state parks and forests, ~~[and promotion of travel and tourism development]~~ **the state library, arts, film and digital media, and historic resources** are each held to be of integral importance in the overall functioning of the department. **All functions of the former department of cultural resources are hereby transferred, as of July 1, 2017, to the department of natural and cultural resources.**

19 Department of Natural and Cultural Resources; General Provisions. Amend RSA 12-A:1-b to read as follows:

17 Department of Natural and Cultural Resources; General Provisions. Amend RSA 12-A:1-b to read as follows:

12-A:1-b General Provisions.

12-A:1-b General Provisions.

I. Upon the recommendation of the commissioner of **natural and cultural** resources ~~[and economic development]~~ after consultation with division directors concerned and the advisory commission established by this chapter, the governor and council are authorized to approve revisions in internal administrative departmental organization as the governor and council find from time to time may improve or make more economical the administration of the department; provided, however, no such change shall eliminate any then existing position within the classified service unless such position shall then be vacant, or, if filled, its incumbent has been transferred to an equivalent or higher paid position of like tenure.

I. Upon the recommendation of the commissioner of **natural and cultural** resources ~~[and economic development]~~ after consultation with division directors concerned and the advisory commission established by this chapter, the governor and council are authorized to approve revisions in internal administrative departmental organization as the governor and council find from time to time may improve or make more economical the administration of the department; provided, however, no such change shall eliminate any then existing position within the classified service unless such position shall then be vacant, or, if filled, its incumbent has been transferred to an equivalent or higher paid position of like tenure.

II. With the approval of the governor and council and of the director of personnel the commissioner of **natural and cultural** resources ~~[and economic development]~~ after consultation with directors of divisions concerned and the advisory commission is authorized to transfer thereof classified personnel, appropriations or portions relating thereto as well as necessary equipment, within any division or between divisions of the department~~[- provided, however, that no such transfer shall eliminate classified positions so transferred. Vacancies in classified positions~~

II. With the approval of the governor and council and of the director of personnel the commissioner of **natural and cultural** resources ~~[and economic development]~~ after consultation with directors of divisions concerned and the advisory commission is authorized to transfer thereof classified personnel, appropriations or portions thereof relating thereto as well as necessary equipment, within any division or between divisions of the department~~[- provided, however, that no such transfer shall eliminate classified positions so transferred. Vacancies in classified~~

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~~occurring after July 1, 1961, in any department functions to be transferred to the new department of resources and economic development shall not be filled without the approval of the governor and council, provided that after written notification of vacancies to be filled are received by the governor and council from department directors, and if no action is taken on these requests within thirty days, the director of the division concerned may fill such vacancy or vacancies forthwith. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position. The authority of the governor and council to approve the filling of vacancies in the classified service after July 1, 1961 as hereinabove provided, shall terminate as of June 30, 1963].~~

~~positions occurring after July 1, 1961, in any department functions to be transferred to the new department of resources and economic development shall not be filled without the approval of the governor and council, provided that after written notification of vacancies to be filled are received by the governor and council from department directors, and if no action is taken on these requests within thirty days, the director of the division concerned may fill such vacancy or vacancies forthwith. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position. The authority of the governor and council to approve the filling of vacancies in the classified service after July 1, 1961 as hereinabove provided, shall terminate as of June 30, 1963].~~

20 Department of Natural and Cultural Resources; Powers and Duties RSA 12-A:1-c is repealed and reenacted to read as follows:

18 Department of Natural and Cultural Resources; Powers and Duties RSA 12-A:1-c is repealed and reenacted to read as follows:

12-A:1-c Powers and Duties of Department of Natural and Cultural Resources.

12-A:1-c Powers and Duties of Department of Natural and Cultural Resources.

I. The department of natural and cultural resources shall be responsible for the following general functions:

I. The department of natural and cultural resources shall be responsible for the following general functions:

- (a) Providing information services to state government.
- (b) Developing strategies for the conservation, management, and protection of the state's forests and lands and the promotion of the state's parks and recreation resources.
- (c) Developing and coordinating a statewide library service network.
- (d) Stimulating and encouraging public interest and participation in the study and presentation of the performing and fine arts.
- (e) Sponsoring state historic preservation activities.
- (f) Marketing and promotion of film and digital media for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

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- (c) Developing and coordinating a statewide library service network.
- (d) Stimulating and encouraging public interest and participation in the study and presentation of the performing and fine arts.
- (e) Sponsoring state historic preservation activities.
- (f) Marketing and promotion of film and digital media for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

II. The commissioner shall assign, with the approval of the advisory commission, such duties and functions to the 6 divisions of the department, as in his or her discretion will best effectuate the purposes, powers, and duties set forth in this section and as otherwise provided by

II. The commissioner shall assign, with the approval of the advisory commission, such duties and functions to the 6 divisions of the department, as in his or her discretion will best effectuate the purposes, powers, and duties set forth in this section and as otherwise provided by

<p>statute.</p>	<p>statute.</p>
<p>21 Department of Natural and Cultural Resources; Police Powers. Amend RSA 12-A:1-d to read as follows:</p> <p style="padding-left: 40px;">12-A:1-d Police Powers.</p> <p style="padding-left: 40px;">I. The commissioner of the department of <i>natural and cultural</i> resources [and economic development], the director of the division of parks and recreation, and the director of the division of forests and lands shall have authority as peace officers as provided in RSA 594 and may confer said authority upon certain individuals within the department of <i>natural and cultural</i> resources [and economic development], the division of parks and recreation, and the division of forests and lands. Said police powers shall be limited to the enforcement of state laws and rules of the department of <i>natural and cultural</i> resources [and economic development] on lands or property owned by, leased to, or otherwise under the control of the department of <i>natural and cultural</i> resources [and economic development]. Nothing herein shall limit the police powers of employees of the department of <i>natural and cultural</i> resources [and economic development] as provided for in RSA 227-G:7, RSA 215-C:32, and RSA 215-A:16 and 17.</p> <p style="padding-left: 40px;">II. By written agreement executed by the commissioner of the department of <i>natural and cultural</i> resources [and economic development], any authorized municipal official may utilize the summons procedures under RSA 31:39-d to cite individuals for violations of state park administrative rules or forests and lands administrative rules, or both. Authorized municipalities acting under this paragraph shall retain 100 percent of any fine collected in accordance with the schedule of administrative fines of the department of <i>natural and cultural</i> resources [and economic development].</p>	<p>19 Department of Natural and Cultural Resources; Police Powers. Amend RSA 12-A:1-d to read as follows:</p> <p style="padding-left: 40px;">12-A:1-d Police Powers.</p> <p style="padding-left: 40px;">I. The commissioner of the department of <i>natural and cultural</i> resources [and economic development], the director of the division of parks and recreation, and the director of the division of forests and lands shall have authority as peace officers as provided in RSA 594 and may confer said authority upon certain individuals within the department of <i>natural and cultural</i> resources [and economic development], the division of parks and recreation, and the division of forests and lands. Said police powers shall be limited to the enforcement of state laws and rules of the department of <i>natural and cultural</i> resources [and economic development] on lands or property owned by, leased to, or otherwise under the control of the department of <i>natural and cultural</i> resources [and economic development]. Nothing herein shall limit the police powers of employees of the department of <i>natural and cultural</i> resources [and economic development] as provided for in RSA 227-G:7, RSA 215-C:32, and RSA 215-A:16 and 17.</p> <p style="padding-left: 40px;">II. By written agreement executed by the commissioner of the department of <i>natural and cultural</i> resources [and economic development], any authorized municipal official may utilize the summons procedures under RSA 31:39-d to cite individuals for violations of state park administrative rules or forests and lands administrative rules, or both. Authorized municipalities acting under this paragraph shall retain 100 percent of any fine collected in accordance with the schedule of administrative fines of the department of <i>natural and cultural</i> resources [and economic development].</p>
<p>22 New Section; Department of Natural and Cultural Resources; Duties of Commissioner. Amend RSA 12-A by inserting after section 2-j the following new section:</p> <p style="padding-left: 40px;">12-A:2-k Duties of Commissioner. In addition to the powers, duties, and functions otherwise vested by law in the commissioner of the department of natural and cultural resources, the</p>	<p>20 New Section; Department of Natural and Cultural Resources; Duties of Commissioner. Amend RSA 12-A by inserting after section 2-j the following new section:</p> <p style="padding-left: 40px;">12-A:2-k Duties of Commissioner. In addition to the powers, duties, and functions otherwise vested by law in the commissioner of the department of natural and cultural resources, the</p>

commissioner shall:

I. Represent the public interest in the administration of the department and be responsible to the governor, the general court, and the public for such administration.

II. Except as otherwise provided for in this chapter, have the authority to adopt rules, pursuant to RSA 541-A, necessary to assure the continuance or granting of federal funds or other assistance intended to promote library service, the arts, or historic preservation efforts not otherwise provided for by law.

III. Have the authority to establish a unit within the office of the commissioner to provide for internal department administrative functions, including financial, personnel, and other management functions.

IV. Have authority, with regard to the administration of RSA 19-A, and with the approval of a majority of the members of the New Hampshire state council on the arts as established by RSA 19-A:2, to:

(a) Accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of furthering the educational objectives of the programs established pursuant to RSA 19-A.

(b) Make and sign any agreements and to do and perform any acts that may be necessary, desirable, or proper to carry out the purposes of RSA 19-A.

(c) Request and receive from any department, division, board, bureau, commission, or other agency of the state such assistance and data as will enable the commissioner to carry out properly the powers and duties under this chapter.

(d) Receive funds provided by the National Endowment for the Arts under the National Foundation on the Arts and the Humanities Act of 1965, and under such additional federal legislation and state appropriations as may be enacted.

(e) Allocate and disburse said funds by entering into contracts and agreements with any department, agency, or subdivision of federal, state, county, or municipal government or any

commissioner shall:

I. Represent the public interest in the administration of the department and be responsible to the governor, the general court, and the public for such administration.

II. Except as otherwise provided for in this chapter, have the authority to adopt rules, pursuant to RSA 541-A, necessary to assure the continuance or granting of federal funds or other assistance intended to promote library service, the arts, or historic preservation efforts not otherwise provided for by law.

III. Have the authority to establish a unit within the office of the commissioner to provide for internal department administrative functions, including financial, personnel, and other management functions.

IV. Have authority, with regard to the administration of RSA 19-A, and with the approval of a majority of the members of the New Hampshire state council on the arts as established by RSA 19-A:2, to:

(a) Accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of furthering the educational objectives of the programs established pursuant to RSA 19-A.

(b) Make and sign any agreements and to do and perform any acts that may be necessary, desirable, or proper to carry out the purposes of RSA 19-A.

(c) Request and receive from any department, division, board, bureau, commission, or other agency of the state such assistance and data as will enable the commissioner to carry out properly the powers and duties under this chapter.

(d) Receive funds provided by the National Endowment for the Arts under the National Foundation on the Arts and the Humanities Act of 1965, and under such additional federal legislation and state appropriations as may be enacted.

(e) Allocate and disburse said funds by entering into contracts and agreements with any department, agency, or subdivision of federal, state, county, or municipal government or any

<p>individual, foundation, corporation, association, or public authority in order to carry out the purposes of RSA 19-A, subject to approval by the governor and council.</p>	<p>individual, foundation, corporation, association, or public authority in order to carry out the purposes of RSA 19-A, subject to approval by the governor and council.</p>
<p>23 Department of Natural and Cultural Resources; Directors of Divisions. Amend RSA 12-A:3 to read as follows:</p> <p>12-A:3 Directors of Divisions. The commissioner shall nominate for appointment by the governor and council a director of forests and lands, [a director of economic development, a director of travel and tourism development, and] a director of parks and recreation, a director of libraries, a director of arts, a director of film and digital media, and a director of historical resources, each of whom shall serve, subject to the provisions of RSA 4:1, for a term of 4 years from the date of appointment and until a successor is appointed and qualified. Any vacancy in such office shall be filled for the unexpired term in the same manner as the original appointment. Directors of divisions shall be responsible for the administration and operation of their respective divisions subject to the supervisory authority of the commissioner as set forth in RSA 12-A:2.</p>	<p>21 Department of Natural and Cultural Resources; Directors of Divisions. Amend RSA 12-A:3 to read as follows:</p> <p>12-A:3 Directors of Divisions. The commissioner shall nominate for appointment by the governor and council a director of forests and lands, [a director of economic development, a director of travel and tourism development, and] a director of parks and recreation, a director of libraries, a director of arts, a director of film and digital media, and a director of historical resources, each of whom shall serve, subject to the provisions of RSA 4:1, for a term of 4 years from the date of appointment and until a successor is appointed and qualified. Any vacancy in such office shall be filled for the unexpired term in the same manner as the original appointment. Directors of divisions shall be responsible for the administration and operation of their respective divisions subject to the supervisory authority of the commissioner as set forth in RSA 12-A:2.</p>
<p>24 Department of Natural and Cultural Resources; Advisory Commission. Amend RSA 12-A:5, III to read as follows:</p> <p>III. Members of the commission shall be residents of the state of New Hampshire, at least one of whom shall be qualified, experienced, and representative of each of the following:</p> <ul style="list-style-type: none"> (a) [Manufacturing] Fine arts; (b) Agriculture; (c) Recreation; (d) Forestry; (e) The general public; (f) [Commerce] History or historical resources; and (g) Public relations. 	<p>22 Department of Natural and Cultural Resources; Advisory Commission. Amend RSA 12-A:5, III to read as follows:</p> <p>III. Members of the commission shall be residents of the state of New Hampshire, at least one of whom shall be qualified, experienced, and representative of each of the following:</p> <ul style="list-style-type: none"> (a) [Manufacturing] Fine arts; (b) Agriculture; (c) Recreation; (d) Forestry; (e) The general public; (f) [Commerce] History or historical resources; and (g) Public relations.
<p>25 Director of Division of Forests and Lands. Amend RSA 12-A:9-a, I to read as follows:</p>	<p>23 Director of Division of Forests and Lands. Amend RSA 12-A:9-a, I to read as follows:</p>

<p>I. [The] <i>There shall be a</i> director of [the division of resources development in office on the effective date of this section shall continue in office as director of] the division of forests and lands subject to the provisions of this chapter. [His] <i>The director's</i> tenure and salary shall be as [has been established for the director of the division of resources development. All of the powers, duties and functions heretofore performed by the director of the division of resources development pursuant to any provisions of the statutes shall henceforth be performed by the director of the division of forests and lands subject to the provisions of this chapter. Wherever reference is made to the director of the division of resources development, it shall henceforth be construed to mean the director, division of forests and lands, department of resources and economic development] <i>established in this chapter.</i></p>	<p>I. [The] <i>There shall be a</i> director of [the division of resources development in office on the effective date of this section shall continue in office as director of] the division of forests and lands subject to the provisions of this chapter. [His] <i>The director's</i> tenure and salary shall be as [has been established for the director of the division of resources development. All of the powers, duties and functions heretofore performed by the director of the division of resources development pursuant to any provisions of the statutes shall henceforth be performed by the director of the division of forests and lands subject to the provisions of this chapter. Wherever reference is made to the director of the division of resources development, it shall henceforth be construed to mean the director, division of forests and lands, department of resources and economic development] <i>established in this chapter.</i></p>
<p>26 Director of Parks and Recreation. Amend RSA 12-A:10 to read as follows: 12-A:10 Director of Parks <i>and Recreation</i>[-Initial Appointment and Tenure]. [The director of recreation in office on the effective date of this act shall continue in office as] <i>There shall be a</i> director of the division of parks <i>and recreation</i> subject to the provisions of this [act] <i>chapter.</i> [His] <i>The director's</i> tenure and salary shall be as herein established for the director of the division of parks <i>and recreation.</i> All of the powers, duties, and functions [heretofore] <i>formerly</i> performed by the director of recreation pursuant to any provision of the statutes shall henceforth be performed by the director of parks <i>and recreation</i> subject to the provisions of this [act] <i>chapter.</i> Wherever reference is made to the director of recreation in any provision of the statutes it shall henceforth be construed to mean the director, division of parks <i>and recreation,</i> within the department of <i>natural and cultural</i> resources [and economic development].</p>	<p>24 Director of Parks and Recreation. Amend RSA 12-A:10 to read as follows: 12-A:10 Director of Parks <i>and Recreation</i>[-Initial Appointment and Tenure]. [The director of recreation in office on the effective date of this act shall continue in office as] <i>There shall be a</i> director of the division of parks <i>and recreation</i> subject to the provisions of this [act] <i>chapter.</i> [His] <i>The director's</i> tenure and salary shall be as herein established for the director of the division of parks <i>and recreation.</i> All of the powers, duties, and functions [heretofore] <i>formerly</i> performed by the director of recreation pursuant to any provision of the statutes shall henceforth be performed by the director of parks <i>and recreation</i> subject to the provisions of this [act] <i>chapter.</i> Wherever reference is made to the director of recreation in any provision of the statutes it shall henceforth be construed to mean the director, division of parks <i>and recreation,</i> within the department of <i>natural and cultural</i> resources [and economic development].</p>
<p>27 Division of Parks and Recreation. Amend RSA 12-A:10-a to read as follows: 12-A:10-a Division of Parks <i>and Recreation;</i> Transfer of Functions, Powers, Duties. All of the functions, powers, duties, personnel, records, and property of the <i>former</i> division of parks are hereby transferred to the division of parks and recreation of the department of <i>natural and cultural</i> resources [and economic development]. Whenever reference is made to the division of</p>	<p>25 Division of Parks and Recreation. Amend RSA 12-A:10-a to read as follows: 12-A:10-a Division of Parks <i>and Recreation;</i> Transfer of Functions, Powers, Duties. All of the functions, powers, duties, personnel, records, and property of the <i>former</i> division of parks are hereby transferred to the division of parks and recreation of the department of <i>natural and cultural</i> resources [and economic development]. Whenever reference is made to the division of</p>

<p>parcs in the statutes, it shall henceforth be construed to mean the division of parks and recreation.</p>	<p>parcs in the statutes, it shall henceforth be construed to mean the division of parks and recreation.</p>
<p>28 Director of Parks and Recreation. Amend RSA 12-A:10-b to read as follows: 12-A:10-b Director of Parks and Recreation; Initial Appointment and Tenure. [The director of the division of parks in office on the effective date of this section shall continue in office as] There shall be a director of the division of parks and recreation subject to the provisions of this chapter. [His] The director's tenure and salary shall be as has been established [for the director of the division of parks] in this chapter. All of the powers, duties, and functions [heretofore] formerly performed by the director of the division of parks pursuant to any provisions of the statutes shall henceforth be performed by the director of the division of parks and recreation subject to the provisions of this chapter. Wherever reference is made to the director of the division of parks, it shall henceforth be construed to mean the director, division of parks and recreation, department of natural and cultural resources [and economic development].</p>	<p>26 Director of Parks and Recreation. Amend RSA 12-A:10-b to read as follows: 12-A:10-b Director of Parks and Recreation; Initial Appointment and Tenure. [The director of the division of parks in office on the effective date of this section shall continue in office as] There shall be a director of the division of parks and recreation subject to the provisions of this chapter. [His] The director's tenure and salary shall be as has been established [for the director of the division of parks] in this chapter. All of the powers, duties, and functions [heretofore] formerly performed by the director of the division of parks pursuant to any provisions of the statutes shall henceforth be performed by the director of the division of parks and recreation subject to the provisions of this chapter. Wherever reference is made to the director of the division of parks, it shall henceforth be construed to mean the director, division of parks and recreation, department of natural and cultural resources [and economic development].</p>
<p>29 Reference Deleted. Amend RSA 12-A:10-e, VIII to read as follows: VIII. Work collaboratively with the division of historical resources [in the department of cultural resources], in the management of the state historic sites and the development of interpretive and visitor programs for students and the general public that will build ongoing recognition and appreciation for the state's historic sites.</p>	<p>27 Reference Deleted. Amend RSA 12-A:10-e, VIII to read as follows: VIII. Work collaboratively with the division of historical resources [in the department of cultural resources], in the management of the state historic sites and the development of interpretive and visitor programs for students and the general public that will build ongoing recognition and appreciation for the state's historic sites.</p>
<p>30 New Sections; Department of Natural and Cultural Resources; Divisions. Amend RSA 12-A by inserting after section 10-f the following new sections: 12-A:10-g Division of Libraries; Transfer of Functions, Powers, Duties. The division of libraries, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of libraries in the statutes, it shall henceforth be construed to mean the division of libraries in the department of natural and cultural resources.</p>	<p>28 New Sections; Department of Natural and Cultural Resources; Divisions. Amend RSA 12-A by inserting after section 10-f the following new sections: 12-A:10-g Division of Libraries; Transfer of Functions, Powers, Duties. The division of libraries, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of libraries in the statutes, it shall henceforth be construed to mean the division of libraries in the department of natural and cultural resources.</p>

12-A:10-h Division of Libraries; State Librarian. The division of libraries, which shall also be known as the state library, shall be under the supervision of an unclassified director of libraries, who shall also be known as the state librarian, and who shall be responsible for the following functions in accordance with applicable law:

I. Operating a state library in order to provide general and specific reference services, including, but not limited to, services designed to assist the general court and the judicial branch.

II. Operating the New Hampshire automated information system as provided for by RSA 201-A:22, I.

III. Promoting and coordinating a statewide library system.

IV. Providing for library services for persons with disabilities.

V. Otherwise administering the provisions of RSA title XVI.

VI. Administering, with advice of the state library council, all federal funds collected under RSA 201-A:13.

12-A:10-i Division of Arts; Transfer of Functions, Powers, Duties. The division of arts, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of arts in the statutes, it shall henceforth be construed to mean the division of arts in the department of natural and cultural resources.

12-A:10-j Division of Arts; Duties of Director. There is hereby established within the department the division of the arts, under the supervision of an unclassified director of arts. The director of arts shall have either a masters degree in art administration and 3 years of experience in nonprofit arts administration or at least 5 years' experience administering a major arts organization or at least 5 years' experience in public administration of a major program within a local, state, or federal arts agency. The director of arts shall be responsible for administering the provisions of RSA 19-A, with the primary goal of supporting and promoting the arts in all of their manifestations.

12-A:10-h Division of Libraries; State Librarian. The division of libraries, which shall also be known as the state library, shall be under the supervision of an unclassified director of libraries, who shall also be known as the state librarian, and who shall be responsible for the following functions in accordance with applicable law:

I. Operating a state library in order to provide general and specific reference services, including, but not limited to, services designed to assist the general court and the judicial branch.

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12-A:10-i Division of Arts; Transfer of Functions, Powers, Duties. The division of arts, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of arts in the statutes, it shall henceforth be construed to mean the division of arts in the department of natural and cultural resources.

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12-A:10-k Division of Historical Resources; Transfer of Functions, Powers, Duties. The division of historical resources, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of historical resources in the statutes, it shall henceforth be construed to mean the division of historical resources in the department of natural and cultural resources.

12-A:10-l Division of Historical Resources; Director. There is hereby established within the department the division of historical resources, which shall also be known as the state historic preservation office, under the supervision of an unclassified director of historical resources. The director of historical resources shall be responsible for administering the state historic preservation program in accordance with RSA 227-C.

12-A:10-m Division of Film and Digital Media Established. There is hereby established within the department the division of film and digital media, which shall also be known as the state film office, under the supervision of an unclassified director of film and digital media, with the primary goal of marketing and promotion of film, video, and digital media production for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

31 New Section; Commission on Native American Affairs. Amend RSA 12-A by inserting after section 14 the following new section:

12-A:14-a New Hampshire Commission on Native American Affairs Established.

I. In order to recognize the historic and cultural contributions of Native Americans to New Hampshire, to promote and strengthen their own heritage, and to further their needs through state policy and programs, there is hereby established the New Hampshire commission on Native American affairs.

II. The commission shall consist of 15 members who derive from geographically diverse areas of the state and are representative of the diverse groups, organizations, and individuals

12-A:10-k Division of Historical Resources; Transfer of Functions, Powers, Duties. The division of historical resources, with all of its functions, powers, duties, personnel, records, and property, is hereby transferred from the department of cultural resources to the department of natural and cultural resources. Whenever reference is made to the division of historical resources in the statutes, it shall henceforth be construed to mean the division of historical resources in the department of natural and cultural resources.

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II. The commission shall consist of 15 members who derive from geographically diverse areas of the state and are representative of the diverse groups, organizations, and individuals

knowledgeable about Native American history, culture, and affairs as follows:

(a) The director or designee of the division of travel and tourism development, department of business and economic affairs.

(b) The director or designee of the Native American Program at Dartmouth College.

(c) An archaeologist appointed by the director of the division of historical resources.

(d) The director or designee of the state council on the arts.

(e) Eleven members from the public at large, who shall be representatives from the Native American community, appointed by the governor from recommendations prepared by the director of the division of historical resources. All interested individuals shall submit a letter to the director of the division of historical resources stating why they wish to be considered and their qualifications accompanied by 3 letters of recommendation.

III. Each member of the commission shall serve a 3-year term, and no member shall serve more than 2 consecutive terms. A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment was made but for the unexpired term only. Initial appointments by the governor shall be for staggered terms of one, 2, or 3 years. Members of the commission shall serve without compensation.

IV. For voting purposes a quorum shall be 9 members.

V. At the first meeting, which shall be called by the first named member of the commission within 45 days after the completion of the naming of the commission members, members of the commission shall elect a chairman, secretary, and treasurer. Officers shall be elected for a one-year term but may be elected to serve an additional term. All officers of the commission shall be elected by a majority vote of the members.

VI. The commission shall:

(a) Review and study local, state, and federal issues common to Native Americans and persons of Native American descent who are residing in this state.

(b) Develop recommendations to assist state agencies with the preservation and

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(b) The director or designee of the Native American Program at Dartmouth College.

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VI. The commission shall:

(a) Review and study local, state, and federal issues common to Native Americans and persons of Native American descent who are residing in this state.

(b) Develop recommendations to assist state agencies with the preservation and

protection of Native American artifacts and burial grounds under the Native American Graves Protection and Repatriation Act of 1990, P.L. 101-601.

(c) Assist Native American groups, organizations, and individuals in New Hampshire with:

(1) Securing social services, education, employment opportunities, health care, housing, cultural opportunities, and census information as available at both the state and federal levels, including assistance in determining eligibility for the Indian Child Welfare Act of 1978, 25 U.S.C. section 1902 et seq.

(2) Establishing and/or continuing programs concerning Native American history, culture, and affairs, including those offered through the United States Department of Education Office on Indian Education pursuant to Title VII of the Elementary and Secondary Education Act established in 1972.

(3) Promoting and strengthening the creation, display, and sale of Native American arts and crafts, and providing educational information to artisans and marketing outlets promoting the legal labeling of such products as Indian or Native American produced, as provided in 18 U.S.C. section 1159(c)(3)(B) and 25 U.S.C. section 305e(d), as well as determining eligibility for the Indian Arts and Crafts Act of 1990, P.L. 101-644, and receiving assistance and support from the Indian Arts and Crafts Board, as provided in 25 U.S.C. section 305 et seq.

VII. The commission shall meet at least 4 times a year and at any other times at the request of the chairperson or by 7 members of the commission. Notice of all meetings and minutes of such meetings shall be posted on the New Hampshire department of natural and cultural resources website.

VIII. The commission may accept any gifts, grants, or donations from any public or private source, provided that such gifts, grants, or donations shall be used exclusively to advance the commission's purpose and duties. Information concerning the receipt of any gifts, grants, or donations shall be posted on the department of cultural resources website.

protection of Native American artifacts and burial grounds under the Native American Graves Protection and Repatriation Act of 1990, P.L. 101-601.

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(2) Establishing and/or continuing programs concerning Native American history, culture, and affairs, including those offered through the United States Department of Education Office on Indian Education pursuant to Title VII of the Elementary and Secondary Education Act established in 1972.

(3) Promoting and strengthening the creation, display, and sale of Native American arts and crafts, and providing educational information to artisans and marketing outlets promoting the legal labeling of such products as Indian or Native American produced, as provided in 18 U.S.C. section 1159(c)(3)(B) and 25 U.S.C. section 305e(d), as well as determining eligibility for the Indian Arts and Crafts Act of 1990, P.L. 101-644, and receiving assistance and support from the Indian Arts and Crafts Board, as provided in 25 U.S.C. section 305 et seq.

VII. The commission shall meet at least 4 times a year and at any other times at the request of the chairperson or by 7 members of the commission. Notice of all meetings and minutes of such meetings shall be posted on the New Hampshire department of natural and cultural resources website.

VIII. The commission may accept any gifts, grants, or donations from any public or private source, provided that such gifts, grants, or donations shall be used exclusively to advance the commission's purpose and duties. Information concerning the receipt of any gifts, grants, or donations shall be posted on the department of cultural resources website.

IX. Beginning November 1, 2011, and each year thereafter, the commission shall submit an annual report of its activities, findings, and recommendations to the governor, the speaker of the house of representatives, the senate president, the commissioner of the department of natural and cultural resources, and the state library. The annual report shall be approved by a majority vote of the commission and shall be posted on the department of natural and cultural resources website.

X. The commission shall be administratively attached to the department of natural and cultural resources.

XI. Nothing in the purposes and duties of the commission shall be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents. The authority to grant state tribal status or recognition under section 104 of the Indian Arts and Crafts Act of 1990, 18 U.S.C. section 1159(c)(3)(B), is reserved solely to the New Hampshire general court.

IX. Beginning November 1, 2011, and each year thereafter, the commission shall submit an annual report of its activities, findings, and recommendations to the governor, the speaker of the house of representatives, the senate president, the commissioner of the department of natural and cultural resources, and the state library. The annual report shall be approved by a majority vote of the commission and shall be posted on the department of natural and cultural resources website.

X. The commission shall be administratively attached to the department of natural and cultural resources.

XI. Nothing in the purposes and duties of the commission shall be interpreted to provide any Native American with any other special rights or privileges that the state does not confer on or grant to other state residents. The authority to grant state tribal status or recognition under section 104 of the Indian Arts and Crafts Act of 1990, 18 U.S.C. section 1159(c)(3)(B), is reserved solely to the New Hampshire general court.

32 New Section; Film and Television Commission. Amend RSA 12-A by inserting after section 41-a the following new section:

12-A:41-b New Hampshire Film and Television Commission Established; Members; Duties.

I. There is established a New Hampshire film and television commission within the department of natural and cultural resources. The purposes of the commission shall be:

(a) To promote the economic development of the film and television industry in New Hampshire.

(b) To promote the utilization of location sites by the film and television industry in the state of New Hampshire.

(c) To increase the use of New Hampshire hotels, restaurants, and local businesses by visiting film and television production companies.

II. The commission shall:

(a) Identify opportunities for activities related to the film and television industries.

30 New Section; Film and Television Commission. Amend RSA 12-A by inserting after section 41-a the following new section:

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(c) To increase the use of New Hampshire hotels, restaurants, and local businesses by visiting film and television production companies.

II. The commission shall:

(a) Identify opportunities for activities related to the film and television industries.

(b) Recommend both long-range and short-term programs that will result in economic gain for the state.

(c) Educate state, local, and private officials and organizations regarding the benefits and rewards that can result from increased development of this industry.

(d) Secure sites, as appropriate, within the state suitable for filming by the motion picture industry, the television industry, independent film producers, and other filmmakers.

III. Members of the commission shall be as follows:

(a) Five members appointed by the commissioner of the department of natural and cultural resources:

(1) Three members representing the film and television industry.

(2) Two members of the general public with an interest in the film industry.

(b) The commissioner of the department of natural and cultural resources, or designee.

(c) The commissioner of safety, or designee.

(d) The executive director of the fish and game department, or designee.

(e) A representative of the New Hampshire Association of Chamber of Commerce Executives, appointed by that organization.

(f) A representative the New Hampshire Municipal Association, appointed by that organization.

(g) A representative of the New Hampshire Police Chiefs' Association, appointed by that organization.

(h) A member of the senate, appointed by the senate president.

(i) A member of the house of representatives, appointed by the speaker of the house of representatives.

IV. Members appointed under subparagraph III(a) shall serve as voting members of the commission; all other members shall serve as nonvoting members of the commission. The term of office for members shall be 3 years and until a successor is appointed, except that members of the

(b) Recommend both long-range and short-term programs that will result in economic gain for the state.

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executive branch and legislature shall serve a term coterminous with their appointment or term in office. The initial members of the commission shall serve staggered terms. Vacancies shall be filled in the same manner and for the unexpired terms. The members of the commission shall serve without compensation, but shall be reimbursed for necessary travel and other necessary expenses. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.

V. The members shall annually elect a person from among its membership to act as chairperson.

VI. The department of natural and cultural resources shall cooperate with the commission and shall provide necessary information and staff support.

33 Reference Changed. Amend RSA 21-Q:1 to read as follows:

21-Q:1 State Promotional Initiatives. In consultation with the New Hampshire film and television commission, established in RSA [~~21-K:23~~] **12-A:41-b**, a state agency that contracts with the private sector for the use of film or video in an advertising, promotional, or educational program shall use New Hampshire talent whenever possible. In this section, "New Hampshire talent" means the people used both in front of and behind the camera associated with the film and television industry.

34 Reference Changed. Amend RSA 201-A:1 to read as follows:

201-A:1 State Library. There shall be a state library as provided for in RSA [~~21-K:5~~] **12-A:10-h**. The state library shall be the official clearinghouse of state government information.

35 Reference Changed. Amend RSA 227-C:2 to read as follows:

227-C:2 State Historic Preservation Office. The division of historical resources, department of **natural and** cultural resources established by RSA [~~21-K:7~~] **12-A:10-l** shall also be known as the state historic preservation office. The director, division of historical resources shall also be known as the state historic preservation officer.

executive branch and legislature shall serve a term coterminous with their appointment or term in office. The initial members of the commission shall serve staggered terms. Vacancies shall be filled in the same manner and for the unexpired terms. The members of the commission shall serve without compensation, but shall be reimbursed for necessary travel and other necessary expenses. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.

V. The members shall annually elect a person from among its membership to act as chairperson.

VI. The department of natural and cultural resources shall cooperate with the commission and shall provide necessary information and staff support.

31 Reference Changed. Amend RSA 21-Q:1 to read as follows:

21-Q:1 State Promotional Initiatives. In consultation with the New Hampshire film and television commission, established in RSA [~~21-K:23~~] **12-A:41-b**, a state agency that contracts with the private sector for the use of film or video in an advertising, promotional, or educational program shall use New Hampshire talent whenever possible. In this section, "New Hampshire talent" means the people used both in front of and behind the camera associated with the film and television industry.

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36 Reference Changed. Amend RSA 238:23, I to read as follows:

I. The commissioner of the department of transportation, with the advice of the commissioner of ~~[the department of resources and economic development and the commissioner of]~~ the department of **natural and** cultural resources, is authorized to apply for and accept gifts, grants, donations, and contributions from any source, public or private, in the name of the state and to provide for technical and administrative support consistent with the resources provided to the program under this section. Any moneys accepted shall be continually and solely appropriated for the purpose of this subdivision.

37 Conservation Number Plate Fund. Amend RSA 261:97-b, I to read as follows:

I. There is hereby established a conservation number plate fund under the administration of the commissioner of safety. The fund shall be used for the promotion, protection, and investment in the state's natural, cultural, and historic resources. The fund shall be nonlapsing. The commissioner of safety shall distribute the funds annually on August 1, except as provided in paragraph I-a, as follows: \$5,000 of every \$100,000 received, up to a total of \$50,000, shall be distributed to the department of transportation for the expanded wild flower establishment program for use in planting lilacs and native wild flowers; \$1 for every new, renewal, and transfer of registration, up to a total of \$50,000, shall be placed in a nonlapsing account for use by the department of **natural and cultural** resources ~~[and economic development]~~ to promote the conservation number plate program; the remainder shall be distributed ~~[equally among]~~ **as follows:**

- (a) **Forty percent to** the department of **natural and** cultural resources^[5];
- (b) **Twenty percent to** the department of fish and game~~[,the department of resources and economic development,];~~
- (c) **Twenty percent to** the state conservation committee^[5]; and
- (d) **Twenty percent to** the New Hampshire land and community heritage investment authority.

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I. The commissioner of the department of transportation, with the advice of the commissioner of ~~[the department of resources and economic development and the commissioner of]~~ the department of **natural and** cultural resources, is authorized to apply for and accept gifts, grants, donations, and contributions from any source, public or private, in the name of the state and to provide for technical and administrative support consistent with the resources provided to the program under this section. Any moneys accepted shall be continually and solely appropriated for the purpose of this subdivision.

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- (a) **Forty percent to** the department of **natural and** cultural resources^[5];
- (b) **Twenty percent to** the department of fish and game~~[,the department of resources and economic development,];~~
- (c) **Twenty percent to** the state conservation committee^[5]; and
- (d) **Twenty percent to** the New Hampshire land and community heritage investment authority.

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38 Conservation Number Plates; Use of Funds. Amend RSA 261:97-c, I to read as follows:

I. The funds transferred to the department of *natural and* cultural resources shall be used to promote the use and conservation of cultural resources in New Hampshire and to preserve the cultural heritage that belongs to all New Hampshire citizens by providing for:

(a) The preservation of significant publicly-owned historic properties. Such properties shall be at least 50 years old and listed or eligible for listing in the National Register of Historic Places.

(b) The conservation and preservation of significant publicly-owned works of art, artifacts, and documents that contribute to New Hampshire's cultural heritage. This shall include but not be limited to:

(1) Commemorative and historic sculptures and murals.

(2) Archaeological or historic artifacts.

(3) Original or one-of-a-kind documents.

(c) The purchase by the state of historic properties or works of art, artifacts, and documents that contribute to New Hampshire's cultural heritage.

(d) Support of the New Hampshire natural heritage bureau established in RSA 217-A, within the division of forests and lands. Funds may be used for:

(1) Management measures, including applied field research, necessary to maintain and promote native plant species, natural plant communities, and species and habitat protection and management.

(2) Providing information to resource professionals, landowners, and school children to enhance awareness and promote protection of New Hampshire's native plant species and natural plant communities.

(e) Within the division of parks and recreation, the restoration of historic sites and buildings on New Hampshire state parks land.

(f) Promotion of the conservation number plate program.

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(e) Within the division of parks and recreation, the restoration of historic sites and buildings on New Hampshire state parks land.

(f) Promotion of the conservation number plate program.

<p>39 Conservation Number Plates; Report. Amend RSA 261:97-f, I to read as follows:</p> <p>I. The members representing the department of transportation, the department of <i>natural and</i> cultural resources, the department of fish and game, the state conservation committee, [the department of resources and economic development,] and the department of safety shall each submit a report to the New Hampshire conservation number plate advisory committee chairperson no later than October 1 of each year. The committee chairperson shall compile the 6 reports as a unified report and submit the unified report to the governor, senate president, and the speaker of the house no later than December 31 of each year.</p>	<p>37 Conservation Number Plates; Report. Amend RSA 261:97-f, I to read as follows:</p> <p>I. The members representing the department of transportation, the department of <i>natural and</i> cultural resources, the department of fish and game, the state conservation committee, [the department of resources and economic development,] and the department of safety shall each submit a report to the New Hampshire conservation number plate advisory committee chairperson no later than October 1 of each year. The committee chairperson shall compile the 6 reports as a unified report and submit the unified report to the governor, senate president, and the speaker of the house no later than December 31 of each year.</p>
<p>40 Repeal. The following are repealed:</p> <p>I. RSA 6:12, I(b)(222), relative to the department of cultural resources donations fund.</p> <p>II. RSA 12-A:1-e, relative to joint promotional program.</p> <p>III. RSA 12-A:2-e, relative to the New Hampshire economic development fund.</p> <p>IV. RSA 12-A:2-f, relative to the review committee for the New Hampshire economic development fund.</p> <p>V. RSA 12-A:2-g, relative to the New Hampshire-Canadian trade council.</p> <p>VI. RSA 12-A:2-h, relative to international trade promotion.</p> <p>VII. RSA 12-A:2-j, relative to workforce development.</p> <p>VIII. RSA 12-A:7, relative to the planning and development commission.</p> <p>IX. RSA 12-A:8, relative to the forestry and recreation commission.</p> <p>X. RSA 12-A:8-a, relative to the division of resources development.</p> <p>XI. RSA 12-A:13, relative to northern county area industrial agent.</p> <p>XII. RSA 12-A:15-a, relative to the travel and tourism revolving fund.</p> <p>XIII. RSA 12-A:22, relative to director of economic development.</p> <p>XIV. RSA 12-A:22-a, relative to economic development advisory council.</p> <p>XV. RSA 12-A:23, relative to New Hampshire tourism policy.</p> <p>XVI. RSA 12-A:30, relative to the advisory committee on international trade.</p>	<p>38 Repeal. The following are repealed:</p> <p>I. RSA 6:12, I(b)(222), relative to the department of cultural resources donations fund.</p> <p>II. RSA 12-A:1-e, relative to joint promotional program.</p> <p>III. RSA 12-A:2-e, relative to the New Hampshire economic development fund.</p> <p>IV. RSA 12-A:2-f, relative to the review committee for the New Hampshire economic development fund.</p> <p>V. RSA 12-A:2-g, relative to the New Hampshire-Canadian trade council.</p> <p>VI. RSA 12-A:2-h, relative to international trade promotion.</p> <p>VII. RSA 12-A:2-j, relative to workforce development.</p> <p>VIII. RSA 12-A:7, relative to the planning and development commission.</p> <p>IX. RSA 12-A:8, relative to the forestry and recreation commission.</p> <p>X. RSA 12-A:8-a, relative to the division of resources development.</p> <p>XI. RSA 12-A:13, relative to northern county area industrial agent.</p> <p>XII. RSA 12-A:15-a, relative to the travel and tourism revolving fund.</p> <p>XIII. RSA 12-A:22, relative to director of economic development.</p> <p>XIV. RSA 12-A:22-a, relative to economic development advisory council.</p> <p>XV. RSA 12-A:23, relative to New Hampshire tourism policy.</p> <p>XVI. RSA 12-A:30, relative to the advisory committee on international trade.</p>

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XVII. RSA 12-A:31, relative to the international trade promotion fund.

XVIII. RSA 12-A:32, relative to the economic development matching grants program.

XIX. RSA 12-A:33, relative to reports on economic development program loans and grants.

XX. RSA 12-A:34, relative to requirement for review of reports.

XXI. RSA 12-A:35, relative to limitation on application.

XXII. RSA 12-A:36, relative to small business innovation research support.

XXIII. RSA 12-A:37, relative to recognition of federal grant recipients.

XXIV. RSA 12-A:38, relative to matching grants.

XXV. RSA 12-A:39, relative to seminars.

XXVI. RSA 12-A:40, relative to grant information.

XXVII. RSA 12-A:43, relative to duties of director of travel and tourism development.

XXVIII. RSA 12-A:43-a, relative to the travel and tourism development fund.

XXIX. RSA 12-A:43-b, relative to rest areas and welcome centers.

XXX. RSA 12-A:45, relative to telecommunications planning and development initiative.

XXXI. RSA 12-A:45-a, relative to telecommunications planning and development fund.

XXXII. RSA 12-A:46, relative to telecommunications planning and development advisory committee.

XXXIII. RSA 12-A:47, relative to statutory construction related to telecommunications.

XXXIV. RSA 12-A:48, relative to authority of director of travel and tourism development to acquire information.

XXXV. RSA 12-A: 49, relative to confidentiality.

XXXVI. RSA 12-A:51, relative to establishment of job training program for economic growth.

XXXVII. RSA 12-A:52, relative to the purpose of job training program for economic growth.

XXXVIII. RSA 12-A:53, relative to job training programs.

XVII. RSA 12-A:31, relative to the international trade promotion fund.

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XXXVIII. RSA 12-A:53, relative to job training programs.

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<p>XXXIX. RSA 12-A:54, relative administration and review committee.</p> <p>XL. RSA 12-A:55, relative to eligibility for training grants.</p> <p>XLI. RSA 12-A:56, relative to eligible costs.</p> <p>XLII. RSA 12-A:57, relative to training facilities.</p> <p>XLIII. RSA 12-A:58, relative to performance reports.</p> <p>XLIV. RSA 12-A:59, relative to technology development and communications planning.</p> <p>XLV. RSA 12-A:59-a, relative to director of broadband technology planning and development.</p> <p>XLVI. RSA 12-A:60, relative to New Hampshire workforce opportunity council.</p> <p>XLVII. RSA 12-A:61, relative to New Hampshire workforce opportunity fund.</p> <p>XLVIII. RSA 12-A:62, relative to economic development strategy and plan.</p> <p>XLIX. RSA 12-A:63, relative to definitions.</p> <p>L. RSA 12-A:64, relative to goals and objectives.</p> <p>LI. RSA 12-A:65, relative to content of the economic development strategy and plan.</p> <p>LII. RSA 12-A:66, relative to annual report.</p> <p>LIII. RSA12-A:67, relative to division of economic development fund.</p> <p>LIV. RSA 21-K, relative to the department of cultural resources.</p> <p>LV. RSA 261:97-c, IV, relative to conservation number plate funds.</p> <p>LVI. RSA 261:97-d, I(d), relative to the conservation number plate advisory committee.</p> <p>LVII. RSA 4-F:1, II(a)(11), relative to GIS committee members.</p>	<p>XXXIX. RSA 12-A:54, relative administration and review committee.</p> <p>XL. RSA 12-A:55, relative to eligibility for training grants.</p> <p>XLI. RSA 12-A:56, relative to eligible costs.</p> <p>XLII. RSA 12-A:57, relative to training facilities.</p> <p>XLIII. RSA 12-A:58, relative to performance reports.</p> <p>XLIV. RSA 12-A:59, relative to technology development and communications planning.</p> <p>XLV. RSA 12-A:59-a, relative to director of broadband technology planning and development.</p> <p>XLVI. RSA 12-A:60, relative to New Hampshire workforce opportunity council.</p> <p>XLVII. RSA 12-A:61, relative to New Hampshire workforce opportunity fund.</p> <p>XLVIII. RSA 12-A:62, relative to economic development strategy and plan.</p> <p>XLIX. RSA 12-A:63, relative to definitions.</p> <p>L. RSA 12-A:64, relative to goals and objectives.</p> <p>LI. RSA 12-A:65, relative to content of the economic development strategy and plan.</p> <p>LII. RSA 12-A:66, relative to annual report.</p> <p>LIII. RSA12-A:67, relative to division of economic development fund.</p> <p>LIV. RSA 21-K, relative to the department of cultural resources.</p> <p>LV. RSA 261:97-c, IV, relative to conservation number plate funds.</p> <p>LVI. RSA 261:97-d, I(d), relative to the conservation number plate advisory committee.</p> <p>LVII. RSA 4-F:1, II(a)(11), relative to GIS committee members.</p>
<p>41 References Changed; Cultural Resources to Natural and Cultural Resources. Amend the following RSA provisions by replacing "cultural resources" with "natural and cultural resources": 4:8-a, I; 4:9-c, I(i); 4-F:1, II(a)(4); 6:12-j, V(d)(1); 12-A:10-e, VIII; 17-R:1, II(n); 19-A:5, IV; 19-A:8, II; 19-A:10, IV; 79-D:14, II; 79-G:3, IV(b); 94:1-a, I(b) grades DD and GG; 162-C:1, X; 162-H:3, I(e); 201-A:22, I; 201-A:23, II; 201-B:3; 201-D:1, IV; the introductory paragraph of 201-E:7; 202-A:12;</p>	<p>AMENDED BY THE SENATE</p> <p>39 References Changed; Cultural Resources to Natural and Cultural Resources. Amend the following RSA provisions by replacing "cultural resources" with "natural and cultural resources": 4:8-a, I; 4:9-c, I(i); 4-F:1, II(a)(4); 6:12-j, V(d)(1); 12-A:10-e, VIII; 17-R:1, II(n); 19-A:5, IV; 19-A:8, II; 19-A:10, IV; 79-D:14, II; 79-G:3, IV(b); 94:1-a, I(b) grades DD and GG; 201-A:22, I; 201-A:23, II; 201-B:3; 201-D:1, IV; the introductory paragraph of 201-E:7; 202-A:12; 202-A:18; 202-A:19; 216-</p>

<p>202-A:18; 202-A:19; 216-A:3-c, V; 227-C:1; the introductory paragraph of 227-C:5; 227-C:12-a, II(g); 227-C:28, II; 227-C:29, I(a); 227-C:31; 227-C:33, I; 227-M:4, II(e); 261:97-d, I(a); and 634:1, V(d).</p>	<p>A:3-c, V; 227-C:1; the introductory paragraph of 227-C:5; 227-C:12-a, II(g); 227-C:28, II; 227-C:29, I(a); 227-C:31; 227-C:33, I; 261:97-d, I(a); and 634:1, V(d).</p>
<p>42 Transition; Commission on Native American Affairs; Film and Television Commission. The New Hampshire commission on Native American affairs and the New Hampshire film and television commission established in RSA 12-A:14-a and RSA 12-A:41-a shall operate as continuations of the commissions established under former RSA 21-K. Appointments and terms of office of members under RSA 21-K shall continue for the remainder of the terms upon constitution of the commissions under RSA 12-A.</p>	<p>40 Transition; Commission on Native American Affairs; Film and Television Commission. The New Hampshire commission on Native American affairs and the New Hampshire film and television commission established in RSA 12-A:14-a and RSA 12-A:41-a shall operate as continuations of the commissions established under former RSA 21-K. Appointments and terms of office of members under RSA 21-K shall continue for the remainder of the terms upon constitution of the commissions under RSA 12-A.</p>
<p>43 New Chapter; Department of Business and Economic Affairs. Amend RSA by inserting after chapter 12-N the following new chapter:</p> <p style="text-align: center;">CHAPTER 12-O</p> <p style="text-align: center;">DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS</p> <p>12-O:1 Definitions. In this chapter:</p> <p style="padding-left: 20px;">I. "Commissioner" means the commissioner of the department of business and economic affairs.</p> <p style="padding-left: 20px;">II. "Department" means the department of business and economic affairs.</p> <p>12-O:2 Establishment; Purpose.</p> <p style="padding-left: 20px;">I. There shall be a department of business and economic affairs under the executive direction of a commissioner of business and economic affairs, consisting of a division of economic development which shall include but not be limited to a bureaus of development and a bureau of promotion, and a division of travel and tourism development which shall include but not be limited to a bureau of visitor service. The department's purpose shall be to ensure the efficient coordinated function of the 2 divisions, whereby the interests of economic development and promotion of travel and tourism development are each held to be of integral importance in the overall functioning of the department.</p>	<p>AMENDED BY THE SENATE</p> <p>41 New Chapter; Department of Business and Economic Affairs. Amend RSA by inserting after chapter 12-N the following new chapter:</p> <p style="text-align: center;">CHAPTER 12-O</p> <p style="text-align: center;">DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS</p> <p>12-O:1 Definitions. In this chapter:</p> <p style="padding-left: 20px;">I. "Commissioner" means the commissioner of the department of business and economic affairs.</p> <p style="padding-left: 20px;">II. "Department" means the department of business and economic affairs.</p> <p>12-O:2 Establishment; Purpose.</p> <p style="padding-left: 20px;">I. There shall be a department of business and economic affairs under the executive direction of a commissioner of business and economic affairs, consisting of a division of economic development which shall include but not be limited to a bureau of workforce development, and a division of travel and tourism development which shall include but not be limited to a bureau of visitor service. The commissioner is authorized to establish or eliminate additional bureaus within either division. The department's purpose shall be to ensure the efficient coordinated function of the department, economic development policies of the state of New Hampshire and the collaborative participation of all related state departments, agencies, and authorities.</p>

II. The purpose of this chapter is to improve the administration of state government by providing unified direction of policies, programs, and personnel in the field of economic development and travel and tourism development making possible increased efficiency and economies from integrated administration and operation of these related functions of the state government.

12-O:3 General Provisions.

I. Upon the recommendation of the commissioner after consultation with division directors concerned and the advisory commission established in RSA 12-O:7 the governor and council are authorized to approve revisions in internal administrative departmental organization as the governor and council find from time to time may improve or make more economical the administration of the department; provided, however, no such change shall eliminate any then existing position within the classified service unless such position shall then be vacant, or, if filled, its incumbent has been transferred to an equivalent or higher paid position of like tenure.

II. With the approval of the governor and council and of the director of personnel, the commissioner of business and economic affairs after consultation with directors of divisions concerned and the advisory commission in RSA 12-O:7 is authorized to transfer classified personnel, appropriations or portions thereof relating thereto as well as necessary equipment, within any division or between divisions of the department; provided, however, that no such transfer shall eliminate classified positions so transferred.

12-O:4 Powers and Duties of Department. In addition to any other powers and duties set forth in this chapter or as otherwise provided by statute, the department of business and economic affairs shall have the power and duty to plan and conduct a program of information and publicity to attract tourists, visitors, industrial concerns, and other interested persons from outside the state to the state of New Hampshire, and to encourage, coordinate, and participate in the efforts of other public and private organizations or groups of citizens in order to publicize the facilities, industrial advantages, and other attractions of the state for the same purposes. The commissioner

II. The purpose of this chapter is to improve the administration of state government by providing unified direction of policies, programs, and personnel in the field of economic development and travel and tourism development making possible increased efficiency and economies from integrated administration and operation of these related functions of the state government.

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shall assign, with the approval of the advisory commission in RSA 12-O:7, such duties and functions to the 2 divisions of the department, as in her or his discretion will best effectuate the purposes, powers, and duties set forth in this section and as otherwise provided by statute.

12-O:5 Commissioner of Business and Economic Affairs. There shall be a commissioner of business and economic affairs who shall be appointed by the governor and council for a term of 4 years from the date of appointment. A vacancy shall be filled for the unexpired term. It shall be the responsibility of the commissioner to organize and direct the work of the department. The commissioner of business and economic affairs shall appoint one member of his or her staff who shall act in the commissioner's stead when said commissioner is absent from the state and at such other times as directed by the commissioner. When acting for the commissioner said person shall have all the power, duties, and authority of the commissioner. Directors of departmental divisions shall be subject to the supervisory authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner shall consult with the advisory commission established in RSA 12-O:7 prior to the establishment of general and divisional departmental policy.

12-O:6 Reports and Publications. The commissioner of business and economic affairs is authorized to prepare, publish, and distribute reports, charts, surveys, or other documents consistent with the responsibilities of the department. The commissioner may charge reasonable fees for such documents. Fees for documents distributed by the department shall be adopted as rules under RSA 541-A.

12-O:7 Advisory Commission Established.

I. There shall be a commission advisory to the commissioner of business and economic affairs which shall consist of the following 8 members:

(a) Seven members, who shall be appointed by the governor and council for a term of 5 years and until a successor is appointed and qualified; and

shall assign such duties and functions as in her or his discretion will best effectuate the purposes, powers, and duties set forth in this section and as otherwise provided by statute. The department is authorized to set its logo and to establish and maintain any websites.

12-O:5 Commissioner of Business and Economic Affairs. There shall be a commissioner of business and economic affairs who shall be appointed by the governor and council and shall serve until removed by the governor. It shall be the responsibility of the commissioner to organize and direct the work of the department, subject to the direct supervisory authority of the governor. The commissioner shall appoint one member of his or her staff who shall act in the commissioner's stead when said commissioner is absent from the state and at such other times as directed by the commissioner. When acting for the commissioner said person shall have all the power, duties, and authority of the commissioner. Directors of departmental divisions shall be subject to the supervisory authority of the commissioner, which authority shall include power to establish department and divisional policy as well as to control the actual operations of the department and all divisions therein. The commissioner is authorized to establish any advisory commissions and programs which the commissioner may deem necessary to carry out the mission and operations of the department.

12-O:6 Reports and Publications. The commissioner of business and economic affairs is authorized to prepare, publish, and distribute reports, charts, surveys, or other documents consistent with the responsibilities of the department. The commissioner may charge reasonable fees for such documents. Fees for documents distributed by the department shall be adopted as rules under RSA 541-A.

12-O:7 Council of Partner Agencies Established.

I. There shall be a council of partner agencies to assist and advise the commissioner of business and economic affairs which shall consist of the following members:

(a) The executive director of the business finance authority.

(b) The chancellor of the community college system.

(b) The commissioner of transportation or her or his designated representative whose appointment shall be coterminous with the commissioner's tenure of office.

II. In the event of a vacancy in membership of a member appointed hereunder, appointment shall be made in the same manner but for the unexpired term only.

III. Members of the commission shall be residents of the state of New Hampshire, at least one of whom shall be qualified, experienced in, and representative of, each of the following:

- (a) Manufacturing;
- (b) Agriculture;
- (c) Information technology;
- (d) Travel and tourism;
- (e) The general public;
- (f) Commerce; and
- (g) Public relations.

IV. The governor shall annually designate a chairperson from among the membership. No member shall be eligible to serve as chairperson more than 3 years, whether or not his or her service as such has been consecutive or interrupted.

V. No more than 4 members of the commission, exclusive of the commissioner of transportation, shall be of the same political party.

VI. Members of the commission shall serve without compensation but shall be entitled to receive mileage and expenses when in performance of the duties required hereunder.

12-O:8 Advisory Commission; Duties. The commission established in RSA 12-O:7 shall consult with and advise the commissioner of business and economic affairs with respect to the policy, programs, and operations of the department upon a continuing basis and for said purposes shall meet with the commissioner not less frequently than annually at the call of the chairperson or 3 commission members. It shall be the duty of the chairperson to convene the commission not later than 10 days following receipt of a written request therefor from any 3 or more members

(c) The Executive director of the community development finance authority.

(d) The executive director of the New Hampshire housing finance authority.

II. The council shall develop bylaws to guide its operations.

III. The commissioner of the department of business and economic affairs shall chair the council.

12-O:8 Council of Partner Agencies; Duties. The council established in RSA 12-O:7 shall consult with and advise the commissioner of business and economic affairs with respect to the policy, programs, and operations of the department upon a continuing basis and for said purposes shall meet with the commissioner not less frequently than quarterly. Each agency represented on the council shall make reasonable efforts to coordinate its economic development activities with those of the department, provided that nothing in this section shall be construed to deprive represented

thereof. The commissioner shall attend any meeting of the advisory commission upon request of a majority of its membership. The advisory commission shall submit to the governor and council biennially a written report of the activities of the department covering the previous 2 calendar years, which report shall be a public document. A nonpublic session of the advisory commission may be called at any time for any of the reasons specified in RSA 91-A:3, II upon majority vote and shall consist solely of the members thereof.

12-O:9 Directors of Divisions. The commissioner shall nominate for appointment by the governor and council a director of economic development and a director of travel and tourism development, each of whom shall serve, subject to the provisions of RSA 4:1, for a term of 4 years from the date of appointment and until a successor is appointed and qualified. The directors of the divisions of economic development and travel and tourism development who are in office on the effective date of the transfer of those divisions to the department of business and economic affairs shall serve for the remainder their terms, at which time they may be reappointed in accordance with the provisions of this chapter. Any vacancy in such office shall be filled for the unexpired term in the same manner as the original appointment. Directors of divisions shall be responsible for the administration and operation of their respective divisions subject to the supervisory authority of the commissioner as set forth in RSA 12-O:5.

12-O:10 Salaries. The annual salaries of the commissioner of business and economic affairs, and of the directors of the divisions, shall be as provided in RSA 94.

12-O:11 Division of Travel and Tourism Development; Transfer of Functions, Powers, and Duties. All of the functions, powers, duties, personnel, records, and property of the division of travel and tourism development of the former department of resources and economic development are hereby transferred to the division of travel and tourism development of the department of business and economic affairs. Whenever reference is made to the division of travel and tourism development in the statutes, it shall henceforth be construed to mean the division of travel and tourism development of the department of business and economic affairs.

agencies of their authority to operate autonomously. The council shall submit to the governor and council biennially a written report of the activities of the department covering the previous 2 calendar years, which report shall be a public document. A nonpublic session of the council may be called at any time for any of the reasons specified in RSA 91-A:3, II upon majority vote and shall consist solely of the members thereof.

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12-O:12 Division of Economic Development; Transfer of Functions, Powers, and Duties. All of the functions, powers, duties, personnel, records, and property of the division of economic development are hereby transferred from the former department of resources and economic development to the division of economic development of the department of business and economic affairs. Whenever reference is made to the division of economic development in the statutes, it shall henceforth be construed to mean the division of economic development of the department of business and economic affairs.

12-O:13 Travel and Tourism Revolving Fund; Transfer; Functions.

I. The travel and tourism revolving fund in the former department of resources and economic development is hereby transferred to the department of business and economic affairs. The fund is hereby established as a nonlapsing revolving fund. The revolving fund shall be used for, but not be limited to, cooperative efforts with the private sector, for the purpose of bulk brochure distribution, familiarization tours, promotional programs, trade shows, and other projects generally recognized as beneficial to promoting the state of New Hampshire.

II. All income received from participation in cooperative promotional programs, familiarization tours, trade shows, brochure distribution projects, and other promotional opportunities which become available, shall be deposited into the fund.

III. The commissioner of the department of business and economic affairs shall submit a report detailing the activities of the revolving fund annually to the governor and council and the fiscal committee of the general court within 60 days of the close of each fiscal year, and shall post such report on its website.

12-O:14 New Hampshire Tourism Policy. It is the intent of the general court that all agencies and departments of state government and, specifically, the director of travel and tourism development, under the supervision of the commissioner of business and economic affairs, shall implement their statutory responsibilities in a manner consistent with promoting and encouraging the orderly growth and development of tourism within the state. This policy shall include efforts

12-O:12 Division of Economic Development; Transfer of Functions, Powers, and Duties. All of the functions, powers, duties, personnel, records, and property of the division of economic development are hereby transferred from the former department of resources and economic development to the division of economic development of the department of business and economic affairs. Whenever reference is made to the division of economic development in the statutes, it shall henceforth be construed to mean the division of economic development of the department of business and economic affairs.

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to:

I. Foster awareness and appreciation of New Hampshire's natural, historical, cultural, and scenic resources among its residents.

II. Instill a better understanding among New Hampshire residents and also state employees of the importance of tourism to the state economy.

III. Establish and maintain a data base on matters concerning state tourism research.

IV. Encourage fairs, conventions, trade shows, and other expositions of hospitality and friendliness toward visitors.

V. Protect and preserve wildlife, natural resources, and geological, archaeological, and cultural treasures within the state for the enjoyment of residents and nonresidents.

VI. Support tourism by developing an essential tourism infrastructure, including, but not limited to, adequate highways and public transportation networks and facilities for the traveling public.

VII. Encourage, assist, and coordinate, when possible, the tourism activities of local and regional promotional organizations.

VIII. Encourage law enforcement personnel to assist, whenever possible, the traveling public by providing them with a hospitable reception and appropriate information.

IX. Ensure, when feasible, equal access by visitors and residents to public recreational resources.

X. Ensure that the interest of tourism is fully considered by state agencies and the general court in its deliberations.

XI. Harmonize, to the maximum extent, all state activities in support of tourism with the needs of the general public, the state and its political subdivisions, and the tourism industry. Any conflicts among the agencies and departments of the state in the implementation of their responsibilities under this section shall be referred to the council on resources and development established by RSA 162-C.

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II. Instill a better understanding among New Hampshire residents and also state employees of the importance of tourism to the state economy.

III. Establish and maintain a database on matters concerning state tourism research.

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12-O:15 Director of Travel and Tourism Development; Duties. The director of travel and tourism development, under the supervision of the commissioner of business and economic affairs and consistent with the New Hampshire tourism policy under RSA 12-O:14, shall:

I. Promote New Hampshire as a domestic and international travel destination in order to increase visitation and travel expenditures, business activity, and employment throughout the state.

II. Develop and administer programs to encourage and promote the development of the tourism industry in the state.

III. Provide information and assistance to local and regional officials on matters related to travel and tourism and encourage the development of locally coordinated programs.

IV. Encourage partnerships among the tourism industry, business and industry, and state and local officials to expand the state's travel promotion strategy.

V. Raise the perception of travel and tourism in the minds of New Hampshire residents, businesses, and government.

VI. Conduct research to measure the effectiveness of promotional programs.

VII. Ensure that New Hampshire maintains a high quality tourism experience for the visitor by working with the travel industry on ways to utilize natural, historical, cultural, and recreational attractions and facilitating statewide activities which can be used as resources by the travel industry.

12-O:16 Travel and Tourism Development Fund.

I. There is hereby established in the office of the state treasurer a fund to be known as the travel and tourism development fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and any interest earned on the fund shall be used for the purpose of promoting and developing appropriate travel and tourism initiatives through the division of travel and

XII. Utilize tourism activities and resources as resident recruitment tools for the state.

12-O:15 Director of Travel and Tourism Development; Duties. The director of travel and tourism development, under the supervision of the commissioner of business and economic affairs and consistent with the New Hampshire tourism policy under RSA 12-O:14, shall:

I. Promote New Hampshire as a domestic and international travel destination in order to increase visitation and travel expenditures, business activity, and employment throughout the state.

II. Develop and administer programs to encourage and promote the development of the tourism industry in the state.

III. Provide information and assistance to local and regional officials on matters related to travel and tourism and encourage the development of locally coordinated programs.

IV. Encourage partnerships among the tourism industry, business and industry, and state and local officials to expand the state's travel promotion strategy.

V. Raise the perception of travel and tourism in the minds of New Hampshire residents, businesses, and government.

VI. Conduct research to measure the effectiveness of promotional programs.

VII. Ensure that New Hampshire maintains a high quality tourism experience for the visitor by working with the travel industry on ways to utilize natural, historical, cultural, and recreational attractions and facilitating statewide activities which can be used as resources by the travel industry.

VIII. Perform any other duties and functions as assigned by the commissioner.

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I. There is hereby established in the office of the state treasurer a fund to be known as the travel and tourism development fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and any interest earned on the fund shall be used for the purpose of promoting and developing appropriate travel and tourism initiatives through the division of travel and

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tourism development and shall not be used for any other purpose. The director of travel and tourism development shall oversee expenditures from the fund. The moneys in the fund shall be nonlapsing.

II. The commissioner shall prepare an annual report to be presented no later than December 1 of each year to the governor and council, the fiscal committee of the general court, the president of the senate, and the speaker of the house of representatives. The report shall detail the specific activities supported by, and expenditures from, the fund during the past year and shall additionally detail the activities of the travel and tourism revolving fund established in RSA 12-O:13.

12-O:17 Joint Promotional Program. A joint promotional advertising program is hereby established to carry out the duties of the department of business and economic affairs as set forth in RSA 12-O:4 to publicize the advantages of the state of New Hampshire for tourism and to encourage continuous partnership with private industry in this promotion in order to maintain a viable and strong economic base in the state.

I. The department shall administer a joint promotional advertising program in cooperation with a joint promotional program screening committee. The funds appropriated for this program shall be expended for grants for advertising programs entered into with independent groups or organizations which are designed to promote travel and tourism in the state of New Hampshire.

II. The screening committee shall consist of the director of the division of travel and tourism development and 8 other members appointed as follows:

(a) One member appointed by the governor and council upon nomination by the commissioner of business and economic affairs.

(b) Seven members appointed by the governor and council upon nomination by the New Hampshire Travel Council. The members nominated by the Travel Council shall include at

tourism development and shall not be used for any other purpose. The director of travel and tourism development shall oversee expenditures from the fund. The moneys in the fund shall be nonlapsing and shall be continually appropriated to the department of business and economic affairs.

II. The commissioner shall prepare an annual report to be presented no later than December 1 of each year to the governor and council, the fiscal committee of the general court, the president of the senate, and the speaker of the house of representatives. The report shall detail the specific activities supported by, and expenditures from, the fund during the past year and shall additionally detail the activities of the travel and tourism revolving fund established in RSA 12-O:13.

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least one representative of each of the following: a chamber of commerce, regional association, ski area, attraction, campground, and lodging.

III. Members of the screening committee shall serve for a term of 3 years and until their successors are appointed and qualified. The screening committee shall elect its own chairman. Members may designate an alternate with the approval of the chairperson. A majority of the members of the committee or their alternates shall constitute a quorum.

IV. Members of the screening committee shall not be compensated; however, the commissioner may set aside up to one percent of the funds appropriated for the joint promotional program in any fiscal year to reimburse committee members for their direct expenses associated with the program. The commissioner shall review and approve all requests for reimbursement.

V. Funds appropriated to the joint promotional program shall only be made available to regional associations, statewide tourist groups, chambers of commerce, or other promotional organizations as may be certified by the screening committee with the approval of the commissioner. Such grants shall only be given to those organizations which have been in existence for at least 3 years prior to the date of the grant application.

VI. Grant awards shall require 50 percent matching funds from private sources. Grants shall not be used for the administrative salaries or overhead expenses of any applicant selected for a grant.

VII. Grant applications shall be reviewed by the screening committee which shall recommend approval or disapproval of applications to the commissioner of business and economic affairs. A recommendation for disapproval by the screening committee or the commissioner shall be in writing with the reasons for disapproval stated.

VIII. Funds appropriated for the joint promotional program for the first fiscal year of any biennium shall not lapse and shall be available for expenditure during the second fiscal year of the biennium. All funds which have not been expended by the end of the second fiscal year of a biennium shall lapse to the general fund.

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III. Grant awards shall require 50 percent matching funds from private sources. Grants shall not be used for the administrative salaries or overhead expenses of any applicant selected for a grant.

IV. Grant applications shall be reviewed by appropriate staff which shall recommend approval or disapproval of applications to the commissioner of business and economic affairs. A recommendation for disapproval by the commissioner shall be in writing with the reasons for disapproval stated.

V. Funds appropriated for the joint promotional program for the first fiscal year of any biennium shall not lapse and shall be available for expenditure during the second fiscal year of the biennium. All funds which have not been expended by the end of the second fiscal year of a biennium shall lapse to the general fund.

IX. The commissioner shall, with the advice of the screening committee, adopt rules under RSA 541-A after public hearing governing the joint promotional program. These rules shall include:

- (a) A description of the joint promotional program, stating the general course and method of its operations and the methods by which the public may obtain information or make submissions or requests;
- (b) The procedures and criteria used to certify groups or organizations eligible for matching grants;
- (c) The application process, including the information required of applicants;
- (d) The procedures and criteria used to evaluate grant applications; and
- (e) Procedures for the administration of grants by recipients including reporting requirements.

X. Three percent of the funds appropriated to the joint promotional program shall be allocated for a grant or grants to organizations that do not qualify under paragraph V. Such grants shall require 10 percent matching funds from private sources, provided that the organization:

- (a) Has a demonstrated program of cooperation for promotion;
- (b) Has a demonstrated need for promotion;
- (c) Has demonstrated a case of regional depression or financial hardship;
- (d) Agrees that this unmatched grant shall not be awarded for more than 2 successive years; and
- (e) Further agrees that the affected area shall not be eligible for any unmatched grant for a period of 5 years after the second year following the award of the first of any unmatched grant.

12-O:18 Rest Areas and Welcome Centers.

I. The department of business and economic affairs shall be responsible for the staffing of

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- (d) The procedures and criteria used to evaluate grant applications; and
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VII. Three percent of the funds appropriated to the joint promotional program shall be allocated for a grant or grants to organizations that do not qualify under paragraph II. Such grants shall require 10 percent matching funds from private sources, provided that the organization:

- (a) Has a demonstrated program of cooperation for promotion;
- (b) Has a demonstrated need for promotion;
- (c) Has demonstrated a case of regional depression or financial hardship;
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rest areas and welcome centers along the state's highways. There is established in the department a bureau of visitor service to administer this function. The commissioner may consult with the local chambers of commerce relative to said function, and shall have the authority to enter into contracts with private or public entities for said function as the commissioner deems appropriate.

II. Notwithstanding paragraph I, the department of transportation and the liquor commission may undertake and/or participate in the development of the welcome centers in Hooksett on the northbound and southbound lanes of Interstate Route 93 as authorized by the legislature.

12-O:19 Package Plan Program; Recreational Facilities.

I. As used in this section the following words and terms shall have the following meanings:

(a) "Voluntary corporation," a corporation organized under RSA 292, dedicated by its articles of agreement and bylaws to serve and promote the recreational interests of the state of New Hampshire or a section thereof and which may number among its members certain corporations actively engaged in developing and promoting recreational facilities in the state of New Hampshire.

(b) "Package plan program," a method of selling tickets by which the department, in conjunction with a voluntary corporation, offers for sale to the general public interchangeable or reciprocal tickets for services and accommodations, or both, in connection with recreational facilities of both the state and the voluntary corporation or any of its members. The charges for services and accommodations when sold in this manner may be less than when sold individually.

II. The department of business and economic affairs may participate in package plan programs with voluntary corporations as defined in this section, and businesses within the tourism industry. Notwithstanding any other provision of law, this participation may include entering into such agreements with voluntary corporations and businesses within the tourism

rest areas and welcome centers along the state's highways. There is established in the department a bureau of visitor service to administer this function. The commissioner may consult with the local chambers of commerce relative to said function, and shall have the authority to enter into contracts with private or public entities for said function as the commissioner deems appropriate.

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II. The department of business and economic affairs may participate in package plan programs with voluntary corporations as defined in this section, and businesses within the tourism industry. Notwithstanding any other provision of law, this participation may include entering into such agreements with voluntary corporations and businesses within the tourism

industry as are in the best interests of the state, which agreements may relate to the development, promotion, administration, and sales of package plan programs. Such agreements shall permit the department of business and economic affairs to provide to the voluntary corporation and businesses within the tourism industry a mutually agreed upon number of tickets or vouchers for tickets at a mutually agreed upon discounted rate in order to participate in the package plan program for promotional purposes or in lieu of dues to the voluntary corporation. Any revenue derived by participation in package plan programs payable to the department of business and economic affairs in accordance with such agreements shall be deposited with the state treasurer in the same manner as regular ticket sales. The commissioner of the department of business and economic affairs shall make annual reports on revenue derived from participation in package plan programs to the senate president, the speaker of the house, and governor and council by January 31 following the close of each fiscal year.

12-O:20 Director of Economic Development; Duties. The director of economic development, under the supervision of the commissioner of business and economic affairs shall:

- I. Establish and maintain a database on matters related to the economy of the state and its economic development.
- II. Plan, develop, and administer programs to assist in the maintenance and expansion of existing industry and business in the state.
- III. Plan, develop, and administer programs to encourage and promote the development of new industry and business in the state.
- IV. Provide information and assistance to local and regional officials on matters related to economic development and encourage the establishment of local development plans and programs.
- V. Research and analyze information on matters related to the economic development of the state to support and evaluate the effectiveness of promotional and assistance programs.
- VI. Prepare a written economic development strategy and operating plan as required by

RSA 12-O:26 through 12-O:30.

industry as are in the best interests of the state, which agreements may relate to the development, promotion, administration, and sales of package plan programs. Such agreements shall permit the department of business and economic affairs to provide to the voluntary corporation and businesses within the tourism industry a mutually agreed upon number of tickets or vouchers for tickets at a mutually agreed upon discounted rate in order to participate in the package plan program for promotional purposes or in lieu of dues to the voluntary corporation. Any revenue derived by participation in package plan programs payable to the department of business and economic affairs in accordance with such agreements shall be deposited with the state treasurer in the same manner as regular ticket sales. The commissioner of the department of business and economic affairs shall make annual reports on revenue derived from participation in package plan programs to the senate president, the speaker of the house, and governor and council by January 31 following the close of each fiscal year.

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- V. Research and analyze information on matters related to the economic development of the state to support and evaluate the effectiveness of promotional and assistance programs.
- VI. Prepare a written economic development strategy and operating plan as required by

RSA 12-O:24 through 12-O:28.

VII. Develop and implement a telecommunications planning and development initiative pursuant to RSA 12-O:48.

VIII. Plan, develop, and administer programs to assist in the implementation of the Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time, implement the state plan established by the governor and the Workforce Opportunity Council, and perform the following additional functions:

- (a) Through the youth council, select youth providers of training services in the local areas.
- (b) Identify eligible providers of training services in the local area.
- (c) Identify eligible providers of intensive services, if not otherwise provided by the One-Stop operator.
- (d) Develop a budget for carrying out the duties of the Workforce Opportunity Council, subject to the approval of the commissioner.
- (e) Oversee local programs of youth activities, local employment, and training service.
- (f) Establish, in conjunction with the commissioner, local performance measures.
- (g) Assist the commissioner in developing statewide employment statistics systems described in the Wagner-Peyser Act.
- (h) Coordinate workforce investment activities authorized and implemented within the state with economic development strategies, and develop the employer linkages with such activities.
- (i) Make available to the public, on a regular basis through open meetings, information regarding Workforce Opportunity Council activities including information regarding the state plan prior to its submission, and information regarding membership, the designation and certification of One-Stop operators and the award of grants or contracts to eligible providers of youth activities and, as requested, minutes of formal meetings of the Workforce Opportunity Council.

VII. Establish a small business innovation research support program pursuant to RSA 12-O:45 through 12-O:49.

VIII. Plan, develop, and administer programs to assist in the implementation of the Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time, implement the state plan established by the governor and the Workforce Opportunity Council, and perform the following additional functions:

- (a) Through the youth council, select youth providers of training services in the local areas.
- (b) Identify eligible providers of training services in the local area.
- (c) Identify eligible providers of intensive services, if not otherwise provided by the One-Stop operator.
- (d) Develop a budget for carrying out the duties of the Workforce Opportunity Council, subject to the approval of the commissioner.
- (e) Oversee local programs of youth activities, local employment, and training service.
- (f) Establish, in conjunction with the commissioner, local performance measures.
- (g) Assist the commissioner in developing statewide employment statistics systems described in the Wagner-Peyser Act.
- (h) Coordinate workforce investment activities authorized and implemented within the state with economic development strategies, and develop the employer linkages with such activities.
- (i) Make available to the public, on a regular basis through open meetings, information regarding Workforce Opportunity Council activities including information regarding the state plan prior to its submission, and information regarding membership, the designation and certification of One-Stop operators and the award of grants or contracts to eligible providers of youth activities and, as requested, minutes of formal meetings of the Workforce Opportunity Council.

(j) Review the operation of programs and the availability, responsiveness, and adequacy of state services, and make recommendations to the governor, appropriate chief elected officials, service providers, the legislature, and general public with respect to steps to improve the effectiveness of these services and programs.

(k) Review plans of all state agencies providing employment training, and related services, and provide comments and recommendations to the governor, the legislature, the state agencies, and appropriate federal agencies on the relevancy and effectiveness of employment and training and related services delivery system in the state.

12-O:21 Economic Development Advisory Council.

I. The economic development advisory council is hereby transferred from the former department of resources and economic development to the department of business and economic affairs.

II. The economic development advisory council shall assist the division of economic development in creating and sustaining a continuing state economic development operating plan and process.

III. The advisory council shall consist of the director of the division of economic development, 3 at-large members who have an interest in economic development, and a representative of each of the following:

(a) A chamber of commerce.

(b) The manufacturing sector.

(c) The field of higher education.

(d) A venture capital formation expert or specialist.

(e) A workforce development organization.

(f) The biotechnology sector.

(g) The information technology or software sector.

(h) Commercial real estate or real estate development.

(j) Review the operation of programs and the availability, responsiveness, and adequacy of state services, and make recommendations to the governor, appropriate chief elected officials, service providers, the legislature, and general public with respect to steps to improve the effectiveness of these services and programs.

(k) Review plans of all state agencies providing employment training, and related services, and provide comments and recommendations to the governor, the legislature, the state agencies, and appropriate federal agencies on the relevancy and effectiveness of employment and training and related services delivery system in the state.

IX. Perform any other duties and functions as assigned by the commissioner.

- (i) A regional or municipal development official.
- (j) The insurance, banking, or financial services sector.
- (k) The retail sector.
- (l) The travel and tourism sector.
- (m) The forest-based products sector.
- (n) An electric utility or energy-related interest.
- (o) An economist.
- (p) The telecommunications sector.
- (q) The governor's office.
- (r) A senator, appointed by the president of the senate.
- (s) A house member, appointed by the speaker of the house of representatives.
- (t) One representative of organized labor.
- (u) The residential building community.
- (v) A state or local housing agency.

IV. Members of the council, except for the legislative members, shall be nominated by the commissioner of the department of business and economic affairs and appointed by the governor for a term of 3 years and until their successors are appointed and qualified. When nominating and appointing individuals to the advisory council, the commissioner and governor shall ensure that each New Hampshire county has at least one representative on the council at any given time. Initial appointments made by the governor shall be for staggered terms of one, 2, or 3 years.

V. The council shall elect a chairperson from its members and shall meet on a quarterly basis. Members of the council shall not be compensated, except that legislative members of the council shall receive mileage at the legislative rate when attending to the duties of the council.

12-O:22 New Hampshire Economic Development Fund.

I. There is hereby established the New Hampshire economic development fund which shall be administered by the commissioner of the department of business and economic affairs.

12-O:21 New Hampshire Economic Development Fund.

I. There is hereby established the New Hampshire economic development fund which shall be administered by the commissioner of the department of business and economic affairs.

Said fund shall be for the purpose of providing funds for grants, loans and other economic development initiatives which shall be generally considered to be beneficial to the state's overall economy as provided for in paragraph II.

II. Said fund shall be distributed or expended by the commissioner with the advice and prior approval of the review committee established in RSA 12-O:23 and the approval of the governor and council for any of the following purposes:

- (a) Business financing and expansion initiatives.
- (b) Job retention and creation.
- (c) International trade.
- (d) Research and development activities.
- (e) Other projects or programs recognized as being beneficial to business activity in New Hampshire.

III. To maximize the economic impact of expenditures from this fund, and to leverage additional funding from other sources, the commissioner may contract with such organizations as, but not limited to, the following:

- (a) Innovation Research Center.
- (b) Small Business Development Center.

IV. All moneys returned to the department as a result of contracts between the commissioner and any other party as authorized shall be redeposited into the New Hampshire economic development fund. In addition, the department may accept gifts, grants, donations or other moneys for the purposes of this section. Said moneys shall be deposited into the New Hampshire economic development fund.

12-O:23 Review Committee; New Hampshire Economic Development Fund. There is established a committee to review the distribution and expenditure of funds in accordance with

Said fund shall be for the purpose of providing funds for grants, loans and other economic development initiatives which shall be generally considered to be beneficial to the state's overall economy as provided for in paragraph II.

II. Said fund shall be distributed or expended by the commissioner with the approval of the governor and council for any of the following purposes:

- (a) Business financing and expansion initiatives.
- (b) Job retention and creation.
- (c) International trade.
- (d) Research and development activities.
- (e) Other projects or programs recognized as being beneficial to business activity in New Hampshire.

III. To maximize the economic impact of expenditures from this fund, and to leverage additional funding from other sources, the commissioner may contract with such organizations as, but not limited to, the following:

- (a) New Hampshire Business Development Corporation.
- (b) Small Business Investment Corporation.
- (c) Innovation Research Center.
- (d) Small Business Development Center.

IV. All moneys returned to the department as a result of contracts between the commissioner and any other party as authorized shall be redeposited into the New Hampshire economic development fund. In addition, the department may accept gifts, grants, donations or other moneys for the purposes of this section. Said moneys shall be deposited into the New Hampshire economic development fund.

RSA 12-O:22. The committee shall be composed of the following:

I. The speaker of the house of representatives.

II. Two members of the house finance committee, appointed by the speaker of the house of representatives.

III. The president of the senate.

IV. Two members of the senate finance committee, appointed by the senate president.

V. The commissioner of business and economic affairs, or designee.

12-O:24 New Hampshire Canadian Trade Council. The commissioner of business and economic affairs and the secretary of state shall have the authority to establish a New Hampshire trade council to meet with one or more trade councils established by the Canadian provinces, either separately or collectively. The members of the council shall include 2 senators appointed by the president of the senate, 2 house members appointed by the speaker of the house of representatives, the commissioner or designee, the secretary of state or designee, and such other members as the commissioner and secretary of state may appoint.

12-O:25 Northern County Area Industrial Agent. A special position shall be provided, in the division of economic development of the department of business and economic affairs, to be known as area industrial agent for the counties of Coos, Grafton, and Carroll. The commissioner shall, subject to the personnel laws of the state, employ such area industrial agent for said counties, who shall be fully qualified by specific training and experience and who shall work under the supervision of the director. She or he shall maintain a residence in one of said 3 counties and her or his duties shall be primarily concerned with, but not limited to, assisting the political subdivisions of the state, regional development organizations or groups, and individuals to maintain and expand existing industries and to encourage, assist, and aid new industries to establish operations in said Coos, Grafton and Carroll counties, and the agent's efforts shall be directed to the economic development of said 3 counties.

Economic Development Strategy and Plan

12-O:22 New Hampshire Canadian Trade Council. The commissioner of business and economic affairs and the secretary of state shall have the authority to establish a New Hampshire trade council to meet with one or more trade councils established by the Canadian provinces, either separately or collectively. The members of the council shall include 2 senators appointed by the president of the senate, 2 house members appointed by the speaker of the house of representatives, the commissioner or designee, the secretary of state or designee, and such other members as the commissioner and secretary of state may appoint.

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Economic Development Strategy and Plan

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12-O:26 Economic Development Strategy and Plan. The division of economic development, with input and assistance from the economic development advisory council established under RSA 12-O:7 and other public and private organizations with whom it chooses to work, shall develop a rolling 2-year economic development strategy and operating plan. The plan shall reflect the fact that there are local and regional entities charged with economic development in the state and shall identify and work to support those efforts.

12-O:27 Definitions. In this subdivision:

I. "Plan" means an ongoing management operating document that identifies strategies and activities, and the progress thereof, designed to expand the state's economic base and strengthen the economic health of New Hampshire, based on the needs of the state and of business and industry. The plan shall identify specific actions, and the responsibilities, rationales, timeframes, resources required, barriers if any, and the tracking and reporting of outcomes associated with those actions.

II. "Strategy" means an overall direction or course that identifies how the division will convey the state's value to the business and industry community, how it will leverage its strengths and assets, and the broad themes it will emphasize that are attractive to retaining and recruiting business and industry.

12-O:28 Goals and Objectives. The plan shall identify both goals and objectives for the 2-year period and shall track measurable results so as to be able to assess the plan. Goals and objectives may be added, amended, or deleted as both existing and emerging economic conditions and opportunities warrant. The plan shall also benchmark key economic indicators.

12-O:29 Content of the Economic Development Strategy and Plan.

I. The following, as a minimum, shall be considered in constructing the economic development strategy and plan:

(a) Consideration of the entire state.

(b) An analysis, led by the economic development advisory council, relative to business

12-O:24 Economic Development Strategy and Plan. The division of economic development, with input and assistance from the council of partner agencies established under RSA 12-O:7 and other public and private organizations with whom it chooses to work, shall develop a rolling 10-year economic development strategy and operating plan.

12-O:25 Definitions. In this subdivision:

I. "Plan" means an ongoing management operating document that identifies strategies and activities, and the progress thereof, designed to expand the state's economic base and strengthen the economic health of New Hampshire, based on the needs of the state and of business and industry. The plan shall identify specific actions, and the responsibilities, rationales, timeframes, resources required, barriers if any, and the tracking and reporting of outcomes associated with those actions.

II. "Strategy" means an overall direction or course that identifies how the division will convey the state's value to the business and industry community, how it will leverage its strengths and assets, and the broad themes it will emphasize that are attractive to retaining and recruiting business and industry.

12-O:26 Goals and Objectives. The plan shall identify both goals and objectives for the 10-year period and shall track measurable results so as to be able to assess the plan. Goals and objectives may be added, amended, or deleted as both existing and emerging economic conditions and opportunities warrant. The plan shall also benchmark key economic indicators.

12-O:27 Content of the Economic Development Strategy and Plan. The following, as a minimum, shall be considered in constructing the economic development strategy and plan:

I. Consideration of the entire state.

II. An analysis, relative to business and industry, of New Hampshire strengths and

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and industry, of New Hampshire strengths and advantages, and how they will be leveraged; analysis of weaknesses and obstacles, and suggestions on how to remedy or mitigate them; identification of opportunities and how to take advantage and benefit from them; and identification of threats and how to meet and deter them. The analysis, where appropriate, should suggest ownership of its various elements.

(c) A needs forecast, based on research from both existing and targeted business and industry, that identifies issues and suggested initiatives so as to strengthen New Hampshire as a business and industry destination and to reinforce retention.

(d) Identification of economic, demographic, and other trends which may have both short-term and long-term influence on the economy of the state.

(e) The identification of business sectors that are of strategic importance to the state's economy and to the state's global business image, and development of specific strategies to promote the development of such sectors; and an analysis of new industries that can be targeted in New Hampshire and the rationale for their identification.

(f) Identification of how economic development ideas, advice, and information from relevant entities throughout the state will be solicited to strengthen strategies and plans; and how potential partners for the implementation of the strategies and plans, including, without limitation, the United States **Commerce Department**, local governments, regional planning commissions, regional economic development corporations, chambers of commerce, business associations, investors, and other relevant entities will be integrated and engaged. Other states should also be studied to build an understanding of best practices that may be emulated.

(g) Innovative programs to position and market the state to aid business recruitment and retention.

(h) Economic performance metrics, to include **the** previous **3 fiscal** years and objectives for the **2 years** covered by the plan. Such metrics shall be contained in a state economic dashboard and updated regularly.

advantages, and how they will be leveraged; analysis of weaknesses and obstacles, and suggestions on how to remedy or mitigate them; identification of opportunities and how to take advantage and benefit from them; and identification of threats and how to meet and deter them. The analysis, where appropriate, should suggest ownership of its various elements.

III. A needs forecast, based on research from both existing and targeted business and industry, that identifies issues and suggested initiatives so as to strengthen New Hampshire as a business and industry destination and to reinforce retention.

IV. Identification of economic, demographic, and other trends which may have both short-term and long-term influence on the economy of the state.

V. The identification of business sectors that are of strategic importance to the state's economy and to the state's global business image, and development of specific strategies to promote the development of such sectors; and an analysis of new industries that can be targeted in New Hampshire and the rationale for their identification.

VI. Identification of how economic development ideas, advice, and information from relevant entities throughout the state will be solicited to strengthen strategies and plans; and how potential partners for the implementation of the strategies and plans, including, without limitation, the United States **government**, local governments, regional planning commissions, regional economic development corporations, chambers of commerce, business associations, investors, and other relevant entities will be integrated and engaged. Other states should also be studied to build an understanding of best practices that may be emulated.

VII. Innovative programs to position and market the state to aid business recruitment and retention.

VIII. Economic performance metrics, to include previous years and objectives for the **10 years** covered by the plan. Such metrics shall be contained in a state economic dashboard and updated regularly.

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(i) Inter-department agreements with selected state agencies recognizing their role in economic development strategies, plans, and programs.

(j) Identification of how the state will petition for and receive moneys, such as grants, to be used for economic development activities.

(k) Consideration of how workforce education and training in cooperation with the university system, the community college system, private colleges and universities, and other workforce training organizations will be leveraged and enhanced.

(l) Provisions for export growth and how relationships will be fostered with New Hampshire's export-related service providers and with the Commerce Department's International Trade Administration; and provisions to improve the state's image as a destination for foreign business investment and location with overseas entities.

(m) Identification of a division liaison to communicate needs to the general court for the benefit of economic development.

(n) Provision to identify and carry out other economic development activities that the governor or the commissioner may request.

II. The governor, the commissioner of the department of business and economic affairs, or the legislature may from time to time establish a commission or committee, as an adjunct to the division of economic development, to work on exceptionally problematic needs associated with economic development.

12-O:30 Annual Report. The division of economic development shall complete the initial economic development strategy and plan by December 31, 2015, and submit the plan to the governor, senate president, senate majority leader, senate minority leader, speaker of the house of representatives, house majority leader, and house minority leader. On or before December 31 each year thereafter the division shall similarly provide results and validation from the previous fiscal year and a comprehensive update of the plan so that each annual report shall extend the time frame of the plan by one year, thereby ensuring that a 2-year plan is always in effect.

IX. Inter-department agreements with selected state agencies recognizing their role in economic development strategies, plans, and programs.

X. Identification of how the state will petition for and receive moneys, such as grants, to be used for economic development activities.

XI. Consideration of how workforce education and training in cooperation with the university system, the community college system, private colleges and universities, and other workforce training organizations will be leveraged and enhanced.

XII. Provisions for export growth and how relationships will be fostered with New Hampshire's export-related service providers and with the Commerce Department's International Trade Administration; and provisions to improve the state's image as a destination for foreign business investment and location with overseas entities.

XIII. Identification of a division liaison to communicate needs to the general court for the benefit of economic development.

XIV. Provision to identify and carry out other economic development activities that the governor or the commissioner may request.

12-O:28 Annual Report. The division of economic development shall complete the initial economic development strategy and plan by December 31, 2018, and submit the plan to the governor, senate president, senate majority leader, senate minority leader, speaker of the house of representatives, house majority leader, and house minority leader. On or before December 31 of each year, thereafter the division shall similarly provide results and validation from the previous fiscal year and a comprehensive update of the plan so that each annual report shall extend the time frame of the plan by one year, thereby ensuring that a 2-year plan is always in effect.

Division of Economic Development Fund

12-O:31 Division of Economic Development Fund. There is hereby established in the office of the state treasurer a fund to be known as the division of economic development fund. The commissioner of business and economic affairs is authorized to accept public sector and private sector grants, gifts, or donations of any kind for the purpose of funding initiatives associated with the activities set forth in RSA 12-O:20. Such grants, gifts, and donations shall be deposited in the division of economic development fund and may only be expended by the commissioner of business and economic affairs to accomplish the purposes of this section. Other than acknowledgment for promotional purposes, donations shall not be used as fees for services in a manner that primarily benefits the party providing the funds. The state treasurer may invest moneys in the fund as provided by law, with interest received on such investment credited to the fund. The moneys in this fund shall be nonlapsing.

Job Training Program for Economic Growth

12-O:32 Program Transferred. The job training program for economic growth established in the former department of resources and economic development is hereby transferred to the department of business and economic affairs, subject to the provisions of this chapter. The program is designed to attract new business, assist in the expansion of business, and retain existing business in the state of New Hampshire.

12-O:33 Purpose. The purpose of this program is to:

- I. Enhance the state's economic growth and vitality by offering assistance to privately owned businesses and industries in training a new workforce and retraining existing employees to implement new technologies, in creating new jobs, and in retaining and upgrading existing jobs.
- II. Provide technical education and training as a component of the state's economic development efforts.
- III. Be flexible and responsive to the training needs of business and industry in New

Division of Economic Development Fund

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- II. Provide technical education and training as a component of the state's economic development efforts.
- III. Be flexible and responsive to the training needs of business and industry in New

<p>Hampshire.</p> <p>12-O:34 Training Programs. Training programs may include, but shall not be limited to:</p> <ul style="list-style-type: none"> I. Structured, on-site laboratory or classroom training. II. Basic skills. III. Technical skills. IV. Quality improvement. V. Safety. VI. Management and supervision. VII. English as a second language. <p>12-O:35 Administration; Review Committee.</p> <ul style="list-style-type: none"> I. The department of business and economic affairs, or an entity with which the department has contracted, shall administer this program. II. The commissioner of the department of business and economic affairs shall: <ul style="list-style-type: none"> (a) Adopt rules under RSA 541-A, relative to the administration of this subdivision. (b) Establish a grant review committee consisting of the following: <ul style="list-style-type: none"> (1) The commissioner of the department of business and economic affairs, or designee. (2) The commissioner of the department of employment security, or designee. (3) The chancellor of the community college system of New Hampshire, or designee. (4) One member representing labor, appointed by the commissioner of the department of business and economic affairs. (5) Three members representing business and industry, appointed by the governor. (6) One senator, appointed by the senate president. (7) One representative, appointed by the speaker of the house of representatives. 	<p>Hampshire.</p> <p>12-O:32 Training Programs. Training programs may include, but shall not be limited to:</p> <ul style="list-style-type: none"> I. Structured, on-site laboratory or classroom training. II. Basic skills. III. Technical skills. IV. Quality improvement. V. Safety. VI. Management and supervision. VII. English as a second language. <p>12-O:33 Administration; Review Committee.</p> <ul style="list-style-type: none"> I. The department of business and economic affairs, or an entity with which the department has contracted, shall administer this program. II. The commissioner of the department of business and economic affairs shall adopt rules under RSA 541-A, relative to the administration of this subdivision.
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(8) The president of the Workforce Opportunity Council, Inc.

III. The committee shall make recommendations to the commissioner of the department of business and economic affairs concerning the award of training grants to businesses.

12-O:36 Eligibility for Training Grants.

I. In this subdivision, "grant recipient" means the business entity that receives funds from the department and which provides funds to the training provider.

II. Only those businesses that are physically located or intend to be physically located within the state may receive funds under this subdivision.

III. Only those employees who are residents of New Hampshire, or who work for a business that is located or intends to locate within the state, or are unemployed residents of New Hampshire, shall receive training from grants under this subdivision.

IV. Grant recipients shall match no less than one dollar for each dollar provided through the grant award. The match funds shall include only those costs extraordinary to the regular employee expenses incurred by the business and shall be directly related to training.

V. Priority shall be given for grants to small businesses for the implementation of technological innovations.

VI. Intent by a business to locate within the state shall be established to the satisfaction of the grant review committee. A minimum requirement for intent to be established shall be:

(a) Proof of substantial investment or a binding contractual obligation consistent with such intent;

(b) The lease or purchase of real estate or equipment within the state necessary for the planned move; or

(c) Such other requirement as may be established under rules adopted by the commissioner of the department of resources and economic development.

VII. Submission of documents to substantiate proof of intent by a business to locate within the state shall be in accordance with rules adopted by the commissioner.

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(a) Proof of substantial investment or a binding contractual obligation consistent with such intent;

(b) The lease or purchase of real estate or equipment within the state necessary for the planned move; or

(c) Such other requirement as may be established under rules adopted by the commissioner of the department of resources and economic development.

VII. Submission of documents to substantiate proof of intent by a business to locate within the state shall be in accordance with rules adopted by the commissioner.

VIII. No grant shall be made to the state, including the state university system.

IX. No grant shall be made to any county, city, town, or other political subdivision which has not currently elected to pay contributions pursuant to RSA 282-A:71, II.

X. No grant shall be made to any organization or group of organizations, described in section 501(c)(3) and exempt under section 501(a) of the Internal Revenue Code, which has not currently elected to pay contributions pursuant to RSA 282-A:69, II.

12-O:37 Eligible Costs.

I. To be eligible under this subdivision, a cost must be necessary and reasonable for the proper and efficient delivery of training to the employees of the grant recipient.

II. The following costs are not eligible:

- (a) Costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.
- (b) Entertainment costs.
- (c) Administrative costs.
- (d) Salaries and wages of employees in training.

III. Funds for training grants shall supplement, and not replace, funds available through existing programs conducted by the business entity, or other public or private training programs.

IV. The department may use no more than 10 percent, or \$200,000, of any moneys received from the training fund established at RSA 282-A:138-a, whichever is less, to administer this program.

12-O:38 Training Facilities.

I. As long as it is feasible, training shall be provided by the community college system of New Hampshire, which may charge full market value for the training provided.

II. When the community college system of New Hampshire cannot provide desired training, the training grant recipient will be free to contract with some other training entity approved by the community college system of New Hampshire.

VIII. No grant shall be made to the state, including the state university system.

IX. No grant shall be made to any county, city, town, or other political subdivision which has not currently elected to pay contributions pursuant to RSA 282-A:71, II.

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II. The following costs are not eligible:

- (a) Costs resulting from violations of or failure to comply with federal, state, or local laws and regulations.
- (b) Entertainment costs.
- (c) Administrative costs.
- (d) Salaries and wages of employees in training.

III. Funds for training grants shall supplement, and not replace, funds available through existing programs conducted by the business entity, or other public or private training programs.

IV. The department may use no more than 10 percent, or \$200,000, of any moneys received from the training fund established at RSA 282-A:138-a, whichever is less, to administer this program.

12-O:36 Training Facilities.

I. As long as it is feasible, training shall be provided by the community college system of New Hampshire, which may charge full market value for the training provided.

II. When the community college system of New Hampshire cannot provide desired training, the training grant recipient will be free to contract with some other training entity approved by the community college system of New Hampshire.

III. The provider shall be specified in the grant award.

12-O:39 Performance; Report.

I. The grant review committee shall establish performance criteria. The committee shall submit annually 60 days after the close of each fiscal year, to the commissioner of the department of business and economic affairs, the commissioner of the department of employment security, the governor, the senate president, the speaker of the house of representatives, and the fiscal committee of the general court, a report indicating the level of performance achieved through the program.

II. The department shall evaluate the performance level for each training grant program provided to a business.

III. The grant recipient shall file the information required under paragraphs I and II, as requested by the commissioner.

International Trade Promotion

12-O:40 International Trade Promotion. The commissioner of business and economic affairs shall plan, develop, and administer programs for international trade promotion and inward investment promotion in cooperation with the Pease development authority, division of ports and harbors, and the Small Business Development Center and other private organizations. The commissioner shall take a proactive role in targeting foreign trade shows and foreign trade missions and shall assist New Hampshire businesses desiring to participate in these shows and missions. In planning, developing, and administering programs under this section, the commissioner shall be assisted by the advisory committee on international trade established in RSA 12-O:41 and may draw on the fund created under RSA 12-O:42.

12-O:41 Advisory Committee on International Trade.

I. The advisory committee on international trade is hereby transferred from the former department of resources and economic development to the department of business and economic affairs subject to the provisions of this chapter.

III. The provider shall be specified in the grant award.

12-O:37 Performance; Report.

I. The grant review committee shall establish performance criteria. The committee shall submit annually 60 days after the close of each fiscal year, to the commissioner of the department of business and economic affairs, the commissioner of the department of employment security, the governor, the senate president, the speaker of the house of representatives, and the fiscal committee of the general court, a report indicating the level of performance achieved through the program.

II. The department shall evaluate the performance level for each training grant program provided to a business.

III. The grant recipient shall file the information required under paragraphs I and II, as requested by the commissioner.

International Trade Promotion

12-O:38 International Trade Promotion. The commissioner of business and economic affairs shall plan, develop, and administer programs for international trade promotion and inward investment promotion in cooperation with the Pease development authority, division of ports and harbors, and the Small Business Development Center and other private organizations. The commissioner shall take a proactive role in targeting foreign trade shows and foreign trade missions and shall assist New Hampshire businesses desiring to participate in these shows and missions. In planning, developing, and administering programs under this section, the commissioner may draw on the fund created under RSA 12-O:39.

II. The advisory committee shall assist the commissioner of business and economic affairs in carrying out the duties assigned under RSA 12-O:40. The advisory committee shall:

- (a) Provide a mechanism for the private sector to advise the public sector of its needs on an ongoing basis.
- (b) Disseminate information among public and private sector units interested in fostering increased international trade activity in New Hampshire.
- (c) Provide for ongoing measurement of progress of state agencies involved in promoting international trade.
- (d) Provide coordination to maximize existing limited resources available in New Hampshire for international trade.
- (e) Provide for ongoing measurement of, and report on, the effect of international business on New Hampshire's economy.

III. The commissioner of business and economic affairs shall file an annual report by January 15 with the governor, the senate president, and the speaker of the house of representatives. The report shall detail the impact of the advisory committee's efforts on international business trade under subparagraph II(e) and provide any recommendations for further legislation regarding the promotion of international trade.

IV. The advisory committee shall consist of the following members:

- (a) One member of the senate committee with jurisdiction over commerce issues, appointed by the senate president.
- (b) One member of the house committee with jurisdiction over commerce issues, appointed by the speaker of the house of representatives.
- (c) The governor or designee.
- (d) A representative of the U.S. Small Business Administration, appointed by that organization.
- (e) A representative of the Business and Industry Association of New Hampshire who

has experience in the area of international trade, appointed by that association.

(f) The director of the Pease development authority, division of ports and harbors or designee.

(g) A representative of the New Hampshire Association of Commerce and Industry who has experience in the area of international trade, appointed by that organization.

(h) A representative of the New Hampshire International Trade Association with experience in the area of international trade, appointed by that association.

(i) A representative of the New Hampshire Bankers Association with experience in the area of international trade, appointed by that association.

(j) The director of the Pease development authority or designee.

(k) The director of the New Hampshire Small Business Development Center or designee.

(l) A representative of the U.S. Department of Commerce, International Trade Administration, appointed by such department.

(m) A representative of the academic community, appointed by the governor and council.

(n) A representative of organized labor, appointed by the governor and council.

(o) A representative of the New Hampshire High Technology Council who has experience in the area of international trade, appointed by that organization.

(p) A representative of each member of the New Hampshire congressional delegation.

(q) The director of the Manchester-Boston regional airport or designee.

(r) One or more representatives of the business community selected by the advisory committee on international trade to represent the interest of that community in the area of international business development.

V. Nonlegislative members of the committee shall serve a term of 2 years, commencing with the first meeting in odd-numbered years. Legislative members shall serve terms coterminous

with their terms in office.

VI. Meetings shall be held quarterly, at a posted time and place. A majority of committee members shall constitute a quorum.

12-O:42 International Trade Promotion Fund. There is hereby established in the office of the state treasurer a fund to be known as the international trade promotion fund. The commissioner of business and economic affairs is authorized to accept public sector and private sector grants, gifts, or donations of any kind for the purpose of funding programs associated with the promotion of international trade. Such grants, gifts, and donations shall be deposited in the international trade promotion fund and may be expended by the commissioner of business and economic affairs to accomplish the purposes of RSA 12-O:40. The moneys in this fund shall be nonlapsing.

12-O:39 International Trade Promotion Fund. There is hereby established in the office of the state treasurer a fund to be known as the international trade promotion fund. The commissioner of business and economic affairs is authorized to accept public sector and private sector grants, gifts, or donations of any kind for the purpose of funding programs associated with the promotion of international trade. Such grants, gifts, and donations shall be deposited in the international trade promotion fund and may be expended by the commissioner of business and economic affairs to accomplish the purposes of RSA 12-O:38. The moneys in this fund shall be nonlapsing and shall be continually appropriated to the department of business and economic affairs.

Economic Development Matching Grants Program

12-O:40 Economic Development Matching Grants Program; Transfer. The economic development matching grants program originally established in the former department of resources and economic development is hereby transferred to the department of business and economic affairs, subject to the provisions of this chapter.

12-O:41 Economic Development Matching Grants Program. An economic development matching grants program is established to assist municipalities and counties in promoting themselves to prospective businesses. For the purposes of this subdivision, "program" means the economic development matching grants program.

I. The department of business and economic affairs shall administer an economic development matching grants program. The funds appropriated for this program shall be expended for grants for programs entered into by municipalities, counties, and organizations which are designed to promote the location of new businesses in the state of New Hampshire or to encourage workforce recruitment efforts.

II. Funds appropriated to the program shall only be made available to municipalities,

Reports on Economic Development Loans and Grants

12-O:43 Reports on Economic Development Program Loans and Grants.

I. The department shall include, as part of its annual report or as a separate report published and made available to the public annually on or before September 1, beginning

counties, and with the approval of the commissioner of the department of business and economic affairs.

III. Grant awards shall require 50 percent matching funds from other sources. Grants shall not be used for the administrative salaries or overhead expenses of any applicant selected for a grant. Grants may be used for workforce recruitment efforts and related travel costs.

IV. Grant applications shall be reviewed by the commissioner. A recommendation for disapproval by the commissioner shall be in writing with the reasons for disapproval stated.

V. Funds appropriated for the program for the first fiscal year of any biennium shall not lapse and shall be available for expenditure during the second fiscal year of the biennium. All funds which have not been expended by the end of the second fiscal year of a biennium shall lapse to the general fund.

VI. The commissioner shall adopt rules under RSA 541-A after public hearing governing the program. These rules shall include:

(a) A description of the program, stating the general course and method of its operations and the methods by which the proposed grantee may obtain proposes grantee information or make submissions or requests.

(b) The procedures and criteria used to certify municipalities, counties, and organizations eligible for matching grants.

(c) The application process, including the information required of applicants.

(d) The procedures and criteria used to evaluate grant applications.

(e) Procedures for the administration of grants by recipients including reporting requirements.

Reports on Economic Development Loans and Grants

12-O:42 Reports on Economic Development Program Loans and Grants.

I. The department shall include, as part of its annual report or as a separate report published and made available to the public annually on or before September 1, beginning

September 1, 2017, the following information regarding each economic development program for which state grants and loans have been awarded:

- (a) Information regarding the number of jobs to be created or saved as a result of the award, and the related wages and benefits levels.
- (b) The growth potential of the program.
- (c) The environmental impact of the program.
- (d) The amount of the loan, grant, loan guarantee, bond guarantee, or tax incentives awarded.

II. The annual report shall also include information regarding the criteria for the awarding of economic development assistance and the means by which the department tracks the progress which each awardee makes in meeting the job, wage, and benefit projections included in its application for assistance.

12-O:44 Review of Reports Required. For the purpose of ensuring comparability of impact reports on economic development programs issued under RSA 12-O:43, and RSA 162-A:23-a, the department of business and economic affairs, in consultation with the legislative budget assistant, shall periodically review such reports at least once every 5 years and make recommendations to be utilized by the agencies making such reports for an improved and consistent methodology for assessing the quantity and quality of jobs created and saved and the growth potential and environmental impacts of such programs. This section shall not apply to promotional literature.

12-O:45 Limitation. This subdivision shall not apply to state loans or state loan guarantees of less than \$250,000, or to state grants of less than \$50,000.

Technology Development and

Telecommunications Planning and Development

12-O:46 Technology Development and Telecommunications Planning. There is established within the division of economic development, a technology development and telecommunication planning function, which is intended to promote technology development and telecommunication

September 1, 2018, the following information regarding each economic development program for which state grants and loans have been awarded:

- (a) Information regarding the number of jobs to be created or saved as a result of the award, and the related wages and benefits levels.
- (b) The growth potential of the program.
- (c) The environmental impact of the program.
- (d) The amount of the loan, grant, loan guarantee, bond guarantee, or tax incentives awarded.

II. The annual report shall also include information regarding the criteria for the awarding of economic development assistance and the means by which the department tracks the progress which each awardee makes in meeting the job, wage, and benefit projections included in its application for assistance.

12-O:43 Review of Reports Required. For the purpose of ensuring comparability of impact reports on economic development programs issued under RSA 12-O:42, and RSA 162-A:23-a, the department of business and economic affairs, in consultation with the legislative budget assistant, shall periodically review such reports at least once every 5 years and make recommendations to be utilized by the agencies making such reports for an improved and consistent methodology for assessing the quantity and quality of jobs created and saved and the growth potential and environmental impacts of such programs. This section shall not apply to promotional literature.

12-O:44 Limitation. This subdivision shall not apply to state loans or state loan guarantees of less than \$250,000, or to state grants of less than \$50,000.

Small Business Innovation Research Support

12-O:45 Small Business Innovation Research Support. The director of economic development, under the supervision of the commissioner of business and economic affairs and pursuant to the director's duties under RSA 12-O:20, shall establish a small business innovation research support program.

planning in the state. Under the supervision of the director of the division of economic development, the division shall:

I. Coordinate state telecommunications policy planning initiatives by providing support for the telecommunications planning and development advisory committee established in RSA 12-O:50, maintaining a state telecommunications resource website, and working with regional partners from the private and public sector to coordinate efforts to provide increased interoperable advanced telecommunications systems throughout the state with the goal of providing affordable and accessible broadband to residents of this state.

II. Encourage and facilitate collaboration between public and private research and development efforts in New Hampshire relative to technology development and telecommunications planning.

III. With the assistance of the university of New Hampshire and other partners, seek resources such as grants from government and nonprofit entities to develop a state technology development and telecommunications plan.

12-O:47 Director of Broadband Technology Planning and Development. There is established within the division of economic development the position of director of broadband technology planning and development, which shall be an administrator II position, classified at labor grade 29. The director shall:

I. Coordinate state telecommunications policy planning initiatives by serving as a member of the telecommunications planning and development advisory committee established in RSA 12-O:50, maintaining a state telecommunications resource website, and working with regional partners from the private and public sector to coordinate efforts to provide increased interoperable advanced telecommunications systems throughout the state with the goal of providing affordable and accessible broadband to residents of this state.

II. Encourage and facilitate collaboration between public and private research and development efforts in New Hampshire relative to broadband technology planning and

12-O:46 Recognition of Federal Grant Recipients. The director may issue a suitable plaque to New Hampshire residents that receive federal small business innovation research grants recognizing their achievement. The director shall also recommend that the governor issue a letter of commendation to all such recipients.

12-O:47 Matching Grants. The director may authorize that first-time federal grant recipients recognized under RSA 12-O:46 receive a grant from the New Hampshire economic development fund in RSA 12-O:22 of up to \$50,000 to match the federal support received.

12-O:48 Seminars. The director may organize an annual seminar to promote and explain the small business innovation research program to members of the public. Participants in the seminar shall include previous grant recipients and representatives of relevant state agencies as determined by the director.

12-O:49 Grant Information. The director shall compile information relative to applying for federal small business innovation research grants, including the names of appropriate federal officials. The director shall make the information available on an Internet site created for such purpose.

<p>development.</p> <p>III. Develop a comprehensive broadband plan for the state and coordinate with partners throughout the state to implement and regularly update the plan.</p> <p>IV. Act as an agent in recruiting and retaining high technology companies in New Hampshire.</p> <p>V. Serve as a resource for state policy makers to develop policies geared towards increasing and expanding high technology jobs and promoting development of a high technology workforce.</p> <p>VI. Seek resources such as grants from government and nonprofit entities to promote the state's broadband technology planning and development initiatives.</p> <p>12-O:48 Telecommunications Planning and Development Initiative.</p> <p>I.(a) The director of economic development, under the supervision of the commissioner of business and economic affairs and pursuant to the director's duties under RSA 12-O:20, shall develop and implement a telecommunications planning and development initiative which will result in a telecommunications development plan to be adopted and revised regularly by the telecommunications planning and development advisory committee.</p> <p>(b) As primary duties of this initiative, the director shall:</p> <p>(1) Identify existing telecommunications infrastructure by establishing and maintaining a database of telecommunications service providers, services, and infrastructure that exist throughout the state.</p> <p>(2) Publicize the state's telecommunications infrastructure, as an integral part of the state's economic development efforts, by planning, developing, administering, and implementing programs to assist in the distribution of information about available telecommunications services, infrastructure, and technologies throughout all parts of the state.</p> <p>(c) As secondary duties of this initiative, the director shall:</p> <p>(1) Identify shortcomings in the deployment of telecommunications infrastructure</p>	
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throughout all parts of the state.

(2) Work with providers of telecommunications services, educators, and municipal, county, state, and other government officials to assist efforts to enhance the deployment of telecommunications services.

II. The director may delegate any of the duties established in paragraph I to appropriate designees within the division of economic development.

III. The budget for the initiative shall be considered in the division of economic development's operating budget.

12-O:49 Telecommunications Planning and Development Fund. There is hereby established in the office of the state treasurer a fund to be known as the telecommunications planning and development fund. The commissioner of business and economic affairs is authorized to accept public sector and private sector grants, gifts, or donations of any kind for the purpose of funding initiatives associated with the purpose of this subdivision. Such grants, gifts, and donations shall be deposited in the telecommunications planning and development fund and may only be expended by the commissioner of business and economic affairs to accomplish the purposes of this subdivision. The state treasurer may invest moneys in the fund as provided by law, with interest received on such investment credited to the fund. The moneys in this fund shall be nonlapsing.

12-O:50 Telecommunication Planning and Development Advisory Committee.

I. The telecommunications planning and advisory committee originally established in the former department of resources of economic development is hereby transferred to the department of business and economic affairs subject to the provisions of this chapter.

II. The telecommunications planning and development advisory committee shall advise and assist the director of economic development in performing the duties established in RSA 12-O:48. The advisory committee shall meet at least quarterly. Nine members of the committee shall constitute a quorum.

III. The members of the committee shall be:

- (a) The governor, or designee;
- (b) The commissioner of business and economic affairs, or designee;
- (c) The commissioner of safety, or designee;
- (d) The commissioner of the department of health and human services, or designee;
- (e) The commissioner of the department of education, or designee;
- (f) The state librarian, or designee;
- (g) The chairman of the public utilities commission, or designee;
- (h) One member of the house of representatives, appointed by the speaker of the house of representatives;
- (i) One member of the senate, appointed by the president of the senate;
- (j) The chief information officer, or designee;
- (k) The following persons nominated by the commissioner of business and economic affairs and appointed by the governor and council, unless otherwise specified:
 - (1) Two members representing residential telecommunications customers;
 - (2) One member representing large business telecommunications customers, appointed by the senate president;
 - (3) One member representing small business telecommunications customers, appointed by the speaker of the house of representatives;
 - (4) One member representing educational technology;
 - (5) One member representing municipal government;
 - (6) One member representing county government;
 - (7) One member representing a regional economic development organization or a regional planning commission;
 - (8) One member representing healthcare technology;
 - (9) Up to 7 members representing several of the following sectors of the telecommunications industry: wireless, paging, incumbent local exchange carriers, competitive

local exchange carriers, Internet service providers, cable, long distance providers, and broadcast television. A member representing one sector may also represent one or more other sectors, as deemed appropriate by the commissioner; and

(10) The director of broadband technology planning and development in the division of economic development.

IV. In this section:

(a) "Broadband" means the transmission, between or among points specified by the user, of information of the user's choosing, with or without change in the form or content of the information as sent and received, at rates of transmission equal or greater than that defined by the Federal Communications Commission as "broadband."

(b) "Broadband infrastructure" means any and all equipment and facilities, including any and all changes, modifications, and expansions to existing facilities, as well as the customer premises equipment used to provide broadband, and any and all software integral to or related to the operations, support, facilitation, or interconnection of such equipment, including upgrades, and any and all installation, operations, and support, maintenance, and other functions as may be required to support the delivery of broadband.

V. The telecommunications planning and development advisory committee shall assist the director in promoting access to affordable and reliable broadband service to all state citizens and businesses by:

(a) Identifying and maintaining an inventory of the state's broadband availability.

(b) Continually assessing the availability of and need for broadband infrastructure in unserved and underserved areas within the state.

(c) Disseminating information and data concerning communication services and broadband infrastructure within the state.

(d) Creating and facilitating public awareness and educational programs to encourage the use of broadband infrastructure.

(e) Continually assessing and making recommendations to improve services provided to citizens by state agencies via broadband and Internet technologies as a mean of improving service and reducing costs.

(f) Identifying funding sources for broadband infrastructure deployment or education.

(g) Identifying barriers to investment of private capital in broadband infrastructure.

(h) Identifying opportunities for coordination among providers, consumers, and state and local governmental entities, including:

(1) Coordination with the statewide emergency radio networks.

(2) Use of telecommunications to facilitate delivery of Medicare and or Medicaid services and other related medical assistance, including but not limited to telehealth, telemedicine, and broadband access.

(3) Collaboration among public education initiatives to utilize and improve broadband to enhance educational opportunities between public, private, and special education institutions.

(4) Coordination of information resources using technology and support methods to improve collaboration between public, academic, and special libraries, organizations, and government departments, agencies, and their subdivisions.

(i) Identifying barriers to enrollment in the Lifeline Telephone Assistance program and supporting collaboration and outreach methods that increase enrollment in the program.

(j) Advising and assisting the department of health and human services in the implementation of Medicaid coverage of telehealth services as required under RSA 167:4-d. This shall include, but not be limited to, assisting in the development of a detailed work plan for implementation of Medicaid coverage of telehealth services and identifying funding or other tangible resources for consultative services drawing on the expertise in the telehealth community and/or academic institutions.

VI. The legislative members of the committee shall serve for the duration of their

legislative term, and shall receive mileage at the legislative rate when attending to the duties of the committee.

VII. Other appointed members of the committee shall serve for 3 years and until a successor is appointed.

VIII. The committee shall elect a chairperson from among the members.

IX. The committee shall report its findings and recommendations to the director in the form of a status report on or before July 31 annually.

12-O:51 Telecommunications; Statutory Construction. For purposes of this subdivision, "telecommunications" shall be construed broadly, and shall include, but not be limited to, traditional dial tone services, the transmission of voice, data, or video through cable and wireless media, and any other similar services to be offered in the future.

12-O:52 Authority of Director to Acquire Information. The director of economic development is authorized to request from telecommunications service providers such information as the director requires to perform the duties established in RSA 12-O:48.

12-O:53 Confidentiality. Information provided to the director pursuant to a request made under RSA 12-O:52 shall, if properly demonstrated by the provider of the information, be deemed confidential, commercial, or financial information and exempt from public disclosure under RSA 91-A:5, IV. Nothing in this section shall prohibit the director from disclosing information provided pursuant to a request made under RSA 12-O:52 in a manner that does not specifically identify the provider.

New Hampshire Workforce Opportunity Council

12-O:54 Workforce Development. The commissioner of business and economic affairs shall plan, develop, and administer workforce investment activities, programs, and grants under the federal Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time, and shall discharge the day-to-day operational responsibilities and obligations of the New Hampshire Workforce Opportunity Council

New Hampshire Workforce Development

12-O:50 Workforce Development. The commissioner of business and economic affairs shall work with the workforce development director to plan, develop, and administer workforce investment activities, programs, and grants under the federal Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time, and shall discharge the day-to-day operational responsibilities and obligations of the New

established under RSA 12-A:62. The commissioner shall coordinate with the New Hampshire Workforce Opportunity Council to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation.

Hampshire Workforce Opportunity Council established under RSA 12-A:52. The commissioner shall coordinate with the New Hampshire Workforce Opportunity Council to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation.

12-O:51 Workforce Development Director. There is established within the bureau of workforce development the position of workforce development coordinator, which shall be an administrator II position, classified at labor grade 29. The workforce development director shall lead the workforce development bureau. The workforce development director shall perform all duties which the commissioner may assign.

12-O:55 New Hampshire Workforce Opportunity Council.

12-O:52 New Hampshire Workforce Opportunity Council.

I. There is established a New Hampshire Workforce Opportunity Council.

I. There is established a New Hampshire Workforce Opportunity Council within the bureau of workforce development.

II. Membership of the council shall be as set forth in section 111(b) of the Workforce Investment Act of 1998, Public Law 105-220, codified at 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time. Members of the council shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the council from among the members of the council, in accordance with 29 U.S.C. section 2821(c).

II. Membership of the council shall be as set forth in section 111(b) of the Workforce Investment Act of 1998, Public Law 105-220, codified at 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time. Members of the council shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the council from among the members of the council, in accordance with 29 U.S.C. section 2821(c).

III. The council shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the Workforce Investment Act of 1998, and shall assist the governor in:

III. The council shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the Workforce Investment Act of 1998, and shall assist the governor in:

(a) Development of the state plan required under section 112 of the Workforce Investment Act of 1998.

(a) Development of the state plan required under section 112 of the Workforce Investment Act of 1998.

(b) Development and continuous improvement of a statewide system of activities that

(b) Development and continuous improvement of a statewide system of activities that

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are funded under this subdivision or carried out through a One-Stop delivery system described in section 134c of the Workforce Investment Act of 1998, that receives funds under that act, including:

(1) Development of linkages in order to assure coordination and non-duplication among the programs and activities described in section 121(b) of the Workforce Investment Act of 1998; and

(2) Review of local plans under the Workforce Investment Act of 1998, if any.

(c) Commenting at least once annually on the measures taken pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act, 20 U.S.C. section 2323(b)(3).

(d) Designation of local areas as required in section 116 of the Workforce Investment Act of 1998.

(e) Development of the allocation formulas for the distribution of funds for adult employment and training activities and youth activities to local areas as permitted under sections 128(b)(3)(B) and 133(b)(3)(B) of the Workforce Investment Act of 1998.

(f) Development and continuous improvement of comprehensive state performance measures including state adjusted levels of performance, to assess the effectiveness of the workforce investment activities in the state as required under section 136(b) of the Workforce Investment Act of 1998.

(g) Preparation of the annual report to the United States Secretary of Labor described in section 136(d) of the Workforce Investment Act of 1998.

(h) Development of the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act.

(i) Development of an application for an incentive grant under 20 U.S.C. section 9273.

12-O:56 New Hampshire Workforce Opportunity Fund.

I. There is hereby established the New Hampshire workforce opportunity fund which shall be nonlapsing and administered by the commissioner of the department of business and economic

are funded under this subdivision or carried out through a One-Stop delivery system described in section 134c of the Workforce Investment Act of 1998, that receives funds under that act, including:

(1) Development of linkages in order to assure coordination and non-duplication among the programs and activities described in section 121(b) of the Workforce Investment Act of 1998; and

(2) Review of local plans under the Workforce Investment Act of 1998, if any.

(c) Commenting at least once annually on the measures taken pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act, 20 U.S.C. section 2323(b)(3).

(d) Designation of local areas as required in section 116 of the Workforce Investment Act of 1998.

(e) Development of the allocation formulas for the distribution of funds for adult employment and training activities and youth activities to local areas as permitted under sections 128(b)(3)(B) and 133(b)(3)(B) of the Workforce Investment Act of 1998.

(f) Development and continuous improvement of comprehensive state performance measures including state adjusted levels of performance, to assess the effectiveness of the workforce investment activities in the state as required under section 136(b) of the Workforce Investment Act of 1998.

(g) Preparation of the annual report to the United States Secretary of Labor described in section 136(d) of the Workforce Investment Act of 1998.

(h) Development of the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act.

(i) Development of an application for an incentive grant under 20 U.S.C. section 9273.

12-O:53 New Hampshire Workforce Opportunity Fund.

I. There is hereby established the New Hampshire workforce opportunity fund which shall be nonlapsing, **continually appropriated to**, and administered by the commissioner of the

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affairs. Said fund shall be for the purpose of receiving financial assistance under the Workforce Investment Act of 1998 and providing funds for grants and other workforce development initiatives.

II. The fund shall be distributed or expended by the commissioner after consultation with the New Hampshire Workforce Opportunity Council established in RSA 12-O:55 and the approval of the governor and council for any of the following purposes:

- (a) Workforce Investment Act Adult and Dislocated Worker programs.
- (b) Workforce Investment Act Youth programs.
- (c) Workforce Investment Act Senior Community Service Employment programs.
- (d) Workforce Investment Act Disability programs.
- (e) Workforce Investment Act Regional Innovation and National Emergency grant programs.

(f) Other projects, programs, or grants recognized as being beneficial to workforce development initiatives and consistent with the goals of the Workforce Investment Act.

III.(a) The department may accept gifts, grants, donations, or other moneys for the purposes of this section. Said moneys shall be deposited into the New Hampshire workforce opportunity fund.

(b) The commissioner may enter into contracts and agreements and may take other actions that may be necessary or desirable to effect the transfer to it of operations currently conducted by The Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council under the Workforce Investment Act, and to effect the transfer of assets utilized by them in doing so; and, the commissioner may assume, bear, and agree to perform those contracts of the Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council that may be necessary or desirable for carrying out the purposes of this section.

IV. The commissioner of the department of business and economic affairs shall have the

department of business and economic affairs. Said fund shall be for the purpose of receiving financial assistance under the Workforce Investment Act of 1998 and providing funds for grants and other workforce development initiatives.

II. The fund shall be distributed or expended by the commissioner after consultation with the New Hampshire Workforce Opportunity Council established in RSA 12-O:52 and the approval of the governor and council for any of the following purposes:

- (a) Workforce Investment Act Adult and Dislocated Worker programs.
- (b) Workforce Investment Act Youth programs.
- (c) Workforce Investment Act Senior Community Service Employment programs.
- (d) Workforce Investment Act Disability programs.
- (e) Workforce Investment Act Regional Innovation and National Emergency grant programs.

(f) Other projects, programs, or grants recognized as being beneficial to workforce development initiatives and consistent with the goals of the Workforce Investment Act.

III.(a) The department may accept gifts, grants, donations, or other moneys for the purposes of this section. Said moneys shall be deposited into the New Hampshire workforce opportunity fund.

(b) The commissioner may enter into contracts and agreements and may take other actions that may be necessary or desirable to effect the transfer to it of operations currently conducted by The Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council under the Workforce Investment Act, and to effect the transfer of assets utilized by them in doing so; and, the commissioner may assume, bear, and agree to perform those contracts of the Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council that may be necessary or desirable for carrying out the purposes of this section.

IV. The commissioner of the department of business and economic affairs shall have the

authority to enter into such agreements for leasing real property, acquiring goods, and engaging services to perform Rapid Response activities in accordance with this subdivision. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such agreements and amounts expended pursuant thereto. Such agreements shall be made pursuant to forms of agreement that shall be approved by governor and council which forms of agreement have been reviewed by the attorney general and the commissioner of the department of administrative services.

V. In accordance with **RSA 12-O:32 through RSA 12-O:39**, the commissioner of business and economic affairs shall have the authority to make grants to New Hampshire employers for the purpose of training employees in accordance with this chapter, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.

authority to enter into such agreements for leasing real property, acquiring goods, and engaging services to perform Rapid Response activities in accordance with this subdivision. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such agreements and amounts expended pursuant thereto. Such agreements shall be made pursuant to forms of agreement that shall be approved by governor and council which forms of agreement have been reviewed by the attorney general and the commissioner of the department of administrative services.

V. In accordance with **RSA 12-O:30 through RSA 12-O:37**, the commissioner of business and economic affairs shall have the authority to make grants to New Hampshire employers for the purpose of training employees in accordance with this chapter, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.

44 Member Added; Reference Corrected; Scenic and Cultural Byways Council. Amend RSA 238:20, I(e) to read as follows:

(e) The director of the division of ~~historie~~ **historical** resources, **department of natural and cultural resources**, or designee.

42 Member Added; Reference Corrected; Scenic and Cultural Byways Council. Amend RSA 238:20, I(e) to read as follows:

(e) The director of the division of ~~historie~~ **historical** resources, **department of natural and cultural resources**, or designee.

45 Gifts for Historic Sites. Amend RSA 4:8-a to read as follows:

4:8-a Gifts for Historic Sites and the Community College System of New Hampshire.

I. The governor and council may, by executive order, authorize the department of ~~resources and economic development~~ **natural and cultural resources** to accept, for the state, gifts of personal property and money which are donated for use in connection with historic sites

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4:8-a Gifts for Historic Sites and the Community College System of New Hampshire.

I. The governor and council may, by executive order, authorize the department of ~~resources and economic development~~ **natural and cultural resources** to accept, for the state, gifts of personal property and money which are donated for use in connection with historic sites

and the buildings or structures thereon, which are under the management of that department. Each such executive order shall relate to a particular site and may authorize the use of such personal property or the expenditure of such money, in accordance with the terms of the gift, under the supervision of such department. Such executive order, as originally made or later amended, may also authorize the sale or exchange of any such personal property found subsequently to be inappropriate for use, where not inconsistent with the terms of the gift, and application of the proceeds or items received in exchange for the purposes of the original gift. The department shall keep a permanent inventory or record of such gifts and the disposition of such gifts. ~~[The governor and council may, by executive order, delegate the same authority with reference to gifts to the division of historical resources, department of cultural resources, and all other provisions of this section shall apply to such gifts.]~~ The board of trustees, community college system of New Hampshire, may accept gifts of personal property and money pursuant to RSA 188-F:6. The board shall consult with the state curator regarding gifts of potential historic significance. Gifts of historic significance accepted by the board of trustees shall be cataloged by the state curator pursuant to RSA 227-C:4, XVIII, and recognized by the governor and council under this section.

II. Any legally constituted board or commission which is established for the purpose of state historic site restoration shall have the option of retaining ownership of any historic site furnishing, which is acquired with other than state funds, for the duration of its existence, and which funds shall be used for the purposes of upgrading or insuring furnishings at no cost to the state. The commissioner of the department of ~~[resources and economic development]~~ **natural and cultural resources** shall prepare a site inventory of all furnishings acquired by the board or commission. The board or commission shall maintain the inventory and shall report any changes annually. ~~[The director of the division of historical resources shall be consulted prior to any changes in the inventory.]~~

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and the buildings or structures thereon, which are under the management of that department. Each such executive order shall relate to a particular site and may authorize the use of such personal property or the expenditure of such money, in accordance with the terms of the gift, under the supervision of such department. Such executive order, as originally made or later amended, may also authorize the sale or exchange of any such personal property found subsequently to be inappropriate for use, where not inconsistent with the terms of the gift, and application of the proceeds or items received in exchange for the purposes of the original gift. The department shall keep a permanent inventory or record of such gifts and the disposition of such gifts. ~~[The governor and council may, by executive order, delegate the same authority with reference to gifts to the division of historical resources, department of cultural resources, and all other provisions of this section shall apply to such gifts.]~~ The board of trustees, community college system of New Hampshire, may accept gifts of personal property and money pursuant to RSA 188-F:6. The board shall consult with the state curator regarding gifts of potential historic significance. Gifts of historic significance accepted by the board of trustees shall be cataloged by the state curator pursuant to RSA 227-C:4, XVIII, and recognized by the governor and council under this section.

II. Any legally constituted board or commission which is established for the purpose of state historic site restoration shall have the option of retaining ownership of any historic site furnishing, which is acquired with other than state funds, for the duration of its existence, and which funds shall be used for the purposes of upgrading or insuring furnishings at no cost to the state. The commissioner of the department of ~~[resources and economic development]~~ **natural and cultural resources** shall prepare a site inventory of all furnishings acquired by the board or commission. The board or commission shall maintain the inventory and shall report any changes annually. ~~[The director of the division of historical resources shall be consulted prior to any changes in the inventory.]~~

44 Council on Resources and Development; Members. Amend RSA 162-C:1, II to read as follows:

	<p>II. The commissioner or appropriate division director, department of [resources and economic development] business and economic affairs, or designee.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>45 Council on Resources and Development; Members. Amend RSA 162-C:1, X to read as follows:</p> <p>X. The commissioner or appropriate division director, department of natural and cultural resources, or designee.</p>
<p>46 Community Heritage Investment Program; Membership. Amend RSA 227-M:4, II(e) and (f) to read as follows:</p> <p>(e) The [commissioner of the] director of the division of historical resources, department of natural and cultural resources, or designee.</p> <p>(f) The [commissioner of the] director of the division of forests and lands, department of [resources and economic development] natural and cultural resources, or designee.</p>	<p>46 Community Heritage Investment Program; Membership. Amend RSA 227-M:4, II(e) and (f) to read as follows:</p> <p>(e) The [commissioner of the] director of the division of historical resources, department of natural and cultural resources, or designee.</p> <p>(f) The [commissioner of the] director of the division of forests and lands, department of [resources and economic development] natural and cultural resources, or designee.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>47 Continuity of Subcommittees of the Site Evaluation Committee.</p> <p>I. Subcommittees of the site evaluation committee established under RSA 162-H:4-a that include the commissioner of the department of resources and economic development shall continue following the effective date of this act with the commissioner of the department of business and economic affairs, without the need for further action by the chairperson of the site evaluation committee.</p> <p>II. All designations of senior administrative employees or staff attorneys that were made under RSA 162-H:4-a by the commissioner of the department of resources and economic development shall continue and be effective following the effective date of this section, without the need for further action by the commissioner of the department of business and economic affairs.</p> <p>III. Subcommittees of the site evaluation committee established under RSA 162-H:4-a that include the commissioner of the department of cultural resources or the director of the division of historical resources shall continue following the effective date of this act with the commissioner of the department of natural and cultural resources or the director of the division of</p>

	<p>historical resources, without the need for further action by the chairperson of the site evaluation committee.</p> <p>IV. All designations of senior administrative employees or staff attorneys that were made under RSA 162-H:4-a by the commissioner of cultural resources or the director of the division of historical resources shall continue and be effective following the effective date of this section, without the need for further action by the commissioner of the department of natural and cultural resources.</p>
<p>47 Salaries of Unclassified Officers. Amend the positions in the following salary grades in RSA 94:1-a, I(b) as follows:</p> <p>I. Change from department of resources and economic development to department of natural and cultural resources:</p> <ul style="list-style-type: none"> (a) in DD, mountain manager (b) in GG, director, division of parks and recreation (c) in GG, director, forests and lands <p>II. Change from department of resources and economic development to department of business and economic affairs:</p> <ul style="list-style-type: none"> (a) in GG, director of economic development (b) in GG, director of travel and tourism development <p>III. Delete:</p> <ul style="list-style-type: none"> (a) DD Department of resources and economic development director of marketing (b) HH Department of cultural resources commissioner (c) KK Department of resources and economic development commissioner 	<p>48 Salaries of Unclassified Officers. Amend the positions in the following salary grades in RSA 94:1-a, I(b) as follows:</p> <p>I. Change from department of resources and economic development to department of natural and cultural resources:</p> <ul style="list-style-type: none"> (a) in DD, mountain manager (b) in GG, director, division of parks and recreation (c) in GG, director, forests and lands <p>II. Change from department of resources and economic development to department of business and economic affairs:</p> <ul style="list-style-type: none"> (a) in GG, director of economic development (b) in GG, director of travel and tourism development <p>III. Delete:</p> <ul style="list-style-type: none"> (a) DD Department of resources and economic development director of marketing (b) HH Department of cultural resources commissioner (c) KK Department of resources and economic development commissioner
<p>48 Commissioner Salaries. The commissioner of the department of natural and cultural resources and the commissioner of the department of business and economic affairs, as established in this act, shall receive the salaries as specified in RSA 94:1-a. The salaries for the commissioners shall be determined after assessment and review of the appropriate temporary letter grade allocation</p>	<p>49 Commissioner Salaries. The commissioner of the department of natural and cultural resources and the commissioner of the department of business and economic affairs, as established in this act, shall receive the salaries as specified in RSA 94:1-a. The salaries for the commissioners shall be determined after assessment and review of the appropriate temporary letter grade allocation</p>

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<p>for the position for inclusion in RSA 94:1-a, I(b), which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p>	<p>for the position for inclusion in RSA 94:1-a, I(b), which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p>
<p>49 Department of Business and Economic Affairs; Transfer Among Accounts and Classes. The commissioner of the department of business and economic affairs may transfer funds between and among the class line appropriations in the safety rest areas, highway accounting unit 03-22-22-221015-2025 and may transfer funds between and among the class line appropriations in the safety rest areas, turnpike accounting unit 03-22-22-221017-2026 for the biennium ending June 30, 2019. The commissioner shall submit a report on a quarterly basis to the fiscal committee of the general court of all transfers made under this section. RSA 9:17-a and RSA 9:17-c shall not apply to transfers made under this section. If the report is not provided in a timely fashion, the authority under this section shall be suspended for the biennium ending June 30, 2019. The fiscal committee of the general court shall determine whether the report has been provided consistent with this section. In no case shall this transfer authority allow for the establishment of any positions.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (SEE SENATE SECTIONS 208-212).</p>
<p>50 Rulemaking. Transfer of Rules. Existing rules of the department of resources and economic development shall continue in effect and be enforced by the commissioner of the department of natural and cultural resources or the commissioner of the department of business and economic affairs, as applicable, until they expire or are repealed or amended in accordance with applicable law.</p>	<p>50 Rulemaking. Transfer of Rules. Existing rules of the department of resources and economic development shall continue in effect and be enforced by the commissioner of the department of natural and cultural resources or the commissioner of the department of business and economic affairs, as applicable, until they expire or are repealed or amended in accordance with applicable law.</p>
<p>51 Reference Amended; Travel and Tourism Moneys. Amend RSA 6:12, I(b)(21) to read as follows: (21) The money received under RSA 78-A:26, I(b) and RSA 230:52, II, which shall be credited to the division of travel and tourism development, department of resources and economic development business and economic affairs.</p>	<p>51 Reference Amended; Travel and Tourism Moneys. Amend RSA 6:12, I(b)(21) to read as follows: (21) The money received under RSA 78-A:26, I(b) and RSA 230:52, II, which shall be credited to the division of travel and tourism development, department of resources and economic development business and economic affairs.</p>
<p>52 Fund Amended; Travel and Tourism. Amend RSA 6:12, I(b)(75) to read as follows: (75) Moneys received for deposit in the travel and tourism development fund established by RSA [12-A:43-a, I] 12-O:16.</p>	<p>52 Fund Amended; Travel and Tourism. Amend RSA 6:12, I(b)(75) to read as follows: (75) Moneys received for deposit in the travel and tourism development fund established by RSA [12-A:43-a, I] 12-O:16.</p>

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<p>53 Fund Amended; International Trade Promotion. Amend RSA 6:12, I(b)(106) to read as follows: (106) Moneys deposited in the international trade promotion fund under RSA [12-A:31 12-O:42.</p>	<p>AMENDED BY THE SENATE (REFERENCE CHANGE ONLY) 53 Fund Amended; International Trade Promotion. Amend RSA 6:12, I(b)(106) to read as follows: (106) Moneys deposited in the international trade promotion fund under RSA [12-A:31 12-O:39.</p>
<p>54 Fund Amended; Economic Development Fund. Amend RSA 6:12, I(b)(109) to read as follows: (109) Moneys deposited in the New Hampshire economic development fund under RSA [12-A:2-e 12-O:22.</p>	<p>AMENDED BY THE SENATE (REFERENCE CHANGE ONLY) 54 Fund Amended; Economic Development Fund. Amend RSA 6:12, I(b)(109) to read as follows: (109) Moneys deposited in the New Hampshire economic development fund under RSA [12-A:2-e 12-O:21.</p>
<p>55 Fund Amended; Travel and Tourism Revolving Fund. Amend RSA 6:12, I(b)(111) to read as follows: (111) Moneys deposited in the travel and tourism revolving fund under RSA [12-A:15-a 12-O:13.</p>	<p>55 Fund Amended; Travel and Tourism Revolving Fund. Amend RSA 6:12, I(b)(111) to read as follows: (111) Moneys deposited in the travel and tourism revolving fund under RSA [12-A:15-a 12-O:13.</p>
<p>56 Fund Amended; Workforce Opportunity Fund. Amend RSA 6:12, I(b)(283) to read as follows: (283) Moneys deposited into the New Hampshire workforce opportunity fund established in RSA [12-A:61 12-O:56.</p>	<p>AMENDED BY THE SENATE (REFERENCE CHANGE ONLY) 56 Fund Amended; Workforce Opportunity Fund. Amend RSA 6:12, I(b)(283) to read as follows: (283) Moneys deposited into the New Hampshire workforce opportunity fund established in RSA [12-A:61 12-O:53.</p>
<p>57 Fund Amended; Division of Economic Development Fund. Amend RSA 6:12, I(b)(325) to read as follows: (325) Moneys deposited in the division of economic development fund under RSA [12-A:67 12-O:31.</p>	<p>AMENDED BY THE SENATE (REFERENCE CHANGE ONLY) 57 Fund Amended; Division of Economic Development Fund. Amend RSA 6:12, I(b)(325) to read as follows: (325) Moneys deposited in the division of economic development fund under RSA [12-A:67 12-O:29.</p>
<p>58 Dedicated Fund Review. Amend RSA 6:12-j, V(a)(4) to read as follows: (4) The department of [resources and economic development] business and economic affairs.</p>	<p>58 Dedicated Fund Review. Amend RSA 6:12-j, V(a)(4) to read as follows: (4) The department of [resources and economic development] business and economic affairs.</p>
<p>59 Comprehensive State Development Plan. Amend RSA 9-A:1, III(b)(6) to read as follows:</p>	<p>AMENDED BY THE SENATE (REFERENCE CHANGE ONLY) 59 Comprehensive State Development Plan. Amend RSA 9-A:1, III(b)(6) to read as follows:</p>

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<p>(6) An economic development section which proposes actions and policies to suit the state's economic goals and needs, based on the current and projected economic strengths and weaknesses. The section shall reference the economic development <i>strategy and</i> operating plan and process developed by the division of economic development under RSA [12-A:62] 12-O:26 through 12-O:30.</p>	<p>(6) An economic development section which proposes actions and policies to suit the state's economic goals and needs, based on the current and projected economic strengths and weaknesses. The section shall reference the economic development <i>strategy and</i> operating plan and process developed by the division of economic development under RSA [12-A:62] 12-O:24 through 12-O:28.</p>
<p>60 Tourism Policy. Amend RSA 162-C:2, VI to read as follows: VI. Resolve differences and conflicts among the agencies and departments of the state in the implementation of the tourism policy under RSA [12-A:23] 12-O:14;</p>	<p>60 Tourism Policy. Amend RSA 162-C:2, VI to read as follows: VI. Resolve differences and conflicts among the agencies and departments of the state in the implementation of the tourism policy under RSA [12-A:23] 12-O:14;</p>
<p>61 Unemployment Compensation; Training Fund. Amend RSA 282-A:138-a, I and II to read as follows: I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2002, the moneys in this fund may be used, solely as determined by the commissioner of [resources and economic development] business and economic affairs in accordance with rules and guidelines adopted by the commissioner of [resources and economic development] business and economic affairs, for funding training under the job training program for economic growth, established under RSA [12-A:51-58] 12-O:32 through 12-O:39. Rulemaking authority relative to administration of the grant award process shall be with the commissioner of resources and economic development pursuant to RSA [12-A:54, II(a)] 12-O:35. II. The commissioner of [resources and economic development] business and economic affairs shall act as the fiscal agent for moneys deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the training fund shall be paid from such fund.</p>	<p>AMENDED BY THE SENATE (REFERENCE CHANGE ONLY) 61 Unemployment Compensation; Training Fund. Amend RSA 282-A:138-a, I and II to read as follows: I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2002, the moneys in this fund may be used, solely as determined by the commissioner of [resources and economic development] business and economic affairs in accordance with rules and guidelines adopted by the commissioner of [resources and economic development] business and economic affairs, for funding training under the job training program for economic growth, established under RSA [12-A:51-58] 12-O:30 through 12-O:37. Rulemaking authority relative to administration of the grant award process shall be with the commissioner of resources and economic development pursuant to RSA [12-A:54, II(a)] 12-O:33. II. The commissioner of [resources and economic development] business and economic affairs shall act as the fiscal agent for moneys deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the training fund shall be paid from such fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>62 Energy Facilities; Site Evaluation Committee; Membership. Amend RSA 162-H:3, I(c) through (e) to read as follows: (c) The commissioner of the department of [resources and economic development] business and economic affairs or designee;</p>

	<p>(d) The commissioner of the department of transportation;</p> <p>(e) The commissioner of the department of <i>natural and</i> cultural resources, [or] the director of the division of historical resources, [as] <i>or</i> designee; and</p>
<p>62 Chapter Heading; Office of Energy and Planning Renamed Office of Strategic Initiatives. Amend the chapter heading of RSA 4-C to read as follows:</p> <p style="text-align: center;">CHAPTER 4-C</p> <p>OFFICE OF [ENERGY AND PLANNING] STRATEGIC INITIATIVES</p>	<p>63 Chapter Heading; Office of Energy and Planning Renamed Office of Strategic Initiatives. Amend the chapter heading of RSA 4-C to read as follows:</p> <p style="text-align: center;">CHAPTER 4-C</p> <p>OFFICE OF [ENERGY AND PLANNING] STRATEGIC INITIATIVES</p>
<p>63 Office of Energy and Planning Renamed Office of Strategic Initiatives. Amend RSA 4-C:1, I and the introductory paragraph of RSA 4-C:1, II to read as follows:</p> <p>I. There is established the office of [energy and planning] strategic initiatives within the office of the governor. The office of [energy and planning] strategic initiatives shall be under the supervision and direction of the governor or the governor's designee. The governor's designee shall be known as the director of the office of [energy and planning] strategic initiatives. <i>The office of strategic initiatives shall include the division of energy and the division of planning.</i></p> <p>II. The office of [energy and planning] strategic initiatives shall:</p>	<p>AMENDED BY THE SENATE</p> <p>64 Office of Energy and Planning Renamed Office of Strategic Initiatives. Amend RSA 4-C:1, I and the introductory paragraph of RSA 4-C:1, II to read as follows:</p> <p>I. There is established the office of [energy and planning] strategic initiatives within the office of the governor. The office of [energy and planning] strategic initiatives shall be under the supervision and direction of the governor or the governor's designee. The governor's designee shall be known as the director of the office of [energy and planning] strategic initiatives. <i>The office of strategic initiatives shall include the division of energy, division of planning, and any other divisions which the governor or director may elect to establish.</i></p>
<p>64 Name Change. Amend the following RSAs by replacing "office of energy and planning" with "office of strategic initiatives": RSA 4-C:2; 4-C:3; 4-C:5; 4-C:6; 4-C:7; 4-C:8; 4-C:9; 4-C:9-a; 4-C:10; 4-E:1; 4-F:1; 6:12-j; 9-A:2; 9-A:4; 9-E:5; 12-G:13; 12-K:2; 12-K:3; 12-K:6; 12-K:8; 12-K:9; 17-M:2; 21-O:5-a; 21-P:48; 36:45; 36:46; 36:47; 36-B:1; 38-D:6; 78-A:25; 78-A:26; 125-O:5-a; 126-A:4; 147-B:4; 162-C:1; 162-H:10; 162-L:15; 162-L:19; 167:4-c; 204-C:8; 216-A:3-c; 216-F:5; 217-A:3; 227-C:4; 227-G:2; 227-M:4; 233-A:2; 235:23; 238:20; 261:153; 270:64; 270:71; 369-B:2; 374:22-j; 432:19; 482-A:32; 483:8; 483:10; 483-A:6; 483-A:7; 483-B:5; 483-B:12; 483-B:16; 483-B:22; 483-E:2; 485-A:4; 673:3-a; 674:3; 675:9.</p>	<p>65 Name Change. Amend the following RSAs by replacing "office of energy and planning" with "office of strategic initiatives": RSA 4-C:2; 4-C:3; 4-C:5; 4-C:6; 4-C:7; 4-C:8; 4-C:9; 4-C:9-a; 4-C:10; 4-E:1; 4-F:1; 6:12-j; 9-A:2; 9-A:4; 9-E:5; 12-G:13; 12-K:2; 12-K:3; 12-K:6; 12-K:8; 12-K:9; 17-M:2; 21-O:5-a; 21-P:48; 36:45; 36:46; 36:47; 36-B:1; 38-D:6; 78-A:25; 78-A:26; 125-O:5-a; 126-A:4; 147-B:4; 162-C:1; 162-H:10; 162-L:15; 162-L:19; 167:4-c; 204-C:8; 216-A:3-c; 216-F:5; 217-A:3; 227-C:4; 227-G:2; 227-M:4; 233-A:2; 235:23; 238:20; 261:153; 270:64; 270:71; 369-B:2; 374:22-j; 432:19; 482-A:32; 483:8; 483:10; 483-A:6; 483-A:7; 483-B:5; 483-B:12; 483-B:16; 483-B:22; 483-E:2; 485-A:4; 673:3-a; 674:3; 675:9.</p>
<p>65 Suspension. The following are suspended for each fiscal year of the biennium ending June 30,</p>	<p>AMENDED BY THE SENATE</p> <p>66 Repeal. The following are repealed:</p>

<p>2019:</p> <p>I. RSA 167:3-c, III, relative to rulemaking for deceased recipients of public assistance funeral expenses.</p> <p>II. RSA 167:11, relative to funeral expenses to recipients of public assistance.</p>	<p>I. RSA 167:3-c, III, relative to rulemaking for deceased recipients of public assistance funeral expenses.</p> <p>II. RSA 167:11, relative to funeral expenses to recipients of public assistance.</p>
<p>66 Department of Transportation; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2019, the commissioner of transportation is authorized to transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided if a transfer does not include new accounting units or expenditure classes, only transfers of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council. In no case does this transfer authority allow for the establishment of any positions.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (SEE SENATE SECTIONS 208-212).</p>
<p>67 New Section; Department of Transportation; Federal Assistance Grant; Appropriation. Amend RSA 228 by inserting after section 8 the following new section:</p> <p>228:8-a Federal Assistance Grant; Appropriation. Any sum received from the Federal Emergency Management Agency or Federal Highway Administration's Emergency Relief Program or any other federal program providing emergency assistance to the department of transportation to reimburse costs incurred for emergency response, including but not limited to, equipment rental, snow plowing, sanding, salting, flood damage response, and personnel overtime during any emergency declared shall be collected by the appropriate agency and appropriated to the department of transportation.</p>	<p>67 New Section; Department of Transportation; Federal Assistance Grant; Appropriation. Amend RSA 228 by inserting after section 8 the following new section:</p> <p>228:8-a Federal Assistance Grant; Appropriation. Any sum received from the Federal Emergency Management Agency or Federal Highway Administration's Emergency Relief Program or any other federal program providing emergency assistance to the department of transportation to reimburse costs incurred for emergency response, including but not limited to, equipment rental, snow plowing, sanding, salting, flood damage response, and personnel overtime during any emergency declared shall be collected by the appropriate agency and appropriated to the department of transportation.</p>
<p>68 Appropriation; Department of Transportation.</p> <p>I. The sum of \$35,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of transportation for the purpose of funding local infrastructure projects. The</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (Similar to SB38)</p>

governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Funding shall be distributed in the following manner:

(a) \$15,000,000 shall be expended for state bridge aid for municipal bridges under RSA 234. The funding shall be used to accelerate and advance municipal red list bridge projects that are currently enrolled in the state aid bridge program. The projects shall be prioritized based on the municipality's ability to advance the project in a timely manner considering matching funds availability, design readiness and condition. Advancing and accelerating projects already enrolled in the state aid bridge program shall ensure this additional funding is expeditiously utilized, and shall allow additional municipal red list bridges to be added into the program. New projects shall also be prioritized based on the municipality's ability to advance the project in a timely manner considering matching funds availability, design readiness, and condition.

(b) \$15,000,000 shall be expended for additional apportionment A distributions under RSA 235:23, I.

(c) \$5,000,000 shall be allocated to the highway and bridge betterment account under RSA 235:23-a.

II. The appropriation made in this section shall not lapse until June 30, 2019.

III. No funds appropriated in this section shall be used for supplanting locally budgeted and approved funds for road or bridge maintenance or construction.

NO COMPARABLE HOUSE SECTION (See House Section 69)

68 New Chapter; Public School Infrastructure Revitalization Trust Fund. Amend RSA by inserting after chapter 6-D the following new chapter:

CHAPTER 6-E

PUBLIC SCHOOL INFRASTRUCTURE REVITALIZATION TRUST FUND

6-E:1 Purpose. The general court recognizes that there is a need to provide funding for infrastructure projects for public elementary and secondary schools. Therefore, it is the intent of this chapter to designate certain surplus funds in the 2016-2017 biennial budget to provide grants to fund select school infrastructure projects in accordance with this chapter.

	<p>6-E:2 Definitions. In this chapter:</p> <p>I. “Commission” means the public school infrastructure revitalization commission established in RSA 6-E:5.</p> <p>II. “Trust fund” means the public school infrastructure revitalization trust fund established in RSA 6-E:3.</p> <p>6-E:3 Public School Infrastructure Revitalization Trust Fund Established. There is hereby established in the office of the state treasurer the public school infrastructure revitalization trust fund which shall be kept distinct and separate from all other funds. After transferring sufficient funds to the revenue stabilization reserve account to bring the balance of that account to \$100,000,000, the state treasurer shall transfer the remainder of the general fund surplus for fiscal year 2017, as determined by the official audit performed pursuant to RSA 21-I:8, II(a), to the trust fund. The state treasurer shall be the trustee of the trust fund, and shall invest the trust fund in accordance with RSA 6:8. Any earnings on trust fund moneys shall be added to the trust fund. All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the state treasurer. The state treasurer shall disburse funds from the trust fund solely for the purposes and in the manner set forth in this chapter.</p> <p>6-E:4 Trust Fund Expenditures. The governor may authorize the treasurer to expend trust funds with approval of the fiscal committee of the general court and the executive council. In developing proposals for trust fund expenditures, the governor shall consult with the commission established in RSA 6-E:5. Trust funds may be expended for the following purposes:</p> <p>I.(a) A school building or infrastructure proposal in which the condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons and requires remediation as soon as practicable; or</p> <p>(b) A school building or infrastructure proposal in which a structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons and is more than a technical violation of the fire code,</p>
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	<p>and requires remediation as soon as practicable.</p> <p>II. Funding for the department of safety, division of homeland security and emergency management's school emergency readiness program to improve security in public schools, after the completion of a security assessment, and in consultation with municipal officials.</p> <p>III. Support of fiber optic connections for schools to enhance and improve reliance on Internet technology tools, provided matching funds are available.</p> <p>IV. Other school building or infrastructure needs the governor and commission may identify, except for school building aid projects that are otherwise prohibited by law.</p> <p>6-E:5 Public School Infrastructure Revitalization Commission Established.</p> <p>I. There is hereby established the public school infrastructure revitalization commission, which shall advise the governor on proposals for expenditures from the trust fund. The commission shall consist of the following members:</p> <p>(a) Two members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(b) Two members of the senate, appointed by the president of the senate.</p> <p>(c) The director of the division of homeland security and emergency management, department of safety, or designee.</p> <p>(d) The commissioner of the department of education, or designee.</p> <p>(e) One municipal official, appointed by the governor.</p> <p>(f) Three public members, appointed by the governor.</p> <p>II. Members of the commission shall serve at the pleasure of their appointing authority.</p> <p>III. Members of the commission shall serve without compensation, except that legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.</p> <p>IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first</p>
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	<p>meeting of the commission shall be held within 45 days of the effective date of this section. The commission shall meet at least monthly. The commission shall provide an annual report commencing on November 1, 2018 to the general court with information on trust fund expenditures for the year, projects begun or completed during the previous year, the balance in the trust fund, and any other information the commission deems appropriate.</p> <p>V. The commission shall annually review the work and projects funded by the trust fund during the previous year.</p>
<p>NO COMPARABLE HOUSE SECTION (See House Section 69)</p>	<p>69 Revenue Stabilization Reserve Account; Reference Added. Amend RSA 9:13-e, II to read as follows:</p> <p>II. There is hereby established within the general fund general ledger a revenue stabilization reserve account. At the close of the fiscal biennium ending June 30, 2001, and at the close of each fiscal biennium thereafter, <i>except as otherwise provided in RSA 6-E</i>, any surplus, as determined by the official audit performed pursuant to RSA 21-I:8, II(a) shall be transferred by the comptroller to a special nonlapsing revenue stabilization reserve account. The comptroller is hereby directed to establish the revenue stabilization reserve account in which to deposit any money received from a general fund operating budget surplus. The state treasurer shall invest funds in this account as authorized by RSA 6:8. The interest so earned shall be deposited as unrestricted general fund revenue.</p>
<p>NO COMPARABLE HOUSE SECTION (See House Section 69)</p>	<p>70 New Subparagraph; Application of Receipts; Public School Infrastructure Revitalization Trust Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (333) the following new subparagraph:</p> <p>(334) Moneys deposited in the public school infrastructure revitalization trust fund established in RSA 6-E:3.</p>
<p>69 Appropriation; Department of Education; School Building Aid.</p> <p>I. The sum of \$10,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of education for the purpose of funding school building aid pursuant to RSA</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (See Senate Sections 68-71)</p>

198:15-a. The appropriation made in this section shall not lapse until June 30, 2019. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA 198:15-w, and except as provided in paragraph III, the commissioner of the department of education shall issue school building aid or alternative school building aid not to exceed the amount appropriated in paragraph I, for any project approved on or after June 30, 2017 through June 30, 2019.

III.(a) The commissioner of the department of education, upon recommendation of the state fire marshal, may approve funding in excess of the amount appropriated in paragraph I for a school building project if the state fire marshal or designee determines, based on reasonable information and belief, that:

(1) The condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons, and requires remediation prior to July 1, 2019; or

(2) A structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more than a technical violation of the fire code, and requires remediation prior to July 1, 2019.

(b) Any school building aid provided pursuant to this paragraph shall be limited to the costs associated with the remediation of the conditions or structural deficiencies set forth in this paragraph.

IV. No funds appropriated in this section shall be used for supplanting locally budgeted and approved funds for school building projects.

V. RSA 198:15-a, IV, relative to the \$50,000,000 cap on school building aid grants, is hereby suspended for the biennium ending June 30, 2019.

<p>NO COMPARABLE HOUSE SECTION (See House Section 69)</p>	<p>71 School Building Aid; Alternative School Building Aid.</p> <p>I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or alternative school building aid for any project approved on or after June 30, 2017 through June 30, 2019.</p> <p>II.(a) The commissioner of the department of education, upon recommendation of the state fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the state fire marshal or designee determines, based on reasonable information and belief, that:</p> <p>(1) The condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons, and requires remediation prior to July 1, 2019; or</p> <p>(2) A structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more than a technical violation of the fire code, and requires remediation prior to July 1, 2019.</p> <p>(b) Any school building aid provided under a waiver granted pursuant to this paragraph shall be limited to the costs associated with the remediation of the conditions or structural deficiencies set forth in this paragraph.</p>
<p>70 Revenue Stabilization Reserve Account; General Fund Deficit. Notwithstanding the provisions of RSA 9:13-e, III, in the event of a general fund deficit at the close of the biennium ending June 30, 2017 as determined by the official audit performed pursuant to RSA 21-I:8, II(a), the comptroller shall notify the fiscal committee of the general court and the governor of such deficit and request that sufficient funds, to the extent available, be transferred from the revenue stabilization reserve account to eliminate such deficit.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>71 All Agencies; Administrative Services. Unless restricted by law or administrative rule, upon request of an intended recipient, an agency may provide documents by electronic mailing in lieu of</p>	<p>72 All Agencies; Administrative Services. Unless restricted by law or administrative rule, upon request of an intended recipient, an agency may provide documents by electronic mailing in lieu of</p>

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<p>72 Sale of Property; Laconia State School. Amend 2015, 276:113 to read as follows:</p> <p>276:113 Sale of Property; Laconia State School. Notwithstanding RSA 10 and RSA 227-C:9, the commissioner of the department of administrative services shall offer for sale the former Laconia state school land and buildings and the former Laconia state school and training center land and buildings, except those portions of the land and buildings required for state use <i>or encumbered by leases</i>. The commissioner of the department of administrative services shall submit quarterly <i>annual</i> reports on the progress of the sale to the fiscal committee of the general court. Any sale of such land and buildings shall be subject to the requirements of RSA 4:40, except that review and approval of the sale of the land and buildings by the council on resources and development [and the long range capital planning and utilization committee] shall not be required. All proceeds from the sale shall be deposited into the general fund.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>73 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation. The appropriation for the administration of the client assistance program received by the governor's commission on disability pursuant to 29 U.S.C. section 732 for the fiscal years ending June 30, 2018 and June 30, 2019 may be transferred to another qualified agency upon certification by the governor to the commissioner of the department of administrative services that the program has been redesignated. If the redesignation occurs and the governor's certification is made after July 1, 2017, the unexpended portion of the appropriation shall be transferred.</p>	<p>189 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation. The appropriation for the administration of the client assistance program received by the governor's commission on disability pursuant to 29 U.S.C. section 732 for the fiscal years ending June 30, 2018 and June 30, 2019 may be transferred to another qualified agency upon certification by the governor to the commissioner of the department of administrative services that the program has been redesignated. If the redesignation occurs and the governor's certification is made after July 1, 2017, the unexpended portion of the appropriation shall be transferred.</p>
<p>74 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for the biennium ending June 30, 2019, no state aid grants shall be made for any new infrastructure projects that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M, except that infrastructure projects that had local authorization by December 31, 2008 to construct, but were not listed in 2013, 144:101, shall continue to be eligible for state aid grants subject to availability of funding. Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such</p>	<p>149 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for the biennium ending June 30, 2019, no state aid grants shall be made for any new infrastructure projects that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M, except that infrastructure projects that had local authorization by December 31, 2008 to construct, but were not listed in 2013, 144:101, shall continue to be eligible for state aid grants subject to availability of funding. Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such</p>

<p>purposes.</p>	<p>purposes.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>73 Liquor Commission; Funds. Amend RSA 176:16, III to read as follows: III. [1-7] 3.4 percent of the previous fiscal year gross profits derived by the commission from the sale of liquor shall be deposited into the alcohol abuse prevention and treatment fund established by RSA 176-A:1. For the purpose of this section, gross profit shall be defined as total operating revenue minus the cost of sales and services as presented in the state of New Hampshire comprehensive annual financial report, statement of revenues, expenses, and changes in net position for proprietary funds.</p>
<p>75 Meals and Rooms Tax; Distribution to Cities and Towns. For the fiscal years ending June 30, 2018 and June 30, 2019, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the amount of the fiscal year 2017 distribution.</p>	<p>74 Meals and Rooms Tax; Distribution to Cities and Towns. For the fiscal years ending June 30, 2018 and June 30, 2019, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the amount of the fiscal year 2017 distribution.</p>
<p>76 Department of Health and Human Services; Transfer Among Accounts and Classes. Subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2019, the commissioner of the department of health and human services may transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department. If the department intends to transfer funds, which would otherwise meet the transfer requirements as set forth in RSA 9:17-a, prior approval of the fiscal committee and governor and council shall be required for transfers of \$75,000 or more.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (SEE SENATE SECTIONS 208-212).</p>
<p>77 Department of Health and Human Services; Program Eligibility; Additional Revenues. For the biennium ending June 30, 2019, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee</p>	<p>75 Department of Health and Human Services; Program Eligibility; Additional Revenues. For the biennium ending June 30, 2019, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee</p>

<p>and the senate health and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.</p>	<p>and the senate health and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.</p>
<p>78 Department of Health and Human Services; Suspension of Home Health Services Rate Setting. Notwithstanding any provision of law to the contrary, RSA 126-A:18-a relative to rate settings for home health services shall be suspended for the biennium ending June 30, 2019. Payments for home health services shall be limited to appropriations for home health services as may be restricted or reduced by action of the fiscal committee of the general court or by legislative action.</p>	<p>76 Department of Health and Human Services; Suspension of Home Health Services Rate Setting. Notwithstanding any provision of law to the contrary, RSA 126-A:18-a relative to rate settings for home health services shall be suspended for the biennium ending June 30, 2019. Payments for home health services shall be limited to appropriations for home health services as may be restricted or reduced by action of the fiscal committee of the general court or by legislative action.</p>
<p>79 Department of Health and Human Services; Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program, established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2019.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>80 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the biennium ending June 30, 2019.</p>	<p>AMENDED BY THE SENATE</p> <p>77 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the fiscal year ending June 30, 2018. During the fiscal year ending June 30, 2018, the department of health and human services shall prepare and take measures necessary for the resumption of congregate housing services in the fiscal year ending June 30, 2019.</p>
<p>81 Department of Health and Human Services; Division for Children, Youth, and Families.</p> <p>I. For the biennium ending June 30, 2019, the rates for all services, placements, and programs that are payable by the department pursuant to RSA 169-B:40, RSA 169-C:27, and RSA 169-D:29 shall be increased by amounts not to exceed the appropriations for these services</p>	<p>AMENDED BY THE SENATE</p> <p>184 Department of Health and Human Services; Division for Children, Youth, and Families.</p> <p>I. For the biennium ending June 30, 2019, the rates for services, placements, and programs that are payable by the department pursuant to RSA 169-B:40, RSA 169-C:27, and RSA 169-D:29 may be increased provided that total expenditures do not exceed the appropriations for</p>

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<p>contained within the operating budget for fiscal year 2018 and fiscal year 2019.</p> <p>II. Notwithstanding paragraph I, upon the department's implementation of managed care, the rate of reimbursement for Medicaid eligible services and programs for a Medicaid eligible child shall be the rate agreed to by the provider and the managed care organization.</p>	<p>these services contained within the operating budget for fiscal year 2018 and fiscal year 2019.</p> <p>II. Notwithstanding paragraph I, upon the department's implementation of managed care, the rate of reimbursement for Medicaid eligible services and programs for a Medicaid eligible child shall be the rate agreed to by the provider and the managed care organization.</p>
<p>82 Department of Health and Human Services; Suspension of Direct Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct graduate medical education payments to hospitals as provided in 42 U.S.C. section 1396a(a)(30)(A) effective July 1, 2017. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct graduate medical education shall be suspended for the biennium ending June 30, 2019.</p>	<p>78 Department of Health and Human Services; Suspension of Direct Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct graduate medical education payments to hospitals as provided in 42 U.S.C. section 1396a(a)(30)(A) effective July 1, 2017. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct graduate medical education shall be suspended for the biennium ending June 30, 2019.</p>
<p>83 Department of Health and Human Services; Suspension of Indirect Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of indirect graduate medical education payments to hospitals effective July 1, 2015. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of indirect graduate medical education shall be suspended for the biennium ending June 30, 2019.</p>	<p>79 Department of Health and Human Services; Suspension of Indirect Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of indirect graduate medical education payments to hospitals effective July 1, 2015. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of indirect graduate medical education shall be suspended for the biennium ending June 30, 2019.</p>
<p>84 Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women. If the New Hampshire health protection program established under RSA 126-A:5, XXIII-XXV is repealed effective December 31, 2018 or earlier, the commissioner of the department of health and human services shall reinstate Medicaid coverage and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the department of health and human services shall adopt rules pursuant to RSA 541-A to establish the eligibility levels for Medicaid coverage under RSA 167:68 identical to the</p>	<p>80 Department of Health and Human Services; Public Safety and Welfare; Medicaid Enhancement for Children and Pregnant Women. If the New Hampshire health protection program established under RSA 126-A:5, XXIII-XXV is repealed effective December 31, 2018 or earlier, the commissioner of the department of health and human services shall reinstate Medicaid coverage and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the department of health and human services shall adopt rules pursuant to RSA 541-A to establish the eligibility levels for Medicaid coverage under RSA 167:68 identical to the</p>

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eligibility levels which were in effect prior to the effective date of the New Hampshire health protection program.	eligibility levels which were in effect prior to the effective date of the New Hampshire health protection program.
85 Commissioner of Health and Human Services; Quarterly Reports. During the biennium ending June 30, 2019, the commissioner of health and human services shall make quarterly reports to the governor, the speaker of the house, and the senate president on the status of estimated Medicaid payments in relation to actual costs. Further contents of the such reports shall be as specified by the governor.	81 Commissioner of Health and Human Services; Quarterly Reports. During the biennium ending June 30, 2019, the commissioner of health and human services shall make quarterly reports to the governor, the speaker of the house, and the senate president on the status of estimated Medicaid payments in relation to actual costs. Further contents of the such reports shall be as specified by the governor.
NO COMPARABLE HOUSE SECTION	82 Governor; Transfer Among Accounts and Classes. Subject to the provisions of RSA 9:17-c, and the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2019, the governor is hereby authorized to transfer funds within and among all accounting units and/or class codes within the office of the governor, and is further authorized to create new class codes within the office into which funds may be transferred or placed, as the governor deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the office; provided if a transfer does not include new class codes, only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court and the governor and council.
86 New Section; New Hampshire Employment Program and Family Assistance Program; Adjustment of TANF Financial Assistance. Amend RSA 167 by inserting after section 77-f the following new section: 167:77-g Adjustment of TANF Financial Assistance. The maximum monthly cash benefit under this subdivision shall be equal to 60 percent of the federal poverty guidelines, based upon the applicable household size and composition, as determined annually by the United States Department of Health and Human Services.	83 New Section; New Hampshire Employment Program and Family Assistance Program; Adjustment of TANF Financial Assistance. Amend RSA 167 by inserting after section 77-f the following new section: 167:77-g Adjustment of TANF Financial Assistance. The maximum monthly cash benefit under this subdivision shall be equal to 60 percent of the federal poverty guidelines, based upon the applicable household size and composition, as determined annually by the United States Department of Health and Human Services.
87 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:	84 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:

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<p>(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [2016-2017] 2018-2019:</p> <p>(1) State fiscal year [2016] 2018, [\$114,562,000] \$117,573,000.</p> <p>(2) State fiscal year [2017] 2019, [\$115,268,000] \$119,925,000.</p>	<p>(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [2016-2017] 2018-2019:</p> <p>(1) State fiscal year [2016] 2018, [\$114,562,000] \$117,573,000.</p> <p>(2) State fiscal year [2017] 2019, [\$115,268,000] \$119,925,000.</p>
<p>88 Discrimination Prohibited in Determining Eligibility for Services in the State Mental Health Services System; Prospective Repeal Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, as amended by 2015, 276:41 to read as follows:</p> <p>I. Section 5 of this act shall take effect July 1, [2017] 2019.</p>	<p>85 Discrimination Prohibited in Determining Eligibility for Services in the State Mental Health Services System; Prospective Repeal Extended. Amend 2011, 209:6, I, as amended by 2013, 140:1, as amended by 2015, 276:41 to read as follows:</p> <p>I. Section 5 of this act shall take effect July 1, [2017] 2019.</p>
<p>89 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2019.</p>	<p>86 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2019.</p>
<p>90 New Subdivision; Department of Justice; Internet Crimes Against Children Fund. Amend RSA 21-M by inserting after section 16 the following new subdivision:</p> <p style="text-align: center;">Internet Crimes Against Children Fund</p> <p>21-M:17 Internet Crimes Against Children Fund Established. There is hereby established in the office of the state treasurer a fund to be known as the Internet crimes against children (ICAC) fund which shall be kept distinct and separate from all other funds. The ICAC fund shall consist of all moneys appropriated to the fund, and any gifts, grants, or donations made to the fund. The fund shall be nonlapsing. The attorney general shall disburse all moneys in the fund to the Portsmouth police department's ICAC task force for its use in investigating Internet crimes against children. Funds shall be used for salary, benefits, training, and equipment, and to support local ICAC affiliate agencies in good standing with the New Hampshire ICAC and their efforts to combat Internet crimes against children.</p>	<p>AMENDED BY THE SENATE</p> <p>87 New Subdivision; Department of Justice; Internet Crimes Against Children Fund. Amend RSA 21-M by inserting after section 16 the following new subdivision:</p> <p style="text-align: center;">Internet Crimes Against Children Fund</p> <p>21-M:17 Internet Crimes Against Children Fund Established. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the Internet crimes against children (NH ICAC) fund which shall be kept distinct and separate from all other funds. The fund shall consist of all moneys appropriated to the fund, and any gifts, grants, or donations made to the fund. The fund shall be administered by the department of justice. The attorney general shall disburse moneys from the fund to support the Portsmouth police department ICAC task force and other NH ICAC affiliate agencies in good standing with the NH ICAC in their efforts to investigate and combat Internet crimes against children. Funds shall be used for salary, benefits, training, and equipment related to the investigation of Internet crimes against children, and to expand educational efforts to interested groups, schools, and parents.</p>
<p>91 New Subparagraph; Application of Receipts; Internet Crimes Against Children Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (333) the following new subparagraph:</p>	<p>88 New Subparagraph; Application of Receipts; Internet Crimes Against Children Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (333) the following new subparagraph:</p>

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<p>(334) Moneys deposited in the Internet crimes against children fund established in RSA 21-M:17.</p>	<p>(334) Moneys deposited in the Internet crimes against children fund established in RSA 21-M:17.</p>
<p>92 Appropriation. The sum of \$75,000 for the fiscal year ending June 30, 2018, and the sum of \$100,000 for the fiscal year ending June 30, 2019, are hereby appropriated to the New Hampshire Internet crimes against children fund established in RSA 21-M:17 for the purposes set forth in that section. The fiscal committee of the general court may review, modify, and approve any plans or metrics concerning expenditures under this fund. No money appropriated under this section shall be expended or otherwise distributed until authorized by the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>	<p>AMENDED BY THE SENATE</p> <p>89 Appropriation. The sum of \$250,000 for the fiscal year ending June 30, 2018, and the sum of \$250,000 for the fiscal year ending June 30, 2019, are hereby appropriated to the New Hampshire Internet crimes against children fund established in RSA 21-M:17 for the purposes set forth in that section. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>
<p>93 Department of Justice; Position Established. There is established within the department of justice the classified position of financial research analyst I. The financial research analyst I position shall replace the unclassified financial analyst position, 9U098, located in accounting unit 02-20-20-200510-3310. Upon completion of this action, position 9U098 shall be abolished to allow for the transition of this unclassified position into the classified system. The incumbent in the abolished unclassified position shall be offered the opportunity to transfer into the newly established financial research analyst I position.</p>	<p>90 Department of Justice; Position Established. There is established within the department of justice the classified position of financial research analyst I. The financial research analyst I position shall replace the unclassified financial analyst position, 9U098, located in accounting unit 02-20-20-200510-3310. Upon completion of this action, position 9U098 shall be abolished to allow for the transition of this unclassified position into the classified system. The incumbent in the abolished unclassified position shall be offered the opportunity to transfer into the newly established financial research analyst I position.</p>
<p>94 Position Reclassification; Banking Department. The position of general counsel, position #42404, within the banking department, is hereby designated as an unclassified position.</p>	<p>91 Position Reclassification; Banking Department. The position of general counsel, position #42404, within the banking department, is hereby designated as an unclassified position.</p>
<p>95 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the fiscal year ending June 30, 2019, the state shall reimburse the sheriff's office for court security at the rates provided in the collective bargaining agreement applicable to per diem court security officers employed by the judicial branch to attend any official business, for any person employed as a bailiff by the sheriff's office.</p>	<p>AMENDED BY THE SENATE</p> <p>218 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the biennium ending June 30, 2019, the state shall reimburse the sheriff's office for court security at the rates provided in the collective bargaining agreement applicable to per diem court security officers employed by the judicial branch to attend any official business, for any person employed as a bailiff by the sheriff's office.</p>

<p>96 New Section; Agreements to Lease-Purchase Vehicles Authorized. Amend RSA 21-I by inserting after section 19-i the following new section:</p> <p>21-I:19-j Agreements to Lease-Purchase Vehicles Authorized. Any agency, as defined in RSA 21-G:5, III, may, with the prior written approval of the department of administrative services, enter into an agreement to rent, lease, or lease-purchase vehicles from any outside vendor, or to rent or lease vehicles from any other state agency or department.</p>	<p>AMENDED BY THE SENATE</p> <p>92 Agreements to Lease-Purchase Vehicles Authorized. For the biennium ending June 30, 2019, any state agency or department may, with the prior written approval of the department of administrative services, enter into an agreement to rent, lease, or lease-purchase vehicles from any outside vendor, or to rent or lease vehicles from any other state agency or department.</p>
<p>97 Chartered Public Schools; Definitions. Amend RSA 194-B:1 to read as follows:</p> <p>194-B:1 Definitions. In this chapter:</p> <p>I. "Average cost per pupil" means the total of education expenditures in a particular district and at the elementary, middle/junior, and high school levels, less tuition, transportation, capital outlays, and net debt service, as compiled by the department of education. Kindergarten cost shall be calculated at 1/2 the cost of elementary school.</p> <p>II. "Average daily membership in attendance" or "ADMA" relative to charter schools means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year, provided that no kindergarten pupil shall count as more than ½ day attendance per school year. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at the charter school's expense. In this paragraph, "determination year" shall have the same meaning as in RSA 198:38, IV.</p> <p>[H.] III. "Board of trustees" means the governing body of a chartered public school authorized by the state board of education to supervise and control the chartered public school.</p> <p>[H.] IV. "Chartered public school" means an open enrollment public school, operated independent of any school board and managed by a board of trustees. A chartered public school shall operate as a nonprofit secular organization under a charter granted by the state board and in conformance with this chapter.</p>	<p>93 Chartered Public Schools; Definitions. Amend RSA 194-B:1 to read as follows:</p> <p>194-B:1 Definitions. In this chapter:</p> <p>I. "Average cost per pupil" means the total of education expenditures in a particular district and at the elementary, middle/junior, and high school levels, less tuition, transportation, capital outlays, and net debt service, as compiled by the department of education. Kindergarten cost shall be calculated at 1/2 the cost of elementary school.</p> <p>II. "Average daily membership in attendance" or "ADMA" relative to charter schools means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year, provided that no kindergarten pupil shall count as more than ½ day attendance per school year. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at the charter school's expense. In this paragraph, "determination year" shall have the same meaning as in RSA 198:38, IV.</p> <p>[H.] III. "Board of trustees" means the governing body of a chartered public school authorized by the state board of education to supervise and control the chartered public school.</p> <p>[H.] IV. "Chartered public school" means an open enrollment public school, operated independent of any school board and managed by a board of trustees. A chartered public school shall operate as a nonprofit secular organization under a charter granted by the state board and in conformance with this chapter.</p>

~~[IV.]~~ V. "Charter conversion school" means a public school which has been authorized to become a chartered public school. That school continues to be managed by the school board until and unless fully authorized to become a chartered public school in accordance with the provisions of RSA 194-B:3.

VI. "Full-time enrolled pupil" means a pupil pursuant to RSA 194-B:1, X and officially accepted full-time student by the Virtual Learning Academy Charter School admissions team.

VII. "Full-time equivalent pupil" means a pupil or group of pupils pursuant to RSA 194-B:1, XI that have completed 12 half-credit courses.

~~[V.]~~ VIII. "Host school district" means the school district in which the chartered public school is physically located.

~~[VI.]~~ IX. "Open enrollment public school" or "open enrollment school" means any public school which, in addition to providing educational services to pupils residing within its attendance area or district, chooses to accept pupils from other attendance areas within its district and from outside its district.

~~[VII.]~~ X. "Parent" means a parent, guardian, or other person or entity having legal custody of a child or, in the case of a child with a disability, a surrogate parent who has been appointed in accordance with state or federal law.

~~[VIII.]~~ XI. "Pupil" means any child who is eligible for attendance in public schools in New Hampshire~~[, and who lives with a parent]~~.

~~[IX.]~~ XII. "Receiving district" means the school district to which a pupil is sent to attend a chartered public school.

~~[X.]~~ XIII. "Resident district" means the school district in which the pupil resides.

~~[XI.]~~ XIV. "School board" means the district school board.

~~[XII.]~~ XV. "Sending district" means the school district in which the pupil resides.

~~[XIII.]~~ XVI. "State board" means the state board of education.

~~[IV.]~~ V. "Charter conversion school" means a public school which has been authorized to become a chartered public school. That school continues to be managed by the school board until and unless fully authorized to become a chartered public school in accordance with the provisions of RSA 194-B:3.

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<p>[XIV.] XVII. "Teacher" means any individual providing or capable of providing direct instructional services to pupils, and who meets requirements prescribed in the Elementary and Secondary Education Act and the Individuals With Disabilities Education Act.</p>
<p>98 Chartered Public Schools; Authority and Duties of the Board of Trustees. Amend the introductory paragraph of RSA 194-B:5, III to read as follows:</p> <p>III. Notwithstanding RSA 194-B:1, [HH] IV, an established chartered public school shall be a corporation, which shall be registered with the secretary of state after receiving approval under this chapter but before its first day of actual operation, with authority necessary or desirable to carry out its charter program including, but not limited to, the following:</p>
<p>99 Chartered Public Schools; Funding; Virtual Learning Academy Charter School. Amend RSA 194-B:11, I(b) to read as follows:</p> <p>(b)(1)(A) Except as provided in subparagraph (2), for a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, [I, II, and II-a] II(a)-(c) and (e) plus an additional grant of [\$2,036 for the Virtual Learning Academy Charter School and \$3,036 for] \$3,286 to all [other] chartered public schools for the fiscal year ending June 30, 2018, and \$3,411 to all chartered public schools for the fiscal year ending June 30, 2019 and each fiscal year thereafter, except for the Virtual Learning Academy Charter School, directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. Beginning July 1, 2017 and every biennium thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The state shall pay amounts required pursuant to RSA 198:40-a, [HH] II(d) directly to the resident district.</p> <p>(B) For the Virtual Learning Academy Charter School authorized</p>

<p>[XIV.] XVII. "Teacher" means any individual providing or capable of providing direct instructional services to pupils, and who meets requirements prescribed in the Elementary and Secondary Education Act and the Individuals With Disabilities Education Act.</p>
<p>94 Chartered Public Schools; Authority and Duties of the Board of Trustees. Amend the introductory paragraph of RSA 194-B:5, III to read as follows:</p> <p>III. Notwithstanding RSA 194-B:1, [HH] IV, an established chartered public school shall be a corporation, which shall be registered with the secretary of state after receiving approval under this chapter but before its first day of actual operation, with authority necessary or desirable to carry out its charter program including, but not limited to, the following:</p>
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pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, II(a)-(c) and (e), plus an additional grant of \$2,036 directly to the Virtual Learning Academy Charter School for each eligible full-time enrolled pupil in the charter school's ADMA. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district. The state shall also pay tuition pursuant to RSA 198:40-a, II(a) plus an additional grant of \$2,036 directly to the Virtual Learning Academy Charter School for each full-time equivalent pupil. Beginning July 1, 2017 and every July 1 thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the fiscal year for which the calculation is to be performed.

pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a, II(a)-(c) and (e), plus an additional grant of \$2,036 directly to the Virtual Learning Academy Charter School for each eligible full-time enrolled pupil in the charter school's ADMA. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district. The state shall also pay tuition pursuant to RSA 198:40-a, II(a) plus an additional grant of \$2,036 directly to the Virtual Learning Academy Charter School for each full-time equivalent pupil. Beginning July 1, 2017 and every July 1 thereafter, the department of education shall adjust the per pupil amount of the additional grant based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the fiscal year for which the calculation is to be performed.

100 Special Education; State Aid. Amend RSA 186-C:18, III to read as follows:

III.(a) The state board of education through the commissioner, department of education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. If in any year, the amount appropriated for distribution as [catastrophe] special education [~~186-C:18~~] aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements under RSA 186-C:19-b. The state may designate up to \$250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for

96 Special Education; State Aid. Amend RSA 186-C:18, III to read as follows:

III.(a) The state board of education through the commissioner, department of education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. If in any year, the amount appropriated for distribution as [catastrophe] special education [~~186-C:18~~] aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements under RSA 186-C:19-b. The state may designate up to \$250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for

<p>emergency assistance for special education costs. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive [catastrophe] special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting [catastrophe] special education cost increases in their special education programs as provided by this paragraph.</p>	<p>emergency assistance for special education costs. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive [catastrophe] special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting [catastrophe] special education cost increases in their special education programs as provided by this paragraph.</p>
<p>101 Special Education; State Aid. Amend RSA 186-C:18, V(d)-(e) to read as follows: (d) School districts applying for [catastrophe] special education aid under paragraph III; (e) School districts identifying [catastrophe] special education costs under paragraph III;</p>	<p>97 Special Education; State Aid. Amend RSA 186-C:18, V(d)-(e) to read as follows: (d) School districts applying for [catastrophe] special education aid under paragraph III; (e) School districts identifying [catastrophe] special education costs under paragraph III;</p>
<p>102 Special Education; State Aid. Amend RSA 186-C:18, VI(a) to read as follows: (a) [Catastrophe] Special education aid payments under paragraph III on or before January 1, provided that school districts shall annually submit their [catastrophe] special education costs for the immediately preceding school year to the state board of education by July 31. The state board of education shall then verify the cost and distribute the appropriate amounts for the previous year on or before January 1 of each year.</p>	<p>98 Special Education; State Aid. Amend RSA 186-C:18, VI(a) to read as follows: (a) [Catastrophe] Special education aid payments under paragraph III on or before January 1, provided that school districts shall annually submit their [catastrophe] special education costs for the immediately preceding school year to the state board of education by July 31. The state board of education shall then verify the cost and distribute the appropriate amounts for the previous year on or before January 1 of each year.</p>
<p>103 Special Education; State Aid. Amend RSA 186-C:18, VIII to read as follows: VIII. A school district shall raise, appropriate and expend funds, reflecting the total cost in meeting [catastrophe] special education student costs as provided under [RSA 186 C:18] this section, including the school district and department of education liability. A school district may issue reimbursement anticipation notes as provided for in RSA 198:20-d to be redeemed upon receipt of reimbursement from the state. The department of education shall be liable for the cost of the school districts borrowing of any funds for special education student costs over 3-1/2 times</p>	<p>99 Special Education; State Aid. Amend RSA 186-C:18, VIII to read as follows: VIII. A school district shall raise, appropriate and expend funds, reflecting the total cost in meeting [catastrophe] special education student costs as provided under [RSA 186 C:18] this section, including the school district and department of education liability. A school district may issue reimbursement anticipation notes as provided for in RSA 198:20-d to be redeemed upon receipt of reimbursement from the state. The department of education shall be liable for the cost of the school districts borrowing of any funds for special education student costs over 3-1/2 times</p>

<p>the estimated state average expenditure per pupil for the school year preceding the year of distribution.</p>	<p>the estimated state average expenditure per pupil for the school year preceding the year of distribution.</p>
<p>104 Special Education; State Aid. Amend RSA 186-C:18, XI(a) to read as follows:</p> <p>(a) The state board of education, through the commissioner of the department of education, shall distribute to school districts the lesser of 3.5 percent or \$1,000,000 in [catastrophe] special education aid funds appropriated in the fiscal year, to establish or support school district-based programs for children with disabilities who have been in out-of-district programs in the previous school year. Funds shall be distributed to school districts as reimbursement for the establishment or support of such programs and shall be applied to the greater of the following:</p> <p>(1) Supplemental costs incurred by the school district for educating the child within a local school district program; or</p> <p>(2) The amount the school district received to educate the child in an out-of-district program, with the school district receiving in year one, 70 percent of the [catastrophe] special education aid the school district received from the previous school year, which would constitute the base year; in year 2, 50 percent of the [catastrophe] special education aid the school district received during the base year, and in year 3, 30 percent of the [catastrophe] special education aid the school district received during the base year.</p>	<p>100 Special Education; State Aid. Amend RSA 186-C:18, XI(a) to read as follows:</p> <p>(a) The state board of education, through the commissioner of the department of education, shall distribute to school districts the lesser of 3.5 percent or \$1,000,000 in [catastrophe] special education aid funds appropriated in the fiscal year, to establish or support school district-based programs for children with disabilities who have been in out-of-district programs in the previous school year. Funds shall be distributed to school districts as reimbursement for the establishment or support of such programs and shall be applied to the greater of the following:</p> <p>(1) Supplemental costs incurred by the school district for educating the child within a local school district program; or</p> <p>(2) The amount the school district received to educate the child in an out-of-district program, with the school district receiving in year one, 70 percent of the [catastrophe] special education aid the school district received from the previous school year, which would constitute the base year; in year 2, 50 percent of the [catastrophe] special education aid the school district received during the base year, and in year 3, 30 percent of the [catastrophe] special education aid the school district received during the base year.</p>
<p>105 Property Tax Rates; Setting of Tax Rates by Commissioner. Amend RSA 21-J:35, VII(d) to read as follows:</p> <p>(d) Department of education: federal forest land aid pursuant to RSA 227-H:20 through RSA 227-H:22, state aid for an adequate education pursuant to RSA 198:40-a, school building aid pursuant to RSA 198:15-a, and [catastrophe] special education aid pursuant to RSA 186-C:18.</p>	<p>101 Property Tax Rates; Setting of Tax Rates by Commissioner. Amend RSA 21-J:35, VII(d) to read as follows:</p> <p>(d) Department of education: federal forest land aid pursuant to RSA 227-H:20 through RSA 227-H:22, state aid for an adequate education pursuant to RSA 198:40-a, school building aid pursuant to RSA 198:15-a, and [catastrophe] special education aid pursuant to RSA 186-C:18.</p>
<p>106 Department of Safety; Transfer Among Accounts and Classes. Subject to the provisions of RSA 9:17-c and RSA 99:4, for the biennium ending June 30, 2019, the commissioner of the</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (SEE SENATE SECTIONS 208-212).</p>

department of safety may transfer funds between and among all class lines and accounting units within the department as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided that only transfers of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council. In no case shall this transfer authority allow for the establishment of any positions.

107 Department of Information Technology; Consolidation of Information Technology Functions.

I. The commissioner of the department of information technology, with the prior approval of the fiscal committee of the general court and the governor and council, may make such transfers of appropriation items and changes in allocations of funds available for operational purposes to the department of information technology, from the department of health and human services as necessary to effectuate the efficient consolidation of information technology functions within state government. Such functions shall include positions responsible for:

- (a) Information technology analysis and planning.
- (b) Data management.
- (c) Cybersecurity.
- (d) Information technology applications, services, and support.

II. The commissioner of the department of information technology may establish the number and classification of personnel required for information technology functions in the department of health and human services with the prior approval of the governor and council. The commissioner of the department of information technology may eliminate unnecessary positions and transfer to the department of information technology any position in the department of health and human services identified by the commissioner of the department of information technology as necessary to effectuate the efficient consolidation of information technology functions within state government. Such transfers shall include the transfer of all associated

department of safety may transfer funds between and among all class lines and accounting units within the department as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided that only transfers of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council. In no case shall this transfer authority allow for the establishment of any positions.

102 Department of Information Technology; Consolidation of Information Technology Functions.

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- (a) Information technology analysis and planning.
- (b) Data management.
- (c) Cybersecurity.
- (d) Information technology applications, services, and support.

II. The commissioner of the department of information technology may establish the number and classification of personnel required for information technology functions in the department of health and human services with the prior approval of the governor and council. The commissioner of the department of information technology may eliminate unnecessary positions and transfer to the department of information technology any position in the department of health and human services identified by the commissioner of the department of information technology as necessary to effectuate the efficient consolidation of information technology functions within state government. Such transfers shall include the transfer of all associated

books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel. The commissioner of the department of health and human services shall cooperate with the commissioner of the department of information technology to accomplish the intent of this section. The department of information technology is authorized to reclassify positions required for information technology consolidation from one class series to a different class series as provided in RSA 21-I:54 and shall not require the approval of governor and council.

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

108 Liquor Commission; Processing of Merchant Cards. For the biennium ending June 30, 2019, the liquor commission, for purposes of supporting merchant card activity, may:

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

II. Enter into contracts for technical and hosting services to support retail operations and

books, papers, records, personnel files, and equipment, including, but not limited to, work station and information technology equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel. The commissioner of the department of health and human services shall cooperate with the commissioner of the department of information technology to accomplish the intent of this section. The department of information technology is authorized to reclassify positions required for information technology consolidation from one class series to a different class series as provided in RSA 21-I:54 and shall not require the approval of governor and council.

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

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

II. Enter into contracts for technical and hosting services to support retail operations and

SIDE BY SIDE COMPARISON – TRAILER BILL

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<p>merchant card processing. The commission shall comply with RSA 176:18 for any contracts entered into to support retail operations and merchant card processing.</p> <p>III. Hire information technology technical support personnel to support its merchant card activity and related technical support operations in retail stores.</p>	<p>merchant card processing. The commission shall comply with RSA 176:18 for any contracts entered into to support retail operations and merchant card processing.</p> <p>III. Hire information technology technical support personnel to support its merchant card activity and related technical support operations in retail stores.</p>
<p>109 Department of Corrections; Transfer Among Accounts and Classes. Notwithstanding any provision of law to the contrary, for the biennium ending June 30, 2019, the commissioner of the department of corrections is authorized to transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department; provided if a transfer does not include new accounting units or expenditure classes, only transfers of \$75,000 or more shall require prior approval of the fiscal committee of the general court and governor and council. In no case does this transfer authority authorize the establishment of any positions.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (SEE SENATE SECTIONS 208-212).</p>
<p>110 Public Utilities Commission; Implementation of Energy Efficiency Resource Standard. For the biennium ending June 30, 2019, the public utilities commission shall not expend any funding on the implementation of an energy efficiency resource standard without prior approval of the fiscal committee of the general court.</p>	<p>AMENDED BY THE SENATE</p> <p>104 Public Utilities Commission; Implementation of Energy Efficiency Resource Standard. For the biennium ending June 30, 2019, the public utilities commission shall not expend any funding on the implementation of an energy efficiency resource standard or change the system benefits charge without prior approval of the fiscal committee of the general court, except as consistent with or authorized by Order No. 25,932 issued by the public utilities commission, dated August 2, 2016.</p>
<p>111 Electric Renewable Portfolio Standards; Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:</p> <p>I. There is hereby established a renewable energy fund. This nonlapsing, special fund shall be continually appropriated to the commission to be expended in accordance with this</p>	<p>AMENDED BY THE SENATE</p> <p>105 Electric Renewable Portfolio Standards; Renewable Energy Fund. Amend RSA 362-F:10, I to read as follows:</p> <p>I. There is hereby established a renewable energy fund. This nonlapsing, special fund shall be continually appropriated to the commission to be expended in accordance with this</p>

section. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. **Twenty percent of the moneys paid into the fund**, ~~the amount of \$520,000 for fiscal year 2016~~ **during fiscal years 2018 and 2019 shall be** ~~[transferred to the division of homeland security and emergency management for the purpose of disaster and emergency response preparedness and coordination to help minimize utility and other disruptions resulting from natural or manmade disasters]~~ **rebated, on a per-kilowatt-hour basis, to all retail electric ratepayers eligible to participate in the state's electric assistance program in a timely manner to be determined by the public utilities commission.** Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the commission to support thermal and electrical renewable energy initiatives. Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the commission as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the commission due to the inclusion of useful thermal energy in class I production.

section. The state treasurer shall invest the moneys deposited therein as provided by law. Income received on investments made by the state treasurer shall also be credited to the fund. All payments to be made under this section shall be deposited in the fund. ~~[Of the moneys paid into the fund, the amount of \$520,000 for fiscal year 2016 shall be transferred to the division of homeland security and emergency management for the purpose of disaster and emergency response preparedness and coordination to help minimize utility and other disruptions resulting from natural or manmade disasters.]~~ Any remaining moneys paid into the fund under paragraph II of this section, excluding class II moneys, shall be used by the commission to support thermal and electrical renewable energy initiatives. Class II moneys shall primarily be used to support solar energy technologies in New Hampshire. All initiatives supported out of these funds shall be subject to audit by the commission as deemed necessary. All fund moneys including those from class II may be used to administer this chapter, but all new employee positions shall be approved by the fiscal committee of the general court. No new employees shall be hired by the commission due to the inclusion of useful thermal energy in class I production.

112 Department of Education; Acceptance of Gifts. For the biennium ending June 30, 2019, the department of education may, subject to the approval of the governor and council, to accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of funding appropriations made in accounting unit 06-56-56-562010-7534 (NH Scholars Program).

106 Department of Education; Acceptance of Gifts. For the biennium ending June 30, 2019, the department of education may, subject to the approval of the governor and council, to accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of funding appropriations made in accounting unit 06-56-56-562010-7534 (NH Scholars Program).

113 Regional Career and Technical Education; Program. Amend the introductory paragraph of RSA 188-E:5, V to read as follows:
 V. Regional career and technical education centers shall, on a space available basis, enroll any student requesting enrollment who has attended ~~[2 years]~~ **one year** of high school regardless

107 Regional Career and Technical Education; Program. Amend the introductory paragraph of RSA 188-E:5, V to read as follows:
 V. Regional career and technical education centers shall, on a space available basis, enroll any student requesting enrollment who has attended ~~[2 years]~~ **one year** of high school regardless

<p>of the number of academic credits earned, except that the Manchester school district shall, on a space available basis, enroll and bear the associated costs for any Manchester school district student in grades 9-12 who resides in the city of Manchester and who requests enrollment in a regional career and technical education center within the district, provided that in either case:</p>	<p>of the number of academic credits earned, except that the Manchester school district shall, on a space available basis, enroll and bear the associated costs for any Manchester school district student in grades 9-12 who resides in the city of Manchester and who requests enrollment in a regional career and technical education center within the district, provided that in either case:</p>
<p>114 Department of Education; Transfer Among Accounts and Classes. For the biennium ending June 30, 2019, the commissioner of the department of education may transfer funds within and among all accounting units within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department, with the exception of class 60 transfers; provided, that any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council. The authority granted in this section shall not apply to accounting units 06-56-56-560010-5136 (Court Ordered Placements), 06-56-56-560010-5137 (Other State Aid), and 06-56-56-560010-7550 (Adequate Education Grants). In no case shall this transfer authority allow for the establishment of any positions.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (SEE SENATE SECTIONS 208-212).</p>
<p>115 New Subdivision; Governor's Scholarship Program. Amend RSA 4-C by inserting after section 30 the following new subdivision:</p> <p style="text-align: center;">Governor's Scholarship Program</p> <p>4-C:31 Definitions. In this subdivision:</p> <p>I. "Eligible educational or training program" means any institution within the university system of New Hampshire as defined in RSA 187-A, any institution within the community college system of New Hampshire as defined in RSA 188-F, or any post-secondary training or education program within this state that is approved by the office.</p> <p>II. "Office" means the governor's office of strategic initiatives.</p> <p>III. "Program" means the governor's scholarship program.</p>	<p>AMENDED BY THE SENATE</p> <p>108 New Subdivision; Governor's Scholarship Program. Amend RSA 4-C by inserting after section 30 the following new subdivision:</p> <p style="text-align: center;">Governor's Scholarship Program</p> <p>4-C:31 Definitions. In this subdivision:</p> <p>I. "Eligible educational or training program" means any institution within the university system of New Hampshire as defined in RSA 187-A, any institution within the community college system of New Hampshire as defined in RSA 188-F, or any post-secondary training or education program within this state that is approved by the office.</p> <p>II. "Office" means the governor's office of strategic initiatives.</p> <p>III. "Program" means the governor's scholarship program.</p>

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4-C:32 Program Established. There is hereby established the governor's scholarship program in the office of strategic initiatives which shall be administered by the office. The program shall provide scholarships of up to \$5,000 toward the costs of an eligible educational or training program. The office shall determine how and when scholarship funds shall be distributed, and may elect to distribute funds to an individual in a lump sum or over a period of months or years. All scholarships granted under this subdivision shall be applied toward the costs of an eligible education or training program.

4-C:33 Eligibility. Any person who meets the following requirements shall be eligible for a scholarship:

I.(a) A person shall meet the residency requirements of RSA 193:12, and be a graduate of a high school, public academy, chartered public school, or a high school-level home education program as defined in RSA 193-A, and have completed at least 3 years of high school in this state; or

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

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

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

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

III. A person shall not have been adjudicated delinquent or convicted or pled guilty or nolo

4-C:32 Program Established. There is hereby established the governor's scholarship program in the office of strategic initiatives which shall be administered by the office. The program shall provide scholarships of up to \$5,000 toward the costs of an eligible educational or training program. The office shall determine how and when scholarship funds shall be distributed, and may elect to distribute funds to an individual in a lump sum or over a period of months or years. All scholarships granted under this subdivision shall be applied toward the costs of an eligible education or training program.

4-C:33 Eligibility.

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

(a)(1) A person shall meet the residency requirements of RSA 193:12, and be a graduate of a high school, public academy, chartered public school, or a high school-level home education program as defined in RSA 193-A, and have completed at least 3 years of high school in this state; or

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

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

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

(b) A person shall meet the qualifications for academic performance or work experience as established by the office.

(c) A person shall not have been adjudicated delinquent or convicted or pled guilty or nolo

contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state, or under the laws of the United States, except that an otherwise eligible person who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense shall be eligible or continue to be eligible for a scholarship after the expiration of one academic year from the date of adjudication, conviction, or plea.

4-C:34 Governor’s Scholarship Fund Established.

I. There is hereby established in the office of the state treasurer the governor’s scholarship fund which shall be kept distinct and separate from all other funds. The fund shall provide scholarships for the benefit of eligible residents of the state pursuing programs of study or training at an eligible educational or training program within the state.

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

III. All moneys in the fund shall be nonlapsing.

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

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

4-C:35 Procedures. The office shall adopt procedures necessary to administer the provisions of this subdivision.

116 New Subparagraph; Application of Receipts; Governor’s Scholarship Fund. Amend RSA 6:12, I(b) by inserting after *paragraph* (333) the following new subparagraph:

contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the laws of this or any other state, or under the laws of the United States, except that an otherwise eligible person who has been adjudicated delinquent or has been convicted or pled guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense shall be eligible or continue to be eligible for a scholarship after the expiration of one academic year from the date of adjudication, conviction, or plea.

4-C:34 Governor’s Scholarship Fund Established.

I. There is hereby established in the office of the state treasurer the governor’s scholarship fund which shall be kept distinct and separate from all other funds. The fund shall provide scholarships for the benefit of eligible residents of the state pursuing programs of study or training at an eligible educational or training program within the state.

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

III. All moneys in the fund shall be nonlapsing and shall be continually appropriated to the office for purposes of providing scholarships under this subdivision.

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

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

4-C:35 Procedures. The office shall adopt procedures necessary to administer the provisions of this subdivision.

109 New Subparagraph; Application of Receipts; Governor’s Scholarship Fund. Amend RSA 6:12, I(b) by inserting after *paragraph* (333) the following new subparagraph:

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(334) Moneys deposited into the governor's scholarship fund established in RSA 4-C:34.	(334) Moneys deposited into the governor's scholarship fund established in RSA 4-C:34.
NO COMPARABLE HOUSE SECTION	110 Repeal. RSA 176:16-a, relative to liquor commission revenue shortfalls and reports, is repealed.
<p>117 Department of Revenue Administration; Reference Change; Document Processing to Taxpayer Services. Amend RSA 21-J:2, II and III to read as follows:</p> <p>II. The commissioner shall nominate a director, division of audits, a director, division of [document processing] taxpayer services, a director, division of collections, and a director, division of municipal and property, for appointment by the governor, with the consent of the council. These division directors shall serve at the pleasure of the commissioner. The directors of the divisions shall be qualified by reason of professional competence, education, and experience.</p> <p>III. The salaries of the commissioner and the director, division of audits, the director, division of [document processing] taxpayer services, the director, division of collections, and the director, division of municipal and property, shall be as specified in RSA 94:1-a.</p>	<p>111 Department of Revenue Administration; Reference Change; Document Processing to Taxpayer Services. Amend RSA 21-J:2, II and III to read as follows:</p> <p>II. The commissioner shall nominate a director, division of audits, a director, division of [document processing] taxpayer services, a director, division of collections, and a director, division of municipal and property, for appointment by the governor, with the consent of the council. These division directors shall serve at the pleasure of the commissioner. The directors of the divisions shall be qualified by reason of professional competence, education, and experience.</p> <p>III. The salaries of the commissioner and the director, division of audits, the director, division of [document processing] taxpayer services, the director, division of collections, and the director, division of municipal and property, shall be as specified in RSA 94:1-a.</p>
<p>118 Department of Revenue Administration; Taxpayer Services Division Created; Document Process Division Eliminated. RSA 21-J:12 is repealed and reenacted to read as follows:</p> <p>21-J:12 Taxpayer Services Division. There is established within the department the division of taxpayer services, under the supervision of an unclassified director of taxpayer services who shall be responsible for:</p> <p>(a) Processing all tax returns and payments filed with the government.</p> <p>(b) Providing general assistance to the public for all taxes administered by the department.</p> <p>(c) Maintaining and reconciling taxpayer accounts within the department's account management systems.</p>	<p>112 Department of Revenue Administration; Taxpayer Services Division Created; Document Process Division Eliminated. RSA 21-J:12 is repealed and reenacted to read as follows:</p> <p>21-J:12 Taxpayer Services Division. There is established within the department the division of taxpayer services, under the supervision of an unclassified director of taxpayer services who shall be responsible for:</p> <p>(a) Processing all tax returns and payments filed with the government.</p> <p>(b) Providing general assistance to the public for all taxes administered by the department.</p> <p>(c) Maintaining and reconciling taxpayer accounts within the department's account management systems.</p>
119 Department of Revenue Administration; Director of Taxpayer Services Division; Position Established.	113 Department of Revenue Administration; Director of Taxpayer Services Division; Position Established.

<p>I. There is established within the department of revenue administration the unclassified position of director of the taxpayer services division. The salary for the position shall be as set forth in RSA 94:1-a.</p> <p>II. The salary of the director of the taxpayer services division shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the director of the taxpayer services division, position 9U104 shall be abolished to allow for the transition of its available appropriations into the unclassified position of director of the taxpayer services division. Funding shall be transferred into the division of taxpayer services accounting unit. The incumbent in the abolished unclassified position shall be offered the opportunity to seek the commissioner’s nomination for the unclassified position of director of the division of taxpayer services.</p>	<p>I. There is established within the department of revenue administration the unclassified position of director of the taxpayer services division. The salary for the position shall be as set forth in RSA 94:1-a.</p> <p>II. The salary of the director of the taxpayer services division shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the director of the taxpayer services division, position 9U104 shall be abolished to allow for the transition of its available appropriations into the unclassified position of director of the taxpayer services division. Funding shall be transferred into the division of taxpayer services accounting unit. The incumbent in the abolished unclassified position shall be offered the opportunity to seek the commissioner’s nomination for the unclassified position of director of the division of taxpayer services.</p>
<p>120 Repeal. RSA 21-J:6-c, central tax services unit within the department of revenue administration, is repealed.</p>	<p>114 Repeal. RSA 21-J:6-c, central tax services unit within the department of revenue administration, is repealed.</p>
<p>121 Forest Management and Protection Fund. Amend RSA 227-G:5, I(b) to read as follows:</p> <p>(b) The forest management and protection fund shall be a nonlapsing fund administered by the treasurer of the state of New Hampshire. The fund shall be continually appropriated and expended at the discretion of the director of the division and the commissioner. Any funds in excess of that appropriated from the fund may be expended by the commissioner, with prior approval of the fiscal committee and governor and council, in accordance with RSA 227-G:5, I(a). Revenues shall be derived from the proceeds of the sale of timber and other forest products from state-owned forestlands, less 13 percent which shall be deposited into the general fund. Revenues shall also be derived from the lease of state-owned forestlands, or billable services provided by the division of forests and lands, if the revenues are not dedicated to any other purpose. Revenues for the fund shall also be derived from administrative fines collected pursuant to RSA 227-J:1.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

<p>122 Department of Safety; Places of Assembly; Definitions. Amend RSA 155:17, II to read as follows:</p> <p>II. "Licensing agency" shall mean the chief of the fire department, the firewards or engineers, if any, otherwise the selectmen of the town or the commissioners of village district as the case may be[, or in the case of assemblies occurring on state waters, or ice formed on state waters, the commissioner of the department of safety or designee].</p>	<p>115 Department of Safety; Places of Assembly; Definitions. Amend RSA 155:17, II to read as follows:</p> <p>II. "Licensing agency" shall mean the chief of the fire department, the firewards or engineers, if any, otherwise the selectmen of the town or the commissioners of village district as the case may be[, or in the case of assemblies occurring on state waters, or ice formed on state waters, the commissioner of the department of safety or designee].</p>
<p>123 Department of Safety; Places of Assembly; Licensing. Amend RSA 155:18 to read as follows:</p> <p>155:18 License Required. No person shall own or operate a place of assembly within this state unless licensed so to do by the licensing agency of the city, town, or village district where said place of assembly is located, [or in the case of] including assemblies occurring on state waters[,] or ice formed on state waters, [the commissioner of the department of safety or designee,] in accordance with the regulations herein promulgated. In the application of this act to existing places of assembly the licensing agency may modify such of its provisions as would require structural changes if in his or her opinion adequate safety may be obtained otherwise and provided that a permanent record is kept of such modifications and the reasons therefor.</p>	<p>116 Department of Safety; Places of Assembly; Licensing. Amend RSA 155:18 to read as follows:</p> <p>155:18 License Required. No person shall own or operate a place of assembly within this state unless licensed so to do by the licensing agency of the city, town, or village district where said place of assembly is located, [or in the case of] including assemblies occurring on state waters[,] or ice formed on state waters, [the commissioner of the department of safety or designee,] in accordance with the regulations herein promulgated. In the application of this act to existing places of assembly the licensing agency may modify such of its provisions as would require structural changes if in his or her opinion adequate safety may be obtained otherwise and provided that a permanent record is kept of such modifications and the reasons therefor.</p>
<p>124 Transportation; Definitions. Amend RSA 228:1, VII to read as follows:</p> <p>VII. "Project" means any construction, reconstruction, alteration, or maintenance of any highway, bridge, building, plant, fixture, facility or other item directly related to or supporting transportation. The term shall not include construction, reconstruction, alteration, or maintenance of buildings, plants, fixtures, or facilities formerly administered through the department of transportation, division of public works, or matters managed by the department of administrative services, division of public works design and construction.</p>	<p>AMENDED BY THE SENATE</p> <p>117 Transportation; Definitions. Amend RSA 228:1, VII to read as follows:</p> <p>VII. "Project" means any construction, reconstruction, alteration, or maintenance of any highway, bridge, building, plant, fixture, facility or other item directly related to transportation. The term shall not include construction, reconstruction, alteration, or maintenance of buildings, plants, fixtures, or facilities formerly administered through the department of transportation, division of public works, or matters managed by the department of administrative services, division of public works design and construction.</p>
<p>125 Department of Transportation; Eminent Domain; Occasion for Layout by Governor and Council. Amend RSA 230:13, I to read as follows:</p> <p>I. The governor, with advice of the council, may determine upon hearing whether there is</p>	<p>118 Department of Transportation; Eminent Domain; Occasion for Layout by Governor and Council. Amend RSA 230:13, I to read as follows:</p> <p>I. The governor, with advice of the council, may determine upon hearing whether there is</p>

<p>occasion for the laying out or alteration of a class I or class II highway or a highway within the state included in the national system of interstate highways as proposed by the commissioner of transportation, and, if so, [shall appoint a commission of 3 persons who] the commissioner may purchase land or other property that is reasonably necessary for the construction, reconstruction, or alteration and who shall lay out the remainder of such highway or alteration. Any such land or property which cannot be acquired by agreement with the owner or owners thereof may be acquired in accordance with RSA 498-A and all issues that are appealed relating to necessity, public use, and net public benefit shall be determined in accordance with RSA 230:19. Property rights acquired under the provisions of this section shall be in fee simple or in the form of easements, including property acquired by condemnation proceedings.</p>	<p>occasion for the laying out or alteration of a class I or class II highway or a highway within the state included in the national system of interstate highways as proposed by the commissioner of transportation, and, if so, [shall appoint a commission of 3 persons who] the commissioner may purchase land or other property that is reasonably necessary for the construction, reconstruction, or alteration and who shall lay out the remainder of such highway or alteration. Any such land or property which cannot be acquired by agreement with the owner or owners thereof may be acquired in accordance with RSA 498-A and all issues that are appealed relating to necessity, public use, and net public benefit shall be determined in accordance with RSA 230:19. Property rights acquired under the provisions of this section shall be in fee simple or in the form of easements, including property acquired by condemnation proceedings.</p>
<p>126 Layout of State Highways; Notice of Hearing. Amend RSA 230:17 to read as follows: 230:17 Layout of State Highways; Notice of Hearing. The governor with the advice of the council, or the commission appointed by the governor with advice of the council, at least 14 days previous to a public hearing as provided in RSA 230:19, shall cause notice in writing of the time and place of hearing appointed by them, together with a description of the proposed location, to be given to each owner of land or other property over which such highway may pass, and to the clerk of any city or town in which such highway or alteration may be laid out. Other meetings shall be noticed in accordance with RSA 91-A.</p>	<p>119 Layout of State Highways; Notice of Hearing. Amend RSA 230:17 to read as follows: 230:17 Layout of State Highways; Notice of Hearing. The governor with the advice of the council, or the commission appointed by the governor with advice of the council, at least 14 days previous to a public hearing as provided in RSA 230:19, shall cause notice in writing of the time and place of hearing appointed by them, together with a description of the proposed location, to be given to each owner of land or other property over which such highway may pass, and to the clerk of any city or town in which such highway or alteration may be laid out. Other meetings shall be noticed in accordance with RSA 91-A.</p>
<p>127 Limited Access Highways; Occasion for Layout; Layout. Amend RSA 230:45 to read as follows: 230:45 Occasion for Layout; Layout. The governor, with the advice of the council, on the governor's own motion or a special committee of 3 persons appointed by the governor and council for the purpose, may determine, upon hearing, whether there is occasion for the laying out or alteration of a limited access facility including service roads as proposed by the commissioner of transportation; and, if so, [the governor, with the advice of the council, shall appoint a commission of 3 persons who] the commissioner may purchase land or other property as proposed and [who]</p>	<p>120 Limited Access Highways; Occasion for Layout; Layout. Amend RSA 230:45 to read as follows: 230:45 Occasion for Layout; Layout. The governor, with the advice of the council, on the governor's own motion or a special committee of 3 persons appointed by the governor and council for the purpose, may determine, upon hearing, whether there is occasion for the laying out or alteration of a limited access facility including service roads as proposed by the commissioner of transportation; and, if so, [the governor, with the advice of the council, shall appoint a commission of 3 persons who] the commissioner may purchase land or other property as proposed and [who]</p>

shall lay out the remainder of such facility, service roads, or alteration thereof. The commission appointed by the governor and council to lay out any limited access facility may acquire private or public property and property rights for such facility and service roads, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation in the same manner as provided for acquiring property for class I highways. Property rights acquired under the provisions of this section may be in fee simple or in the form of easements, including property acquired by condemnation proceedings. The ~~[commission]~~ **commissioner**, in ~~[its]~~ **his or her** discretion, may acquire an entire lot, block, or tract of land if, by so doing, the interests of the public will be best served even though the entire lot, block, or tract is not immediately needed for the right-of-way proper. The commissioner of transportation, with the approval of the governor and council, may sell, convey, transfer, or lease any surplus property, real or personal, at public or private sale.

shall lay out the remainder of such facility, service roads, or alteration thereof. The commission appointed by the governor and council to lay out any limited access facility may acquire private or public property and property rights for such facility and service roads, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation in the same manner as provided for acquiring property for class I highways. Property rights acquired under the provisions of this section may be in fee simple or in the form of easements, including property acquired by condemnation proceedings. The ~~[commission]~~ **commissioner**, in ~~[its]~~ **his or her** discretion, may acquire an entire lot, block, or tract of land if, by so doing, the interests of the public will be best served even though the entire lot, block, or tract is not immediately needed for the right-of-way proper. The commissioner of transportation, with the approval of the governor and council, may sell, convey, transfer, or lease any surplus property, real or personal, at public or private sale.

128 Highways; Definition. Amend RSA 229:1 to read as follows:

229:1 Highways Defined. Highways are only such as are laid out in the mode prescribed therefor by statute, or roads which have been constructed for ***or are currently used for any mode of*** public travel over land which has been conveyed to a city or town or to the state by deed of a fee or easement interest, or roads which have been dedicated to the public use and accepted by the city or town in which such roads are located, or roads which have been used as such for public travel, other than travel to and from a toll bridge or ferry, for 20 years prior to January 1, 1968, and shall include the bridges thereon.

AMENDED BY THE SENATE

121 Highways; Definition. Amend RSA 229:1 to read as follows:

229:1 Highways Defined. Highways are only such as are laid out in the mode prescribed therefor by statute, or roads which have been constructed for ***or are currently used for motor vehicle, bicycle, or pedestrian*** public travel over land which has been conveyed to a city or town or to the state by deed of a fee or easement interest, or roads which have been dedicated to the public use and accepted by the city or town in which such roads are located, or roads which have been used as such for public travel, other than travel to and from a toll bridge or ferry, for 20 years prior to January 1, 1968, and shall include the bridges thereon. ***Highway does not include any bridge, trail, or path intended for use by off highway recreational vehicles, as defined in RSA 215-A:1, or snowmobiles, as defined in RSA 215-C:1.***

129 Discontinuance of Relocated Portions of Class I and Class II Highways Acquired in 1945 or Earlier. Amend RSA 230:55 through RSA 230:58 to read as follows:

230:55 Notice of Finding. Whenever the commissioner of transportation shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion to use

122 Discontinuance of Relocated Portions of Class I and Class II Highways Acquired in 1945 or Earlier. Amend RSA 230:55 through RSA 230:58 to read as follows:

230:55 Notice of Finding. Whenever the commissioner of transportation shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion

such portion for class I or class II highway purposes *for property acquired by the state in 1945 or earlier, the commissioner* [~~he~~] shall post notice of such finding in 2 public places in the town in which land is situate and give notice in writing to the selectmen of such town. *Notwithstanding any provision of law to the contrary, the commissioner may discontinue and declare property acquired after 1945 as surplus and dispose of it in accordance with RSA 4:39.*

230:56 Determination by Selectmen. The selectmen of such town within 60 days after receiving such notice *regarding property acquired by the state in 1945 or earlier*, shall determine, after notice to the owners of land or abutting owners given in the same manner as provided for in the laying out of highways by selectmen, and hearing, whether there is occasion for the use of such portion for town highway purposes and shall notify the commissioner of transportation, in writing, of their determination.

230:57 Reversion to Town. Upon the filing of notice with the commissioner of transportation that such occasion exists, or, in the event that the selectmen fail to take any action or notify the commissioner of transportation in writing of their determination within 60 days after the receipt of notice from [~~him~~] *the commissioner regarding property acquired by the state in 1945 or earlier*, the right-of-way over such portion of land and title to any interest held by the state in such portion shall thereupon revert to or vest in such town, and the commissioner of transportation shall so certify in writing under oath to the selectmen, and the highway shall thereupon become a class V or class VI highway.

230:58 Notice of Discontinuance. *Regarding property acquired by the state in 1945 or earlier*, upon the filing of notice with the commissioner of transportation that such occasion does not exist, the commissioner shall post notice in 2 public places in such town that such portion of highway is thereupon discontinued.

130 Discontinuance of Relocated Portions of Class I and Class II Highways; Assessment of Damages. Amend RSA 230:61 to read as follows:

to use such portion for class I or class II highway purposes *for property acquired by the state in 1945 or earlier, the commissioner* [~~he~~] shall post notice of such finding in 2 public places in the town in which land is situate and give notice in writing to the selectmen of such town. *Notwithstanding any provision of law to the contrary, the commissioner may discontinue and declare property acquired after 1945 as surplus and dispose of it in accordance with RSA 4:39.*

230:56 Determination by Selectmen. The selectmen of such town within 60 days after receiving such notice *regarding property acquired by the state in 1945 or earlier*, shall determine, after notice to the owners of land or abutting owners given in the same manner as provided for in the laying out of highways by selectmen, and hearing, whether there is occasion for the use of such portion for town highway purposes and shall notify the commissioner of transportation, in writing, of their determination.

230:57 Reversion to Town. Upon the filing of notice with the commissioner of transportation that such occasion exists, or, in the event that the selectmen fail to take any action or notify the commissioner of transportation in writing of their determination within 60 days after the receipt of notice from [~~him~~] *the commissioner regarding property acquired by the state in 1945 or earlier*, the right-of-way over such portion of land and title to any interest held by the state in such portion shall thereupon revert to or vest in such town, and the commissioner of transportation shall so certify in writing under oath to the selectmen, and the highway shall thereupon become a class V or class VI highway.

230:58 Notice of Discontinuance. *Regarding property acquired by the state in 1945 or earlier*, upon the filing of notice with the commissioner of transportation that such occasion does not exist, the commissioner shall post notice in 2 public places in such town that such portion of highway is thereupon discontinued.

123 Discontinuance of Relocated Portions of Class I and Class II Highways; Assessment of Damages. Amend RSA 230:61 to read as follows:

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<p>230:61 Assessment of Damages. Any person who sustains damages because of such discontinuance <i>of property acquired by the state in 1945 or earlier</i> may petition for the assessment of damages to the superior court in the county in which such discontinued portion of highway is located within 60 days from the posting of notice of discontinuance, and not thereafter, and the court shall assess such damages, if any, by jury.</p>	<p>230:61 Assessment of Damages. Any person who sustains damages because of such discontinuance <i>of property acquired by the state in 1945 or earlier</i> may petition for the assessment of damages to the superior court in the county in which such discontinued portion of highway is located within 60 days from the posting of notice of discontinuance, and not thereafter, and the court shall assess such damages, if any, by jury.</p>
<p>131 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2019.</p>	<p>124 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2019.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>125 Distribution of Meals and Rooms Tax; Division of Travel and Tourism Development. The provisions of RSA 78-A:26, I(b), crediting a portion of meals and rooms tax revenue to the division of travel and tourism development, are hereby suspended for the biennium ending June 30, 2019.</p>
<p>132 Appropriation to the Division of Travel and Tourism Development for Highway Safety Rest Area Operations. The sum of \$500,000 for the fiscal year ending June 30, 2018, and the sum of \$500,000 for the fiscal year ending June 30, 2019 are hereby appropriated to the division of travel and tourism development, account 03-22-22-2210-2025, for the purpose of paying for highway safety rest area operations, including but not limited to staffing, maintenance, and repair of such rest areas. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>126 Joint Committee on Legislative Facilities; Meetings; Transfers. Amend RSA 17-E:4 and 17-E:5 to read as follows:</p> <p>17-E:4 Meetings. The committee shall meet [on a regular stated date monthly] <i>as needed</i> and at such other times at the call of the chair or upon written request of 4 members and any such special meeting shall be held within 5 days of such call or request.</p> <p>17-E:5 House and Senate Subcommittees. The house members, with the speaker as chairperson, shall be a subcommittee for legislative management for the house; and the senate</p>

	<p>members, with the president as chairperson, shall be a subcommittee for legislative management of the senate. All <i>individual</i> transfers within the house or senate appropriations <i>in excess of \$75,000</i> and all salaries of legislative attaches and other employees unless otherwise specifically provided by statute shall require the approval of the respective subcommittee. The salaries as determined hereunder shall be a charge upon the appropriation made for the legislature.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>127 Legislative Branch; Special Account. Amend 2011, 224:217, II, as amended by 2013, 144:102 and 2015, 276:214, to read as follows:</p> <p>II.(a) The legislative accountant shall allocate the original \$3,000,000 special legislative account into 4 separate and equal subaccounts. Individual subaccounts shall be established for the senate, the house of representatives, the joint offices, and the office of legislative budget assistant. Beginning in fiscal year 2013 and for fiscal year 2014, any unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount, provided that no subaccount balance shall exceed \$750,000. All unexpended and unencumbered appropriations remaining at the close of the fiscal year shall lapse to the general fund.</p> <p>(b) Beginning in For fiscal year 2015 and each year thereafter fiscal year 2016, unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount, provided that no subaccount balance shall exceed \$750,000. Any remaining unexpended and unencumbered appropriations shall not lapse.</p> <p>(c) Beginning in fiscal year 2017 and for each fiscal year thereafter, unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>128 Joint Committee on Legislative Facilities; Funds. Amend 2011, 224:217, III to read as follows:</p> <p>III. Funds may be transferred from the senate's subaccount with prior approval notification of the senate subcommittee established pursuant to RSA 17-E:5. Funds may be transferred from the house of representatives' subaccount with prior approval notification of</p>

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	<p>the house subcommittee established pursuant to RSA 17-E:5. Funds may be transferred from the joint offices' subaccount with [prior approval] notification of the joint committee on legislative facilities established pursuant to RSA 17-E:1. Funds may be transferred from the office of legislative budget assistant's subaccount with [prior approval] notification of the fiscal committee of the general court established pursuant to RSA 14:30-a. <i>Any individual transfer from a subaccount in excess of \$75,000 shall require the prior approval of the applicable subcommittee or committee.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>129 Governor's Commission on Disability; Newslite for the Blind; Funding. Amend RSA 275-C:8-a to read as follows:</p> <p style="padding-left: 40px;">275-C:8-a Newslite for the Blind; Funding. Beginning July 1, [2007] 2017, and in each fiscal year thereafter, the sum of [\$28,000] \$31,500 is hereby appropriated to the governor's commission on disability for the purpose of funding the National Federation of the Blind's "Newslite for the Blind," an information and news service that provides individuals who are otherwise unable to read newsprint with access to existing newspapers and other printed materials. Said funds shall be a charge against the telecommunications relay service trust fund established by the public utilities commission.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>130 Revenue Stabilization Reserve Account. Amend RSA 9:13-e, V to read as follows:</p> <p style="padding-left: 40px;">V. If, after the requirements of paragraphs II-IV have been met and the balance remaining in the revenue stabilization reserve account is in excess of an amount equal to 10 percent of the actual general fund unrestricted revenues for the most recently completed fiscal year, then such excess, <i>less any amounts deposited pursuant to RSA 7:6-e</i>, shall be transferred, without further action, to the general fund surplus account.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>131 New Subparagraphs; Revenue Information Management System Account; State Heating System Savings Account. Amend RSA 6:12, I(b) by inserting after subparagraph (333) the following new subparagraphs:</p> <p style="padding-left: 40px;">(334) Money deposited in the revenue information management system account under</p>

	<p>RSA 21-J:1-b. (335) Money deposited in the state heating system savings account established under RSA 21-I:19-ff.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>132 New Section; Revenue Information Management System Account. Amend RSA 21-J by inserting after section 1-a the following new section:</p> <p>21-J:1-b Revenue Information Management System Account.</p> <p>I. There is hereby established a non-lapsing, continually appropriated revenue information management system account. The state treasurer shall credit the additional revenue from existing taxes collected by the department attributable to implementation of the department’s revenue information management system (RIMS), as calculated by the commissioner of the department of revenue administration, to the revenue information management system account from which the treasurer shall pay principal and interest on bonds and notes issued to fund the RIMS project. Said funds shall not be used for any other purpose.</p> <p>II. The revenue increase from existing taxes attributable to the RIMS collected by the department and deposited in the revenue information management system account shall be no greater than \$4,000,000 each fiscal year beginning in the fiscal year ending June 30, 2022, and ending in the fiscal year ending June 30, 2031. The commissioner shall report annually on the methodology used to determining the revenue increase to the capital budget overview committee and house and senate ways and means committees.</p> <p>III. In addition to the amounts in paragraph II for the biennium ending June 30, 2019, the state treasurer shall deposit any excess general fund appropriation for debt service into the revenue information management system account for prepayment of bonds issued to finance RIMS once the bonds can be called.</p> <p>IV. Any moneys remaining in the account after the final payments have been made shall lapse to the general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>133 New Section; Department of Administrative Services; State Heating System Savings Account.</p>

	<p>Amend RSA 21-I by inserting after section 19-f the following new section:</p> <p>21-I:19-ff State Heating System Savings Account. There is hereby established the state heating system savings account for the transfer of unexpended state heating system appropriations due to reduced heating system costs resulting from the 26 state buildings served by the Concord Steam project authorized in 2017, 2. Notwithstanding RSA 21-I:19-e, at the end of each state fiscal year, the commissioner of administrative services shall identify the unexpended appropriations in the accounts and class lines for the 26 state buildings served by the replacement of the Concord Steam facility. The commissioner shall deposit such sums into the account established by this section. Funds in the state heating system savings account shall be nonlapsing and continually appropriated to the department of administrative services and may be used to pay principal and interest on bonds and notes issued to fund the capital project for the heating of state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>134 Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program. Amend 2016, 329:1 to read as follows:</p> <p>329:1 Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program. The sum of \$130,000 is hereby appropriated to the office of professional licensure and certification for the biennium ending June 30, 2017 2019 for the purposes of technology upgrades for the controlled drug prescription health and safety program, established in RSA 318-B:32. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>135 Contingent Appropriation; Office of Professional Licensure and Certification; Controlled Drug Prescription Health and Safety Program. The sum of up to \$100,000 is hereby appropriated to the office of professional licensure and certification for the biennium ending June 30, 2019 for the controlled drug prescription health and safety program, established in RSA 318-B:32, and contingent upon approval of the legislative fiscal committee. The governor is authorized to draw a</p>

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	warrant for said sum out of any money in the treasury not otherwise appropriated.
NO COMPARABLE HOUSE SECTION	136 Plan for Funding Required. The administrator of the controlled drug prescription health and safety program shall develop a plan for sustainable funding, which shall not include moneys from the general fund, by November 1, 2017. The plan shall be presented in the form of a report to the speaker of the house of representatives, the president of the senate, and the governor on or before November 2, 2017.
NO COMPARABLE HOUSE SECTION	138 Minimum Prices; Milk. Amend RSA 434:56 to read as follows: 434:56 Establishment of Minimum Producer Dairy Prices. [Notwithstanding the provisions of RSA 184:106-110, the] <i>The</i> commissioner, after consulting with the [milk producers emergency relief fund] <i>agricultural advisory</i> board, may establish by order an equitable minimum price to be paid to milk producers for raw milk produced in New Hampshire on the basis of the use thereof in the various classes, grades and forms. The commissioner, after consulting with the <i>agricultural advisory</i> board, may from time to time make, amend or rescind an order if the commissioner finds that the federal milk marketing order covering New Hampshire is adequate or inadequate as the case may be to ensure a stable raw milk production and distribution system in the state. <i>In no case shall the commissioner establish by order a price greater than the average price established for comparable classes, grades and forms of raw milk in the contiguous states.</i>
NO COMPARABLE HOUSE SECTION	139 Reference Deleted; Milk Producers Emergency Relief Fund. Amend RSA 425:2-a, II(i) to read as follows: (i) The New Hampshire dairy industry is vital to the state's economy. It impacts state and local economies via millions of dollars in total economic output, thousands of jobs and millions more dollars in labor income. [The dairy industry should be further supported through the milk producers emergency relief fund as specified in RSA 184:107, and other methods that will encourage the success of the state's dairy industry.]
NO COMPARABLE HOUSE SECTION	140 Repeal. The following are repealed:

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	<p>I. RSA 184:106-110, relative to the milk producers emergency relief fund. II. RSA 6:12, I(b)(268), relative to the milk producers emergency relief fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>142 Department of Corrections; Unfunded Positions. Notwithstanding any provision of law to the contrary, the department of corrections, with prior approval of the fiscal committee of the general court, may fill unfunded positions during the biennium ending June 30, 2019, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.</p>
<p>133 New Paragraph; State Retiree Health Care Program; Prescriptions. Amend RSA 21-I:30 by inserting after paragraph XV the following new paragraph: XVI. The New Hampshire retiree health care program shall not pay for any medications that are available for purchase without a prescription.</p>	<p>11 New Paragraph; State Retiree Health Care Program; Prescriptions. Amend RSA 21-I:30 by inserting after paragraph XV the following new paragraph: XVI. The New Hampshire retiree health care program shall not pay for any medications that are available for purchase without a prescription.</p>
<p>134 Division of Accounting Services; Department of Administrative Services. Amend the introductory paragraph of RSA 21-I:8 to read as follows: 21-I:8 Division of Accounting Services. There is hereby established within the department the division of accounting services under the supervision of an unclassified director of accounting services, who shall also be known as the comptroller. The comptroller shall direct the state's accounting functions, using generally accepted accounting principles and taking full advantage of all benefits of automated data processing applications, to the end that the fiscal affairs of all state agencies and departments will be adequately and uniformly serviced and that periodic financial and management reports will be available to serve the various needs of all state agencies and the executive and legislative branches in their decision making processes. [If the commissioner of administrative services and the respective state agencies are unable to generate any required information that, in accordance with generally accepted accounting principles, should be provided with the comprehensive annual financial report and any stand alone financial statements identified in subparagraphs II(b) and II(c), the commissioner shall communicate this deviation in advance to the legislative budget assistant as soon as the deviation is known.] <i>The</i></p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

<p><i>commissioner of administrative services may authorize deviations from generally accepted accounting principles if the commissioner deems it is in the best interest of the state, provided that the explanation for the deviation is provided in the annual report required by subparagraph II(a).</i> The division shall include the following internal organizational units:</p>	
<p>135 Repeal. RSA 21-I:8, II(b) and (c), relative to duties of the bureau of financial services on audited financial statements of agencies, are repealed.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>136 Administrative Services; Funding and Staffing Resource Limitations.</p> <p>I. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services is authorized to suspend the following requirements or obligations of the department for each fiscal year of the biennium ending June 30, 2019:</p> <p>(a) RSA 21-I:7-c as it applies to addressing performance and financial legislative budget assistant audit findings from 2006, 2011, and 2014 regarding management of the employee and retiree health benefit program, including establishing rules and operational policies for the program.</p> <p>(b) RSA 21-I:11, I(c)(1).</p> <p>II. Due to inadequate funding and staffing resources at the department of administrative services, the commissioner of the department of administrative services is authorized to suspend the following requirements or obligations of the department for each fiscal year of the biennium ending June 30, 2019:</p> <p>(a) The provisions relating to identification and implementation of energy efficiency projects in compliance with the governor’s executive order 2016-03.</p> <p>(b) The provisions relating to data analysis and the development of performance metrics for buildings and vehicles to monitor energy and water usage, use of fossil fuels, and greenhouse gas emissions in compliance with governor’s executive order 2016-03.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

137 New Subparagraph; Bureau of Financial Reporting; Preliminary Financial Statements. Amend RSA 21-I:8, II by inserting after subparagraph (d) the following new subparagraph:

(e) Requiring all state agencies to provide preliminary financial statements to the department of administrative services no later than 75 days after the close of the fiscal year. The department of administrative services shall notify the fiscal committee of the general court in writing if any state agency fails to provide the preliminary financial statements by the specified date. After issuing such notice, the department of administrative services shall reduce the subsequent year's operating budget of any state agency failing to meet the deadline by 2 percent, excluding amounts budgeted for debt service.

NOT INCLUDED IN THE SENATE AMENDMENT

138 Fees of Sheriffs and Deputy Sheriffs. Amend RSA 104:31, XI to read as follows:

XI. The state shall reimburse the sheriff's office for prisoner custody and control, within available funds appropriated by the legislature, \$65 for each full day and \$35 for each half day, plus traveling expenses to attend any official business, for any person employed as a sheriff for prisoner custody and control. For the purpose of this paragraph, a half day shall be defined as a day in which a sheriff works 4 hours or less. The state shall reimburse the counties, within available funds appropriated by the legislature, for all costs associated with employing sheriffs, if those costs are the result of job requirements imposed by federal and state governments. **Total reimbursements shall not exceed the available funds appropriated by the legislature on an annual basis. Costs in excess of the annual appropriation shall not be allowed and shall be the responsibility of the county requesting reimbursement. Billing or reimbursements for costs associated with video arraignments shall not be allowed. Custody and control of prisoners for the purpose of video arraignments shall be the responsibility of the county in which the video arraignment occurs, and such custody and control may be exercised by county correctional officers.**

AMENDED BY THE SENATE

143 Fees of Sheriffs and Deputy Sheriffs. Amend RSA 104:31, XI to read as follows:

XI. The state shall reimburse the sheriff's office for prisoner custody and control, within available funds appropriated by the legislature, \$65 for each full day and \$35 for each half day, plus traveling expenses to attend any official business, for any person employed as a sheriff for prisoner custody and control. For the purpose of this paragraph, a half day shall be defined as a day in which a sheriff works 4 hours or less. The state shall reimburse the counties, within available funds appropriated by the legislature, for all costs associated with employing sheriffs, if those costs are the result of job requirements imposed by federal and state governments. **Billing for reimbursement of costs associated with video arraignments shall not be allowed under this paragraph. Custody and control of prisoners for the purpose of video arraignments shall be the responsibility of the county in which the video arraignment occurs, and such custody and control may be exercised by county correctional officers.**

139 Concord Steam Project Appropriations; Contingency. If HB 368-FN-A of the 2017 regular

NOT INCLUDED IN THE SENATE AMENDMENT

<p>legislative session becomes law, then the appropriation in section 1 of that act shall be nonlapsing and any capital appropriation made in the state capital budget (HB 25-FN-A) for the 2019 biennium for the purpose of funding the Concord Steam project, as provided in HB 368-FN-A, shall be nonlapsing.</p>	
<p>140 HB 332; Contingency; Expenses of the Nuclear Decommissioning Financing Committee. If HB 332 of the 2017 regular legislative session becomes law, section 9 of HB 332, which provides for the repeal of RSA 162-F:18, relative to expenses of the nuclear decommissioning financing committee, shall not take effect.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>141 Definition of Department. Amend RSA 9:1 to read as follows: 9:1 Terms Used. In this chapter, the term “department” or “establishment” means any executive department, commission, board, institution, bureau, office, or other agency of the state government, by whatever name called, other than the legislature, <i>the department of state in the execution of the constitutional duties of the office of the secretary of state</i>, and the state judicial branch, that uses, expends or receives any state funds; the term “state funds” means any and all moneys appropriated by the legislature, or money collected by or for the state, or any agency thereof, pursuant to authority granted in any of its laws; the term “budget” means the budget document by this chapter required to be transmitted to the legislature; the term “stakeholder” means a person and/or group which can affect or is affected by the development, design, and/or development of information technology systems.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>142 Circuit Court; Suspension. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time judicial position, shall be suspended for the biennium ending June 30, 2019.</p>	<p>SAME AS SENATE SECTION 13, II</p>
<p>143 Department of Justice; Position Added; Criminal Justice Investigator. Amend RSA 94:1-a, I(b) salary grade DD by inserting the following position: DD Department of justice chief forensic investigator</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>144 Department of Justice; Collections Related to the Merrimack River Flood Control Compact. The department of justice shall undertake every reasonable legal effort to collect all amounts due</p>

	to the state of New Hampshire as a result of the Merrimack River flood control compact.
NO COMPARABLE HOUSE SECTION	<p>145 Regulation of Pharmacies; Price of Filling Prescriptions. Amend RSA 318:47-h, I to read as follows:</p> <p>I. A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less. <i>For the purposes of this paragraph, "usual and customary price" means the price an individual would pay for a prescription at a retail pharmacy if that individual did not have a prescription drug benefit or insurance. For the purposes of this paragraph, "contracted copayment" means a fixed amount an individual is responsible to pay for covered prescriptions as set forth in the health benefit plan.</i></p>
NO COMPARABLE HOUSE SECTION	<p>146 Managed Care Law; Price of Filling Prescriptions. Amend RSA 420-J:7-b, X(a) to read as follows:</p> <p>(a) A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less. <i>For the purposes of this subparagraph, "usual and customary price" means the price an individual would pay for a prescription at a retail pharmacy if that individual did not have a prescription drug benefit or insurance. For the purposes of this subparagraph, "contracted copayment" means a fixed amount an individual is responsible to pay for covered prescriptions as set forth in the health benefit plan.</i></p>
NO COMPARABLE HOUSE SECTION	<p>147 Accident and Health Insurance; Price of Filling Prescriptions. Amend RSA 415:26, I to read as follows:</p> <p>I. A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less. <i>For the purposes of this paragraph, "usual</i></p>

	<p><i>and customary price" means the price an individual would pay for a prescription at a retail pharmacy if that individual did not have a prescription drug benefit or insurance. For the purposes of this paragraph, "contracted copayment" means a fixed amount an individual is responsible to pay for covered prescriptions as set forth in the health benefit plan.</i></p>
<p>144 New Hampshire Drinking Water and Groundwater Trust Fund; Transfer. Notwithstanding the provisions of RSA 485-F and any other law to the contrary, \$5,883,058 for the fiscal year ending June 30, 2018, and \$4,205,815 for the fiscal year ending June 30, 2019, shall be transferred from the New Hampshire drinking water and groundwater trust fund, established in RSA 6-D:1, to the department of environmental services account 03-44-44-4420-1003 for the purposes of paying for water pollution control and public water systems pursuant to RSA 486 and RSA 486-A.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>145 New Hampshire Drinking Water and Groundwater Trust Fund; Transfer. Notwithstanding the provisions of RSA 485-F and any other law to the contrary, \$791,421 for the fiscal year ending June 30, 2018, and \$701,865 for the fiscal year ending June 30, 2019, shall be transferred from the New Hampshire drinking water and groundwater trust fund, established in RSA 6-D:1, to the department of environmental services account 03-44-44-4420-1426 for the purposes of paying for water pollution control and public water systems pursuant to RSA 486 and RSA 486-A.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>146 New Hampshire Drinking Water and Groundwater Trust Fund; Transfer. Notwithstanding the provisions of RSA 485-F and any other law to the contrary, \$1,114,346 for the fiscal year ending June 30, 2018, and \$1,114,346 for the fiscal year ending June 30, 2019, shall be transferred from the New Hampshire drinking water and groundwater trust fund, established in RSA 6-D:1, to the department of environmental services account 03-44-44-4420-1003 for the purposes of paying for the following 12 projects with warrant article before December 31, 2008 but without SAG application before July 1, 2013.</p> <p style="text-align: right;"><u>FY 2018</u> <u>FY 2019</u></p> <p>Portsmouth D02011.0502 Lincoln Area Sewer Separation</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

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	Contract 3B	\$95,449	\$95,450	
Portsmouth	D2011.1101 Cass Street Area Sewer Improvements	\$52,995	\$52,995	
Portsmouth	106-12 Rye Line Pump Station	\$21,907	\$21,907	
Nashua	D2004-0906 Primary Clarifier Rehabilitation	\$14,983	\$14,983	
Durham	D2010-0213 West End Sewer Improvements	\$4,712	\$4,712	
Berlin	D02011-0705 Inflow and Infiltration Reduction, Phase 1, Contract 2	\$31,077	\$31,077	
Portsmouth	D2013-D102 Lincoln Area Sewer Separation - Contract 83C	\$67,057	\$67,057	
Conway Village				
Fire District	237-04 Sewerage Improvements Program Phase II	\$247,655	\$247,655	
Lebanon	092-04 & 092-06 WWTF & Energy Evaluation Improvements, Phase II	\$195,235	\$195,235	
Berlin	111-05 & 111-06 Wastewater Treatment Facility Phase 2 Upgrade	\$234,828	\$234,828	
Nashua	D2012-0202 WWTF Grit System and Dewatering Upgrade	\$85,206	\$85,206	
Nashua	D2012-060S Aeration and Secondary Clarifier Upgrade	\$63,242	\$63,241	
Total Projects with Warrant Article Before December 31, 2008				
But Without SAG Application Before July 1, 2013		<u>\$1,114,346</u>	<u>\$1,114,346</u>	
Total Transfer for the biennium ending June 30, 2019			\$2,228,692	

147 National Guard Scholarship Fund. Amend RSA 110-B:61 to read as follows:
 110-B:61 Revenue for Scholarship Fund.
I. All revenue received from sources other than governmental agencies during any fiscal year from the rental of all national guard armories in this state shall be credited by the state treasurer to the New Hampshire national guard scholarship fund as established in RSA 110-B:60.
II. *Revenues for the national guard scholarship fund shall include an annual*

AMENDED BY THE SENATE (FORMAT ONLY)
 137 Revenue for the National Guard Scholarship Fund. Amend RSA 110-B:61 to read as follows:
 110-B:61 Revenue for Scholarship Fund. All revenue received from sources other than governmental agencies during any fiscal year from the rental of all national guard armories in this state shall be credited by the state treasurer to the New Hampshire national guard scholarship fund as established in RSA 110-B:60. ***Revenues for the national guard scholarship fund shall include an annual appropriation, as determined by the general court, to be***

<p><i>appropriation, as determined by the general court, to be awarded by the scholarship committee under this subdivision.</i></p>	<p><i>awarded by the scholarship committee under this subdivision.</i></p>
<p>148 Repeal. RSA 7:6-f, relative to the disposition of consumer protection settlement funds, is repealed.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>149 Department of Corrections; Scanners for State Correctional Facilities. Amend 2016; 263:4 to read as follows: 263:4 Appropriation; Department of Corrections; Scanners for State Correctional Facilities. In addition to any other funds appropriated to the department of corrections, the sum of \$1,110,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department for the purchase and installation of 6 full body security scanners in the state correctional facilities. Three of the scanners shall be installed in the state prison for men in Concord, 2 scanners shall be installed in the northern New Hampshire correctional facility in Berlin, and one scanner shall be installed in the new state prison for women. This appropriation shall not lapse until July 1, 2019. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>	<p>AMENDED BY THE SENATE 141 Department of Corrections; Appropriation for Scanners in State Correctional Facilities. Amend 2016, 263:4 to read as follows: 263:4 Appropriation; Department of Corrections; Scanners for State Correctional Facilities. In addition to any other funds appropriated to the department of corrections, the sum of \$1,110,000 for the fiscal year ending June 30, 2017 2019 is hereby appropriated to the department, \$1,000,000 of which shall be used for the purchase and installation of [6] full body security scanners in [the] state correctional facilities, and \$110,000 of which shall be used to fund 2 canine teams at the department of corrections. [Three of the scanners shall be installed in the state prison for men in Concord, 2 scanners shall be installed in the northern New Hampshire correctional facility in Berlin, and one scanner shall be installed in the new state prison for women.] The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>150 New Section; Adequate Representation for Indigent Defendants in Criminal Cases; Additional Funding From State Departments and Agencies. Amend RSA 604-A by inserting after section 1-b the following new section: 604-A:1-c Additional Funding From State Departments and Agencies. Every state department, board, institution, commission, or agency which receives grant funds or supplemental appropriations from a source other than the state biennial operating budget for the purpose of conducting law enforcement activities that may result in increased costs for indigent defense as determined by the court, shall transfer 20 percent of such funds received to the judicial council to</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

<p>be used to pay for indigent defense costs resulting from such law enforcement activities. Payment for expenses of indigent representation under this section shall be made pursuant to RSA 604-A:8.</p>	
<p>151 Integrated Land Development Permits; Procedure Suspended. Due to budgetary and staffing constraints, RSA 489, establishing a procedure to obtain an integrated land development permit from the department of environment services, is suspended for the biennium ending June 30, 2019.</p>	<p>148 Integrated Land Development Permits; Procedure Suspended. Due to budgetary and staffing constraints, RSA 489, establishing a procedure to obtain an integrated land development permit from the department of environment services, is suspended for the biennium ending June 30, 2019.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>150 Workers' Compensation; Definitions. Amend RSA 281-A:2, VII(a)(5) to read as follows:</p> <p style="padding-left: 40px;">(5)(A) Any person who assists in a search for or an attempted rescue or rescue of another pursuant to RSA 206:26, XII, after January 1, 1982, and who is voluntarily under the direction of those authorized to give direction in searching for or attempting to rescue or rescuing another. A person who assists in the search for or attempted rescue or rescue of another shall, solely for the purposes of this chapter and not otherwise, be deemed to be an employee of the state with respect to such activity. Any payments required to be made as a result of this paragraph shall be a charge against the general fund.</p> <p style="padding-left: 40px;">(B) <i>Any person who is a regularly enrolled volunteer member or trainee of a volunteer search and rescue group recognized by the fish and game department who participates in a coordinated training exercise preapproved by the fish and game search and rescue coordinator or participates in a search and rescue mission or attempted search and rescue mission of another, pursuant to RSA 206:26, XII shall, solely for the purposes of this chapter and not otherwise, be deemed to be an employee of the state with respect to such activity. Any payments to be made as a result of this subparagraph shall be a charge against the general fund.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>151 Appropriation; Department of Safety; Fire Standards and Training and Emergency Medical Services Fund; Funding.</p> <p style="padding-left: 40px;">I. The sum of \$250,000 for the fiscal year ending June 30, 2018 is hereby appropriated to the department of safety for deposit in the fire standards and training and emergency medical</p>

SIDE BY SIDE COMPARISON – TRAILER BILL

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	<p>services fund established in RSA 21-P:12-d. The state treasurer shall transfer said sum to the fund not later than August 1, 2017. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p> <p>II. It is the intent of the general court to consider future funding options for the fire standards and training and emergency medical services fund during the 2018 regular legislative session.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>152 Department of Transportation and Liquor Commission; Feasibility Assessment. The commissioners of the department of transportation and the liquor commission may conduct a feasibility assessment of the existing northbound and southbound liquor and wine outlets sites in the town of Hampton on Interstate 95 to determine the financial viability of constructing, operating, and maintaining a turnpike service plaza for motorists.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>153 Department of Transportation; Acquisition of Land. The commissioner of the department of transportation is authorized to acquire land as required for the purpose of constructing, operating, and maintaining a turnpike service plaza for motorists at the existing northbound and southbound liquor and wine outlets in the town of Hampton on Interstate 95. Each turnpike service plaza is intended to be a full service rest area that may include a fueling station, food and beverage service, a convenience store, and a liquor and wine outlet. Any real estate acquired pursuant to this authority shall be exempt from the requirements of RSA 4:40. The value of the land to be acquired shall be based upon an independent appraisal. As part of this conveyance, the liquor commission shall retain title to sufficient land for the future construction of its liquor and wine outlets, which shall be exempt from future taxation or rent in perpetuity.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>154 Department of Transportation; Rest Areas, Welcome Centers, and State Liquor Store Sites. In order to better serve the public while utilizing revenue-generating opportunities, the general court supports the idea of commercializing state liquor store sites along the highways and turnpikes. If deemed financially feasible, the commissioner of the department of transportation, subsequent to acquiring a fee simple interest in such state liquor store site's real property for</p>

	<p>consideration paid, is authorized to issue requests for proposals relative to the leasing, redevelopment and/or concession of these sites, including the use of public/private partnerships to develop and reconstruct the rest areas, welcome areas, and state liquor and wine outlets along the turnpikes and highways as may be necessary to provide full-service centers with food, liquor and wine sales, fuel, and other retail goods and services for the traveling public. Any proposal received shall be evaluated by a selection committee. The selection committee shall include members of the department of transportation, liquor commission, and department of business and economic affairs. The lease or contract for the redevelopment of said property shall be submitted for approval to the governor and executive council.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>155 Liquor Commission; Proceeds From Sale of Land. All proceeds from the sale of any land owned by the liquor commission for the purpose of constructing, operating, and maintaining a turnpike service plaza for motorists at the existing northbound and southbound state liquor and wine outlets in the town of Hampton on Interstate route 95 shall be deposited into the liquor commission fund pursuant to RSA 176:16 and shall be used exclusively to retire existing debt.</p>
<p>152 Appropriation; Department of Safety; Drug Interdiction Task Force Program.</p> <p>I. The sum of \$3,340,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of safety for the purpose of funding a multi-jurisdictional, regionally coordinated effort to interdict drugs coming into New Hampshire. Funding shall be distributed in the following manner:</p> <ul style="list-style-type: none"> (a) \$352,250 to fund overtime for the state police mobile enforcement unit. (b) \$171,600 to fund associated overtime costs at the state forensic laboratory. (c) \$416,150 to fund overtime at the state police narcotics investigation unit. (d) \$2,400,000 for grants to county and local enforcement agencies to fund overtime costs for local and county law enforcement officers for narcotics enforcement. <p>II. Appropriation; Judicial Council. The sum of \$320,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the judicial council for the purpose of drug related caseload</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT (Similar to SB 131)</p>

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<p>increases.</p> <p>III. The appropriations made in paragraphs I and II of this section shall not lapse until June 30, 2019. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>	
<p>153 Administration of Alcohol Concentration Tests. Amend RSA 265-A:5, IV to read as follows:</p> <p>IV. No tests of blood, urine, or breath authorized by RSA 265-A:4 shall be considered as evidence in any proceeding before any administrative officer or court unless such test is performed in accordance with methods prescribed by the commissioner of the department of safety. <i>The commissioner of the department of safety shall have exclusive authority for equipment testing, law enforcement training, and administration of grant programs relating to alcohol concentration tests.</i></p>	NOT INCLUDED IN THE SENATE AMENDMENT
<p>154 Liquor Commission; Personnel Transferred; Positions Abolished. The personnel currently occupying liquor commission liquor enforcement sergeant positions #14299, #14318, #14296 and liquor enforcement lieutenant positions #14329 and #14275, shall be transferred to department of safety state police trooper positions #42558, #43406, #40693, #10792, and #10849, as determined by the commissioner of safety. Positions #14299, #14318, #14296, #14329, and #14275 shall be abolished upon transfer completion.</p>	NOT INCLUDED IN THE SENATE AMENDMENT
<p>155 Appropriation to the Division of Travel and Tourism Development for Highway Safety Rest Area Operations. The sum of \$1,643,830 for the fiscal year ending June 30, 2018, and the sum of \$1,672,539 for the fiscal year ending June 30, 2019 are hereby appropriated to the division of travel and tourism development, account 03-22-22-221010-2025, for the purpose of paying for highway safety rest area operations, including but not limited to staffing, maintenance, and repair of such rest areas. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>	NOT INCLUDED IN THE SENATE AMENDMENT
<p>156 Department of Transportation; Mitigation Plan; Appropriation. Up to \$22,000,000 of New Hampshire's share of the \$2,700,000,000 Volkswagen Mitigation Trust Agreement, approved by</p>	NOT INCLUDED IN THE SENATE AMENDMENT

the United States District Court, Northern District of California on October 25, 2016, is hereby appropriated to the department of transportation for the purpose of purchasing equipment that is deemed eligible for replacement in accordance with the state’s beneficiary mitigation plan created as provided under the agreement. This appropriation shall be nonlapsing and continually appropriated to the department of transportation. The use of funds is subject to approval of a funding request by the trustee appointed by the United States District Court, Northern District of California.

157 Airways Toll. Amend RSA 422:34, III to read as follows:

III. The amount of motor fuel or fuel sold to and used in the propulsion of aircraft shall be determined by, and the toll shall be collected by, the director of motor vehicles, under the authority and procedure established by the provisions of RSA 260:30-65-a and the director of motor vehicles may further promulgate and establish such additional rules, regulations, and procedures as the director may deem necessary in the collection and allocation of the airways toll provided herein. In the case of sales of fuel, the airways toll shall be collected at the time of the sale of such fuel, and payment made to the director in the same manner as in the case of motor fuel. The director shall pay monthly to the state treasurer all revenue collected in accordance with the foregoing provisions. *The treasurer shall credit the revenue to the department as restricted revenue, which shall be continually appropriated to the department and shall not lapse.*

158 Federal and State Highway Aid; Apportionment. Amend RSA 235:23, I to read as follows:

I. Apportionment A. In each fiscal year, the commissioner shall allocate an amount not less than 12 percent of the gross road toll revenue and motor vehicle fees collected in the preceding fiscal year to a local highway aid fund. This fund shall be distributed to each city, town, and unincorporated place on a formula in which 1/2 of the amount is based on the proportion which the mileage of regularly maintained class IV and class V highways in each municipality, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount is

156 Airways Toll. Amend RSA 422:34, III to read as follows:

III. The amount of motor fuel or fuel sold to and used in the propulsion of aircraft shall be determined by, and the toll shall be collected by, the director of motor vehicles, under the authority and procedure established by the provisions of RSA 260:30-65-a and the director of motor vehicles may further promulgate and establish such additional rules, regulations, and procedures as the director may deem necessary in the collection and allocation of the airways toll provided herein. In the case of sales of fuel, the airways toll shall be collected at the time of the sale of such fuel, and payment made to the director in the same manner as in the case of motor fuel. The director shall pay monthly to the state treasurer all revenue collected in accordance with the foregoing provisions. *The treasurer shall credit the revenue to the department as restricted revenue, which shall be continually appropriated to the department and shall not lapse.*

NOT INCLUDED IN THE SENATE AMENDMENT

based on the proportion which the office of energy and planning population estimate of each municipality bears to the latest estimate of the total population of the state as of July 1 of the year of the estimate. The aid to be distributed under this paragraph shall be in addition to all other state and federal aid specifically authorized by statute. *In the event the appropriation for the disbursement required under this paragraph is insufficient, the governor is authorized to draw a warrant in the amount of the shortfall. Such warrant shall be a charge against the highway fund.*

159 School Money; Distribution Schedule of Adequate Education Grants. Amend RSA 198:42 to read as follows:

198:42 Distribution Schedule of Adequate Education Grants; Appropriation.

I. The adequate education grant determined in RSA 198:41 shall be distributed to each municipality's school district or districts from the education trust fund in 4 payments of 20 percent on September 1, 20 percent on November 1, 30 percent on January 1, and 30 percent on April 1 of each school year; provided that for a dependent school district, the grant determined in RSA 198:41 shall be distributed to the municipality, which shall appropriate and transfer the grant funds to its dependent school department.

II. For the fiscal year beginning July 1, 2005, and every fiscal year thereafter, the amount necessary to fund the grants under RSA 198:41 is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, *the comptroller shall transfer sufficient funds from the general fund to eliminate such deficit.* The commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of adequate education grants.

159 School Money; Distribution Schedule of Adequate Education Grants. Amend RSA 198:42 to read as follows:

198:42 Distribution Schedule of Adequate Education Grants; Appropriation.

I. The adequate education grant determined in RSA 198:41 shall be distributed to each municipality's school district or districts from the education trust fund in 4 payments of 20 percent on September 1, 20 percent on November 1, 30 percent on January 1, and 30 percent on April 1 of each school year; provided that for a dependent school district, the grant determined in RSA 198:41 shall be distributed to the municipality, which shall appropriate and transfer the grant funds to its dependent school department.

II. For the fiscal year beginning July 1, 2005, and every fiscal year thereafter, the amount necessary to fund the grants under RSA 198:41 is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, *the comptroller shall transfer sufficient funds from the general fund to eliminate such deficit.* The commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of adequate education grants.

<p>III. The department of education shall certify the amount of each grant to the state treasurer and direct the payment thereof to the school district or municipality.</p> <p>[IV. For chartered public schools approved by the state board of education, the department of education may expend budgeted amounts to fund chartered public school payments under RSA 194 B:11, I. Said amounts are hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194 B:3 a.]</p>	<p>III. The department of education shall certify the amount of each grant to the state treasurer and direct the payment thereof to the school district or municipality.</p> <p>[IV. For chartered public schools approved by the state board of education, the department of education may expend budgeted amounts to fund chartered public school payments under RSA 194 B:11, I. Said amounts are hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194 B:3 a.]</p>
<p>160 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(d) to read as follows:</p> <p>(d) The source of funds for payments under this section shall be moneys from the education trust fund established in RSA 198:39. <i>The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the state comptroller shall transfer sufficient funds from the general fund to eliminate such deficit. The commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of payments. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194-B:3-a.</i></p>	<p>160 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(d) to read as follows:</p> <p>(d) The source of funds for payments under this section shall be moneys from the education trust fund established in RSA 198:39. <i>The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the state comptroller shall transfer sufficient funds from the general fund to eliminate such deficit. The commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of payments. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194-B:3-a.</i></p>
<p>161 Screening and Intervention for Dyslexia and Related Disorders; Reading Specialist. Amend</p>	<p>158 Screening and Intervention for Dyslexia and Related Disorders; Reading Specialist. Amend</p>

RSA 200:60 to read as follows:

200:60 Reading Specialist.

I. ~~[There is hereby established in the department of education the position of reading specialist, a temporary classified position until June 30, 2017, which shall be funded by existing sources available to the department.~~

II. ~~No later than January 1, 2017,~~] The commissioner of the department of education shall ~~[designate]~~ **issue a request for proposals pursuant to RSA 21-G to secure the contract services of** a reading specialist to enable the department to provide school districts with the support and resources necessary to assist students with dyslexia and related disorders and their families. The reading specialist shall **be qualified by education and experience in accordance with paragraph II and shall** provide technical assistance for dyslexia and related disorders to school districts.

~~[HH.]~~ **II.** The reading specialist shall:

(a) Be trained and certified in best practice interventions and treatment models for dyslexia, with expertise in related disorders, and dysgraphia.

(b) Have a minimum of 3 years of field experience in screening, identifying, and treating dyslexia and related disorders.

(c) Be responsible for the implementation of professional awareness.

(d) Serve as the primary source of information and support for school districts to address the needs of students with dyslexia and related disorders, and dysgraphia.

III. The commissioner shall submit a report assessing the effectiveness of the reading specialist in complying with the requirements of this section, to the speaker of the house of representatives, the senate president, the chairpersons of the house and senate education committees, and the governor no later than November 1, 2018, and annually thereafter.

NO COMPARABLE HOUSE SECTION

RSA 200:60 to read as follows:

200:60 Reading Specialist.

I. ~~[There is hereby established in the department of education the position of reading specialist, a temporary classified position until June 30, 2017, which shall be funded by existing sources available to the department.~~

II. ~~No later than January 1, 2017,~~] The commissioner of the department of education shall ~~[designate]~~ **issue a request for proposals pursuant to RSA 21-G to secure the contract services of** a reading specialist to enable the department to provide school districts with the support and resources necessary to assist students with dyslexia and related disorders and their families. The reading specialist shall **be qualified by education and experience in accordance with paragraph II and shall** provide technical assistance for dyslexia and related disorders to school districts.

~~[HH.]~~ **II.** The reading specialist shall:

(a) Be trained and certified in best practice interventions and treatment models for dyslexia, with expertise in related disorders, and dysgraphia.

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(c) Be responsible for the implementation of professional awareness.

(d) Serve as the primary source of information and support for school districts to address the needs of students with dyslexia and related disorders, and dysgraphia.

III. The commissioner shall submit a report assessing the effectiveness of the reading specialist in complying with the requirements of this section, to the speaker of the house of representatives, the senate president, the chairpersons of the house and senate education committees, and the governor no later than November 1, 2018, and annually thereafter.

161 Robotics Education Fund. The subdivision heading preceding RSA 188-E:24 and RSA 188-

	<p>E:24 are repealed and reenacted to read as follows:</p> <p style="text-align: center;">Robotics Education Development Program and Robotics Education Fund</p> <p>188-E:24 Robotics Education Fund Established. There is established in the office of the state treasurer a nonlapsing fund to be known as the robotics education fund which shall be kept distinct and separate from all other funds. The fund shall be administered by the commissioner of the department of education. The commissioner may accept and expend funds from any public or private source, including private gifts, grants, and donations. All moneys in the fund shall be non-lapsing and shall be continually appropriated to the commissioner of the department of education for the purposes of this chapter.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>162 New Section; Robotics Education Development Program. Amend RSA 188-E by inserting after section 24 the following new section:</p> <p style="text-align: center;">188-E:25 Robotics Education Development Program.</p> <p>I. There is established a robotics education development program in the department of education. The purpose of the program is to motivate elementary school students to pursue education and career opportunities in science, technology, engineering, and mathematics, while building critical life and work-related skills. Grants from the robotics education fund established in RSA 188-E:24 shall be available to any eligible public elementary school or elementary chartered public school for the purpose of financing the establishment of a robotics team and its participation in competitive events. Grant funds shall be limited to the purchase of robotics kits, stipends for coaches, and the payment of associated costs from participation in competitions.</p> <p>II. The commissioner shall establish eligibility criteria for grants to public elementary schools and elementary chartered public schools which require that the applying school demonstrates:</p> <p style="padding-left: 40px;">(a) That it has established a partnership with at least one sponsor, business entity, institution of higher education, or technical school for the purpose of participation in a robotics program; and</p>

	<p>(b) That it has developed a budget.</p> <p>III. A school shall submit a grant application to the department of education, division of career technology and adult learning, bureau of career development, between September 1 and September 30 of each year. Grants shall be awarded no later than October 31 of each year.</p> <p>IV. The amount of the grant shall be sufficient to cover the costs of establishing and supporting a team for 2 years and shall be disbursed by the commissioner as a single payment. The grant amount shall not exceed \$1,250 per elementary school team.</p> <p>V. No school shall receive more than one grant every 2 years, however, a school district may receive multiple grant awards.</p> <p>VI. If the amount of grant funds requested exceeds the balance in the robotics education fund available in any year, the commissioner shall not prorate the grant awards, but shall assign preference to those schools with a higher percentage of students in the school's average daily membership in attendance who are eligible for a free or reduced-price meal as defined in RSA 198:38. Secondary preference shall be given to schools which did not receive a grant in the previous year due to lack of funds.</p> <p>VII. The commissioner shall adopt rules pursuant to RSA 541-A, relative to developing grant application forms and procedures, and establishing criteria for awarding and disbursing grants.</p> <p>VIII. No later than July 15, 2018, and annually thereafter, the department shall issue a report to the governor, senate president, speaker of the house of representatives, and the state library, detailing the number of grants awarded, the schools receiving grants and the grant amount, the schools that applied for grants but did not receive a grant due to insufficient funds, and the unencumbered balance of the robotics education fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>163 Controlled Drug Act; Professional Use of Narcotic Drugs. Amend RSA 318-B:10, VII(c) to read as follows:</p> <p>(c) Providers may operate a methadone detoxification or methadone maintenance</p>

	<p>program, or both, in the state of New Hampshire only if the providers are certified to operate pursuant to rules adopted under subparagraph VII(b). [In implementing subparagraph VII(b), the commissioner shall not use the interim rulemaking process in RSA 541-A:19.]</p>
<p>162 New Subdivision; Dual and Concurrent Enrollment Program. Amend RSA 188-E by inserting after section 24 the following new subdivision:</p> <p style="padding-left: 40px;">Dual and Concurrent Enrollment Program</p> <p>188-E:25 Definitions. In this subdivision:</p> <p style="padding-left: 20px;">I. "Concurrent enrollment" means courses taught at the high school by high school teachers approved by the community college system of New Hampshire (CCSNH) in which high school students earn both high school and college or university credit while students are still attending high school or a career technical education center.</p> <p style="padding-left: 20px;">II. "Dual enrollment" means college courses taught by instructors from the community college system of New Hampshire (CCSNH) in which high school students earn college credit while students are still enrolled in high school or a career technical education center.</p> <p>188-E:26 Program Established. There is established a dual and concurrent enrollment program in the department of education. Participation in the program shall be offered to high school and career technical education center students in grades 11 and 12. The program shall provide opportunities for qualified New Hampshire high school students to gain access and support for dual and concurrent enrollment in STEM (science, technology, engineering, and mathematics) and STEM-related courses that are fundamental for success in postsecondary education and to meet New Hampshire's emerging workforce needs.</p> <p>188-E:27 Enrollment Requirements.</p> <p style="padding-left: 20px;">I. An interested high school student in grade 11 or 12 may enroll in a course that is designated by the CCSNH as part of the dual and concurrent enrollment program.</p> <p style="padding-left: 20px;">II. A student in the program shall be provided funding for enrollment in no more than 2 dual or concurrent enrollment courses taken in grade 11 and no more than 2 dual or concurrent</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

enrollment courses taken in grade 12. A student may take more than 2 dual or concurrent enrollment courses per year at his or her own expense.

III. The state shall pay up to \$250 to the CCSNH institution where a high school or career and technical education student successfully completes an approved course and the CCSNH shall accept such amount as full payment for course tuition.

IV. Each high school should provide a designated individual to serve as the point of contact on matters related to the program, including but not limited to, student counseling, support services, course scheduling, managing course forms and student registration, program evaluation, course transferability, and assisting with online courses. Each high school shall annually notify all high school students and their parents of dual and concurrent enrollment opportunities.

188-E:28 School Board Policy.

I. No later than July 1, 2018, the school board of each school district shall develop and adopt a policy permitting students residing in the district who are in grade 11 or 12 to participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include compliance with measurable educational standards and criteria approved by the CCSNH and that meet the same standard of quality and rigor as courses offered on campus by the CCSNH. The policy shall also comply with the standards for accreditation and program development established by the National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be limited to, student eligibility criteria, standards for course content, standards for faculty approval, program coordination and communication requirements, tuition and fees, textbooks and materials, course grading policy, data collection, maintenance and security, revenue and expenditure reporting, and the process for renewal of the agreement.

II. The department of education and the CCSNH shall develop and approve a model dual and concurrent enrollment agreement that shall be used by the CCSNH and the school board of a school district participating in the dual and concurrent enrollment agreement program. The

model agreement shall include standards established by the CCSNH, elements, standards, and criteria that have been approved by the department of education and the CCSNH, and shall serve as the framework for the development, implementation, and administration of the dual and concurrent enrollment program in each school district by clearly defining the procedures related to concurrent and dual enrollment of high school students in college classes. The department shall further develop guidelines for the program relating to reporting, accountability, and payment of available funds to the CCSNH.

188-E:29 Budget Requests. The commissioner of the department of education shall submit expenditure requests in accordance with RSA 9:4 to fund the dual and concurrent enrollment program established in this subdivision.

163 Appropriation. The sum of \$1 for the fiscal year ending June 30, 2018 and the sum of \$1 for the fiscal year ending June 30, 2019 are hereby appropriated to the department of education to fund student participation in the dual and concurrent enrollment program established in RSA 188-E:25-29. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

164 Lottery Commission; Authority to Purchase Real Property Granted. The lottery commission, in consultation with the department of administrative services, is hereby authorized to purchase, in the name of the state, land and buildings to serve as the lottery commission’s headquarters. Such purchase shall be completed during the biennium ending June 30, 2019 and shall require approval of the fiscal committee of the general court and the governor and council. **If the lottery commission so chooses, the commission is hereby authorized to secure a commercial loan for the purchase of land in order to build buildings, and to secure a contract to build suitable buildings to serve as the lottery commission's headquarters. If the lottery commission is unable to secure a commercial loan, the commission shall apply for funds through the capital budget process in the next biennium.**

NOT INCLUDED IN THE SENATE AMENDMENT

AMENDED BY THE SENATE

157 Lottery Commission; Authority to Purchase Real Property Granted. The lottery commission, in consultation with the department of administrative services, is hereby authorized to purchase, in the name of the state, land and buildings to serve as the lottery commission’s headquarters. Such purchase shall be completed during the biennium ending June 30, 2019 and shall require approval of the fiscal committee of the general court and the governor and council.

06/02/17

HB 2 - HOUSE FINANCE (1163h)

HB 517 - SENATE PASSED

NO COMPARABLE HOUSE SECTION	164 Emergency Heat and Hot Water System Purchase and Replacement; Appropriation. The sum of \$2,500,000 is hereby appropriated to the department of administrative services from the unexpended appropriations for the fiscal year ending June 30, 2017 in accounting unit 06-56-56-560010-5137-077, building aid - education, and, if unexpended appropriations in that accounting unit are insufficient, from any amount not otherwise appropriated in the fiscal year ending June 30, 2017 upon a warrant of the governor, to be disbursed to the Concord school district no later than September 1, 2017, which shall be used to mitigate the impact to the Concord school district due to the closure of Concord Steam Corporation. The Concord school district is authorized to expend such appropriation for the purpose set forth in this section. The Concord school district shall advise the commissioner of the department of administrative services of the cost and expenditures estimates relating to the project.
NO COMPARABLE HOUSE SECTION	173 Sununu Youth Services Center. The commissioner of the department of health and human services, in consultation with the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, established in RSA 12-J, shall redevelop the excess capacity at the Sununu youth services center, to be used for an inpatient and outpatient drug treatment facility for eligible youth. All contracts, plans, and specifications therefor for the redevelopment in this section shall be awarded in accordance with the provisions of RSA 21-I. The commissioner shall issue an RFP for the purpose of operating the new inpatient and outpatient drug treatment facility for eligible youth at the Sununu youth services center.
NO COMPARABLE HOUSE SECTION	174 Appropriation; Department of Health and Human Services. The sum of \$2,000,000 is hereby appropriated for the fiscal year ending June 30, 2018 to the department of health and human services for the purpose of funding the construction of an alcohol and drug abuse treatment facility at the Sununu youth services center. This sum shall be a charge against amounts appropriated to accounting unit 05-95-49-491510-2989, governor commission funds, in fiscal year 2017.
NO COMPARABLE HOUSE SECTION	175 Funding for Operational Costs of the Sununu Youth Services Center. For the biennium

	<p>ending June 30, 2019, funds determined by the commissioner of the department of health and human services to be necessary for the operational costs of the Sununu youth services center and the alcohol and drug abuse treatment facility at the Sununu youth services center may be funded from the amounts appropriated to account 05-95-92-920510-3382, governor commission funds. Transfers from account 05-95-92-920510-3382 deemed by the commissioner of the department of health and human services to be necessary for this purpose shall not require prior approval of the fiscal committee of the general court.</p>
<p>165 New Subdivision; Keno. Amend RSA 284 by inserting after section 40 the following new subdivision:</p> <p style="text-align: center;">Keno</p> <p>284:41 Definition. In this subdivision, “keno” means any game where a player purchases a ticket from a field of 80 numbers and selects a specific amount of numbers. A random number generator employed by the lottery commission chooses 20 numbers at random and the player is paid out against his or her original wager.</p> <p>284:42 Administration and Enforcement. The lottery commission shall administer and enforce this subdivision relative to keno games operating in a town or city that has voted to allow such gaming.</p> <p>284:43 Rulemaking. The lottery commission shall adopt rules, pursuant to RSA 541-A, relative to:</p> <ul style="list-style-type: none"> I. The application procedure for keno licenses. II. Information to be required on license applications. III. Procedures for a hearing following the revocation of a license. IV. The operation of keno games, including types and amounts of wagers. V. Information required and forms for submission of financial reports. VI. Guidelines for licensees under this subdivision to set transaction limits for daily, weekly, and monthly play of keno for individual keno players. 	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

284:44 License Fees.

I. The license fee for a commercial premises keno license issued under RSA 284:46 shall be \$500 per year. Such fee shall be submitted to the lottery commission at the time the application is made and shall be refunded if the application is denied.

II. All net proceeds collected by the lottery commission under this section and RSA 284:47 shall be deposited in the education trust fund established under RSA 198:39.

284:45 License Applications.

I. Applications shall be submitted to the lottery commission by the licensee. Proof of authority to submit the application on behalf of the licensee may be required.

II. Applications shall be made only on the forms supplied to the licensee by the lottery commission.

III. The application form shall be fully completed by the licensee.

IV. Applicants for commercial premises keno licenses shall be submitted at least 30 days before the first game date.

V. The applicant shall certify under oath that:

(a) The information provided on the application is accurate.

(b) Neither the applicant nor any employee will operate keno games if such person has been convicted of a felony within the previous 10 years which has not been annulled by a court, or a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court, or has violated the statutes or rules governing charitable gaming in this or any state.

(c) The applicant and any employee who will be participating in the operation of the keno games is aware of all statutes and rules applicable to the operation of keno games.

VI. To be eligible for licensure under this subdivision an applicant shall:

(a) Document that it is one of the following:

(1) A restaurant or hotel holding a valid liquor license under RSA 178:20, II,

RSA 178:21, II(a) or (b), or RSA 178:22, V(q).

- (2) A brew pub holding a valid liquor license under RSA 178:13.
- (3) A ballroom holding a valid liquor license under RSA 178:22, V(c).
- (4) A veterans' club, private club, or social club holding a valid liquor license under RSA 178:22, V(h).
- (5) A convention center holding a valid liquor license under RSA 178:22, V(i).
- (6) A hotel holding a valid liquor license under RSA 178:22, V(k).
- (7) A racetrack holding a valid liquor license under RSA 178:22, V(n).
- (8) A sports recreation facility holding a valid liquor license under RSA 178:22, V(v).

(b) Document that the keno games will only be operated in towns and cities that have voted to allow the operation of keno games pursuant to RSA 284:51.

(c) Maintain a current list of employees.

(d) Document that no minor under the age of 18 shall be allowed to purchase or redeem a keno ticket.

VII. Any suspension or revocation of a liquor license shall result in the immediate suspension of the keno license issued under this chapter.

284:46 License; Issuance.

I. Upon receipt of an application under RSA 284:45 the lottery commission shall review the application and shall, in writing, grant or deny the application within 45 days of receipt.

II. The lottery commission shall deny a license application for any one of the following reasons:

- (a) The license of the applicant has been previously revoked by the commission.
- (b) The applicant has been convicted of a crime provided for in this chapter or in any other chapter for any gaming offense.
- (c) The applicant loses his or her liquor license after submitting the application.

III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or in any other state shall be licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

IV. The lottery commission shall only issue a license for an eligible location where keno tickets shall be sold and the game played within the area apportioned to distribute beverages pursuant to RSA 284:45. The lottery commission shall control the installation of the keno ticket terminals and ensure that the sale of the tickets is limited to the area apportioned to distribute beverages pursuant to RSA 284:45.

284:47 Operation of Keno Games.

I. A licensee may operate keno games at its business between the hours of 11 a.m. and 11 p.m.

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

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

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

III. No person who has been convicted of a felony or class A misdemeanor within the previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past 5 years which has not been annulled by a court, or who has violated any of the statutes or rules governing charitable gambling in the past in this or any other state shall operate a keno game licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the conduct of keno licensed under this subdivision.

IV. No one under the age of 18 years shall be allowed to purchase or redeem a keno ticket.

284:48 Financial Reports and Inspection Required.

I. Any person which has been licensed to conduct keno games shall submit a complete financial report to the lottery commission for each license issued under RSA 284:46 within 15 days after the expiration of each license, provided, however, a complete monthly financial report shall be submitted in a timely fashion to the commission for each month covered by a license issued under RSA 284:46 on a form to be approved by the lottery commission.

II. All licensees shall maintain a separate checking account for the deposit and disbursement of all income relating to keno, except cash prizes awarded at the games. All expenses shall be paid by check, and all prizes of \$500 or more shall be paid by check. No keno funds shall be commingled with other funds of the licensee. The licensee shall retain all canceled checks for the payment of expenses and prizes for at least 2 years from the date of the check. The licensee shall not cash checks which it issues.

III. All financial reports filed by the licensee shall be maintained by the lottery commission for a period of one year from the date of filing and shall be open to public inspection.

IV. All financial records pertaining to the operation of keno games shall be maintained by the licensee and shall be made available to representatives of the lottery commission or of the commissioner of the department of safety upon request.

V. A licensee which has been licensed to conduct keno games shall maintain complete and accurate documentation of all revenues and expenses contained in the financial reports for at least 2 years from the date the financial report is filed.

284:49 Suspension; Revocation. The commission may suspend or revoke the license of any licensee who violates any provision of this subdivision. Any licensee whose license is revoked shall not be eligible for licensure for a period of up to one year from the date of revocation.

284:50 Rehearing and Appeal. Any person aggrieved by a decision of the commission to deny or revoke a keno license may apply to the commission for a rehearing within 15 business days of

the decision. Rehearings and appeals shall be governed by RSA 541.

284:51 Local Option.

I. Any town or city may allow the operation of keno games according to the provisions of this subdivision, in the following manner:

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

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

(c) The wording of the question shall be substantially as follows: “Shall we allow the operation of keno games within the town or city?”

II. If a majority of those voting on the question vote “Yes,” keno games may be operated within the town or city.

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

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

V. The lottery commission shall maintain a list of municipalities where keno is available.

166 Application of Receipts; Education Trust Fund. Amend RSA 6:12, I(b)(65) to read as follows:

(65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA 83-F, **RSA 284:44, RSA 284:47**, and from the sweepstakes fund, which shall be credited to the education trust fund under RSA 198:39.

NOT INCLUDED IN THE SENATE AMENDMENT

06/02/17

HB 2 - HOUSE FINANCE (1163h)

HB 517 - SENATE PASSED

<p>167 Education Trust Fund Creation and Investments; Keno Profits Added. Amend RSA 198:39, I(k) to read as follows:</p> <p style="padding-left: 40px;"><i>(k) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:47, relative to keno profits.</i></p> <p style="padding-left: 40px;"><i>(l) Any other moneys appropriated from the general fund.</i></p>	NOT INCLUDED IN THE SENATE AMENDMENT
<p>168 Sale of Lottery Tickets; Internet Sales Added. Amend RSA 284:21-h, II(e) to read as follows:</p> <p style="padding-left: 40px;"><i>(e) May be sold by or for the lottery commission through the use of mobile applications by mobile devices or over the Internet. With respect to such sales, the lottery commission shall provide:</i></p> <p style="padding-left: 80px;"><i>(1) Age verification measures to be undertaken to block access to and prevent sales of lottery tickets to people under the age of 18 years. Such measures shall include requiring players to register for an account at a lottery retailer licensed pursuant to this chapter.</i></p> <p style="padding-left: 80px;"><i>(2) That lottery purchases shall be limited to transactions initiated and completed within the geographic borders of the state of New Hampshire.</i></p> <p style="padding-left: 80px;"><i>(3) Wager limits for daily, weekly, and monthly amounts for each player and account consistent with the best practices in addressing problem gambling.</i></p> <p style="padding-left: 80px;"><i>(4) A voluntary self-exclusion program for players to self-exclude themselves from wagering for set periods of time.</i></p> <p><i>II-a.</i> Owners of retail establishments who have been convicted of a felony within the previous 10 years which has not been annulled by a court, or a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court, shall not be allowed to sell lottery tickets in their retail establishment.</p>	NOT INCLUDED IN THE SENATE AMENDMENT
<p>169 Sale of Lottery Tickets; Reference Removed. Amend RSA 284:21-h, VI to read as follows:</p> <p style="padding-left: 40px;">VI. The commission shall not authorize the use of any electronic gaming device in any game, lottery, or other offering which was not in use by the commission on or before January 1,</p>	NOT INCLUDED IN THE SENATE AMENDMENT

<p>2011, unless specific authorization for such electronic gaming device is enacted by the general court. Electronic gaming devices shall mean and include all electro-mechanical instruments and device used for the purpose of gaming[, whether in physical presence or through the Internet,] and shall include video slot machines and other gambling devices which function or are designed to emulate a video slot machine or other gambling machine, historic racing machine, and computer technology to reveal instant ticket winners. This section shall not be interpreted to prohibit the commission from replacing offerings, games, or equipment which were in service prior to January 1, 2011 with new offerings, games, or equipment which are the functional equivalent of those offerings, games, or equipment which are being replaced.</p>	
<p>170 Appropriation; Department of Health and Human Services. The sum of \$36,500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of health and human services, along with any available matching federal funds, for the purposes of addressing estimated budget shortfalls for such fiscal year. This sum shall be in addition to any other funds appropriated to the department of health and human services. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>171 New Subparagraph; Commissioner's Duties; Medicaid Managed Care Program; Prior Authorization. Amend RSA 126-A:5, XIX by inserting after subparagraph (f) the following new subparagraph:</p> <p>(g)(1) By July 15, 2017, the commissioner shall develop a universal online prior authorization form for drugs used to treat mental illness and require community mental health centers and managed care organizations to use such form by September 1, 2017. A prior authorization request submitted using the online form shall be approved or denied by the close of the next business day. Failure to meet this time frame shall be deemed automatic approval. If the prior authorization is denied, the provider may request a peer-to-peer review with a licensed psychiatric specialist with prescribing privileges by the close of the next business day. Failure by</p>	<p>AMENDED BY THE SENATE</p> <p>182 New Subparagraph; Commissioner's Duties; Medicaid Managed Care Program; Prior Authorization. Amend RSA 126-A:5, XIX by inserting after subparagraph (f) the following new subparagraph:</p> <p>(g)(1) By July 15, 2017, the commissioner shall develop a universal online prior authorization form for drugs used to treat mental illness and require community mental health centers and managed care organizations to use such form by September 1, 2017. A reasonably completed prior authorization request submitted using the online form shall be approved or denied by the close of the next business day. Failure to meet this time frame shall be deemed automatic approval. If the prior authorization is denied, the prescribing provider may request a peer-to-peer review with a licensed psychiatric specialist with prescribing privileges by the close of the next</p>

the managed care organization to provide such review by the close of the next business day shall be deemed automatic approval.

(2) Prior authorization for drugs prescribed by community mental health centers for treatment of severe mental illness shall be suspended if the deadlines under this subparagraph are not met, or if the commissioner determines there is a pattern of missed deadlines for peer-to-peer reviews following denials, or if at any time the commissioner determines such suspension is necessary to promote the behavioral health and well-being of New Hampshire's citizens being served under Medicaid managed care.

(3) The commissioner shall monitor compliance under this subparagraph and shall report quarterly through December 31, 2018 to the fiscal committee of the general court relative to adherence to all such requirements including the rate of denial.

172 New Subparagraph; Delinquent Children; Release or Detention Pending Adjudicatory Hearing. Amend RSA 169-B:14, I(e) by inserting after subparagraph (2) the following new subparagraph:

(3) Secure detention shall not be ordered for delinquency charges which may not form the basis for commitment under RSA 169-B:19, I(j).

173 Dispositional Hearing. Amend RSA 169-B:19, VI to read as follows:

VI. A minor committed to the youth development center for the remainder of minority may be placed at any facility certified by the commissioner of the department of health and human services for the commitment of minors. The commissioner of the department of health and human services shall be responsible for notifying the court, within 5 business days, of any such placement and of any subsequent changes in placement made within 60 days of the original placement. ***The commissioner shall maintain certification of at least one Medicaid-eligible residential treatment facility for the transfer pursuant to this paragraph of offenders other than***

business day. Failure by the managed care organization to provide such review by the close of the next business day shall be deemed automatic approval **unless the prescribing provider fails to participate in the peer-to-peer review within that time period.**

(2) Prior authorization for drugs prescribed by community mental health centers for treatment of severe mental illness shall be suspended if the deadlines under this subparagraph are not met, or if the commissioner determines there is a pattern of missed deadlines for peer-to-peer reviews following denials, or if at any time the commissioner determines such suspension is necessary to promote the behavioral health and well-being of New Hampshire's citizens being served under Medicaid managed care.

(3) The commissioner shall monitor compliance under this subparagraph and shall report quarterly through December 31, 2018 to the fiscal committee of the general court relative to adherence to all such requirements including the rate of denial.

165 New Subparagraph; Delinquent Children; Release or Detention Pending Adjudicatory Hearing. Amend RSA 169-B:14, I(e) by inserting after subparagraph (2) the following new subparagraph:

(3) Secure detention shall not be ordered for delinquency charges which may not form the basis for commitment under RSA 169-B:19, I(j).

AMENDED BY THE SENATE

166 Dispositional Hearing. Amend RSA 169-B:19, VI to read as follows:

VI. A minor committed to the youth development center for the remainder of minority may be placed at any facility certified by the commissioner of the department of health and human services for the commitment of minors. The commissioner of the department of health and human services shall be responsible for notifying the court, within 5 business days, of any such placement and of any subsequent changes in placement made within 60 days of the original placement. ***The commissioner shall maintain certification of at least one Medicaid-eligible residential treatment facility for the transfer pursuant to this paragraph of offenders other than***

<p><i>serious violent offenders beginning January 1, 2018, and no fewer than 2 such facilities no later than July 1, 2018. For purposes of this section, a "serious violent offender" is a minor subject to a commitment order for a serious violent offense as defined in RSA 169-B:31-c.</i></p>	<p><i>serious violent offenders beginning January 1, 2018, and no fewer than 2 such facilities no later than July 1, 2018. For purposes of this section, a "serious violent offender" is a minor subject to a commitment order for a serious violent offense as defined in RSA 169-B:31-c. The process for identification and certification of residential treatment facilities under this subparagraph may include consultation with the operators of existing facilities in the state about their physical and programmatic capacity and the identification of any necessary enhancements in programming or rate structure to develop the resources required by this subparagraph.</i></p>
<p>174 New Section; Limits on Extended Detention. Amend RSA 169-B by inserting after section 16 the following new section:</p> <p>169-B:16-a Limits on Extended Detention Following Adjudicatory Hearing. Following the initial dispositional order issued pursuant to RSA 169-B:19 regarding a charge or charges arising out of a single incident, a child shall not be securely detained for a period or periods totaling longer than 21 days while awaiting placement, a hearing regarding a change of disposition, or for any other purpose. The court may permit extended detention beyond this limit if it finds by clear and convincing evidence that extended detention is necessary for the safety of the child or the public and the child consents with the assistance of counsel. In any case involving a child who is detained, the court shall ensure that the child is continuously represented by counsel during any period of detention. In cases where extended detention is permitted pursuant to this section, the court shall hold review hearings with the child and counsel present on a weekly basis to determine whether detention continues to be justified.</p>	<p>167 New Section; Limits on Extended Detention. Amend RSA 169-B by inserting after section 16 the following new section:</p> <p>169-B:16-a Limits on Extended Detention Following Adjudicatory Hearing. Following the initial dispositional order issued pursuant to RSA 169-B:19 regarding a charge or charges arising out of a single incident, a child shall not be securely detained for a period or periods totaling longer than 21 days while awaiting placement or a hearing regarding a change of disposition, or for any other purpose. The court may permit extended detention beyond this limit if it finds by clear and convincing evidence that extended detention is necessary for the safety of the child or the public and the child consents with the assistance of counsel. In any case involving a child who is detained, the court shall ensure that the child is continuously represented by counsel during any period of detention. In cases where extended detention is permitted pursuant to this section, the court shall hold review hearings with the child and counsel present on a weekly basis to determine whether detention continues to be justified.</p>
<p>175 Dispositional Hearing. Amend RSA 169-B:19, I(j) to read as follows:</p> <p>(j) Commit the minor to the custody of the department of health and human services for the remainder of minority. Commitment under this subparagraph may only be made following written findings of fact by the court, supported by clear and convincing evidence, that commitment is necessary to protect the safety of the minor or of the community, and may only be made if the</p>	<p>168 Dispositional Hearing. Amend RSA 169-B:19, I(j) to read as follows:</p> <p>(j) Commit the minor to the custody of the department of health and human services for the remainder of minority. Commitment under this subparagraph may only be made following written findings of fact by the court, supported by clear and convincing evidence, that commitment is necessary to protect the safety of the minor or of the community, and may only be made if the</p>

minor has not waived the right to counsel at any stage of the proceedings. Commitment may not be based on a finding of contempt of court if the minor has waived counsel in the contempt proceeding or at any stage of the proceedings from which the contempt arises. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified. *Commitment under this subparagraph shall not be ordered as a disposition for a violation of RSA 262 or 637, possession of a controlled drug without intent to sell under RSA 318-B, or violations of RSA 634, 635, 641, or 644, which would be a misdemeanor if committed by an adult. However, commitment may be ordered under this subparagraph for any offense which would be a felony or class A misdemeanor if committed by an adult if the minor has previously been adjudicated under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult. A court shall only commit a minor based on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses relied upon was not part of a common scheme or factual transaction with any of the other offenses relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense for which the minor is before the court, and that the minor was represented by counsel at each stage of the prior proceedings following arraignment.*

minor has not waived the right to counsel at any stage of the proceedings. Commitment may not be based on a finding of contempt of court if the minor has waived counsel in the contempt proceeding or at any stage of the proceedings from which the contempt arises. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified. *Commitment under this subparagraph shall not be ordered as a disposition for a violation of RSA 262 or 637, possession of a controlled drug without intent to sell under RSA 318-B, or violations of RSA 634, 635, 641, or 644, which would be a misdemeanor if committed by an adult. However, commitment may be ordered under this subparagraph for any offense which would be a felony or class A misdemeanor if committed by an adult if the minor has previously been adjudicated under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult. A court shall only commit a minor based on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses relied upon was not part of a common scheme or factual transaction with any of the other offenses relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense for which the minor is before the court, and that the minor was represented by counsel at each stage of the prior proceedings following arraignment.*

176 New Section; Dispositions and Case Closure in Certain Cases. Amend RSA 169-B by inserting after section 31-b the following new section:

169 New Section; Dispositions and Case Closure in Certain Cases. Amend RSA 169-B by inserting after section 31-b the following new section:

169-B:31-c Dispositions and Case Closure in Certain Cases.

169-B:31-c Dispositions and Case Closure in Certain Cases.

I. Notwithstanding any other provision of this chapter, the court shall close all cases other than those involving serious violent offenses no later than 2 years after the date of adjudication.

I. Notwithstanding any other provision of this chapter, the court shall close all cases other than those involving serious violent offenses no later than 2 years after the date of adjudication.

This section shall not apply if, with the assistance of counsel, the minor consents to continued

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<p>jurisdiction.</p> <p>II. In this section, "serious violent offenses" mean first degree murder, second degree murder, attempted murder, manslaughter, negligent homicide under RSA 630:3, II, first degree assault, second degree assault, except when the allegation is a violation of RSA 631:2, I(d), felonious sexual assault, aggravated felonious sexual assault, kidnapping, criminal restraint, robbery punishable as a class A felony, burglary while armed or involving the infliction of bodily harm under RSA 635:1, II, or arson punishable as a felony.</p>	<p>jurisdiction.</p> <p>II. In this section, "serious violent offenses" mean first degree murder, second degree murder, attempted murder, manslaughter, negligent homicide under RSA 630:3, II, first degree assault, second degree assault, except when the allegation is a violation of RSA 631:2, I(d), felonious sexual assault, aggravated felonious sexual assault, kidnapping, criminal restraint, robbery punishable as a class A felony, burglary while armed or involving the infliction of bodily harm under RSA 635:1, II, or arson punishable as a felony.</p>
<p>177 Youth Development Center; Releases and Discharges. Amend RSA 621:19, I-a to read as follows:</p> <p>I-a. The board shall release, pursuant to paragraph I, any child committed to its care for a delinquency adjudication based on an offense other than a violent crime as defined in RSA 169-B:35-a no later than 6 months from the date of the child's commitment pursuant to RSA 169-B:19, I(j), unless the board determines that continued commitment is necessary in order to protect the safety of the child or the community, and in such case declines to release the child. <i>Such release shall occur no later than 3 months from the date of the child's commitment if the offense would be a misdemeanor if committed by an adult.</i> If the board declines to release a child pursuant to this paragraph, it shall provide written notice to the child of his or her right to seek review of the board's decision, of his or her right to the assistance of counsel during the review process, and of the procedure the child may follow to initiate such a review. <i>If the board declines to release a child pursuant to this paragraph, it shall consider the child for release no later than 2 months after its initial decision, and every 2 months thereafter until the child is released. If the board declines to release a child pursuant to this paragraph on a second or subsequent occasion, it shall notify the court that committed the child, and the court shall appoint counsel in each such case to assist the child in filing a petition pursuant to paragraph I-b.</i> Parole review and release under this paragraph are not required during the period that a child is the subject of a delinquency petition which is</p>	<p>170 Youth Development Center; Releases and Discharges. Amend RSA 621:19, I-a to read as follows:</p> <p>I-a. The board shall release, pursuant to paragraph I, any child committed to its care for a delinquency adjudication based on an offense other than a violent crime as defined in RSA 169-B:35-a no later than 6 months from the date of the child's commitment pursuant to RSA 169-B:19, I(j), unless the board determines that continued commitment is necessary in order to protect the safety of the child or the community, and in such case declines to release the child. <i>Such release shall occur no later than 3 months from the date of the child's commitment if the offense would be a misdemeanor if committed by an adult.</i> If the board declines to release a child pursuant to this paragraph, it shall provide written notice to the child of his or her right to seek review of the board's decision, of his or her right to the assistance of counsel during the review process, and of the procedure the child may follow to initiate such a review. <i>If the board declines to release a child pursuant to this paragraph, it shall consider the child for release no later than 2 months after its initial decision, and every 2 months thereafter until the child is released. If the board declines to release a child pursuant to this paragraph on a second or subsequent occasion, it shall notify the court that committed the child, and the court shall appoint counsel in each such case to assist the child in filing a petition pursuant to paragraph I-b.</i> Parole review and release under this paragraph are not required during the period that a child is the subject of a delinquency petition which is</p>

<p>awaiting adjudication or disposition.</p>	<p>awaiting adjudication or disposition.</p>
<p>178 New Paragraph; Youth Services Center; Releases and Discharges. Amend RSA 621:19 by inserting after paragraph III the following new paragraph: IV. The department shall review, on a quarterly basis, the case of every child committed to the Sununu youth services center who is not a serious violent offender to determine if the child can safely be placed outside the Sununu youth services center. The department shall petition the court to modify the disposition of those cases in which a safe placement outside of the Sununu youth services center is possible. In this paragraph, "serious violent offender" means an offender adjudicated for a violent crime as defined in RSA 169-B:35-a, I(c) or any other felony which has as an element the actual or attempted infliction of injury upon another person within the previous 2 years or adjudicated for an offense within the last year that created a substantial risk of serious bodily injury to another.</p>	<p>171 New Paragraph; Youth Services Center; Releases and Discharges. Amend RSA 621:19 by inserting after paragraph III the following new paragraph: IV. The department shall review, on a quarterly basis, the case of every child committed to the Sununu youth services center who is not a serious violent offender to determine if the child can safely be placed outside the Sununu youth services center. The department shall petition the court to modify the disposition of those cases in which a safe placement outside of the Sununu youth services center is possible. In this paragraph, "serious violent offender" means an offender adjudicated for a violent crime as defined in RSA 169-B:35-a, I(c) or any other felony which has as an element the actual or attempted infliction of injury upon another person within the previous 2 years or adjudicated for an offense within the last year that created a substantial risk of serious bodily injury to another.</p>
<p>179 Youth Services Center; Population. Amend RSA 621:10, I to read as follows: I. No residential facility at or under the control of the youth development center shall exceed, for a period of more than 24 hours, Sundays and holidays excluded, the maximum capacity for the facility as fixed by a population oversight panel composed of the fire marshal, the commissioner of the department of health and human services, and the assistant commissioner of transportation; <i>provided that, beginning September 1, 2018, such maximum capacity shall not exceed 36 residents.</i></p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>180 Alternative Placement Capacity for Youth; Reporting Requirement. In furtherance of the duty of the department of health and human services under RSA 170-G:4 to "[p]rovide services for all children and youth referred to it by the district courts pursuant to RSA 169-B . . .," the commissioner shall evaluate the adequacy of the service system and ensure that sufficient alternative placement capacity is in place for those children who prior to this act would have been placed at the Sununu youth services center. On or before September 1, 2017, a plan for</p>	<p>AMENDED BY THE SENATE 172 Alternative Placement Capacity for Youth; Reporting Requirement. In furtherance of the duty of the department of health and human services under RSA 170-G:4 to "[p]rovide services for all children and youth referred to it by the district courts pursuant to RSA 169-B," the commissioner shall evaluate the adequacy of the service system and ensure that sufficient alternative placement capacity is in place for those children who are not serious violent offenders who prior to this act would have been placed at the Sununu youth services center. On or before</p>

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<p>development of such capacity shall be provided to the fiscal committee of the general court, and the plan shall be updated on a monthly basis until it is fully implemented. The plan shall provide for an increase in the state's capacity for placement in Medicaid-eligible settings of not less than 35 minors who will no longer be eligible for placement at the Sununu youth services center. The increase in capacity shall be implemented no later than January 1, 2018, and include a rate structure which supports the staffing ratios and other resources necessary for the safe and effective treatment of such children in residential and other treatment settings. If necessary, the plan shall provide for a process for re-establishing cost-based rate-setting rules and procedures which may have expired.</p>	<p>September 1, 2017, a plan for development of such capacity of minors who are not serious violent offenders shall be provided to the fiscal committee of the general court, and the plan shall be updated on a monthly basis until it is fully implemented. The plan shall provide for an increase in the state's capacity for placement in Medicaid-eligible settings of not less than 35 minors who will no longer be eligible for placement at the Sununu youth services center. The increase in capacity of minors who are not serious violent offenders shall be implemented no later than January 1, 2018, and include a rate structure which supports the staffing ratios and other resources necessary for the safe and effective treatment of such children in residential and other treatment settings. The rate structure shall be submitted to the fiscal committee for approval prior to January 1, 2018. If necessary, the plan shall provide for a process for re-establishing cost-based rate-setting rules and procedures which may have expired.</p>
<p>181 Lease of Property; Sununu Youth Services Center. Notwithstanding RSA 10, the commissioner of the department of administrative services may offer for lease those portions of the Sununu youth services center building that become available for alternative uses following the reduction in population required by section 179 and other provisions of this act. The commissioner of the department of health and human services and the commissioner of the department of administrative services shall jointly report to the fiscal committee of the general court regarding plans for use of the building. The reporting shall begin on or before January 1, 2018, and continue with reporting of any changes to those plans until the disposition of the building is finalized.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>182 Worker Displacement. To the extent permitted by existing law and collective bargaining agreements, employees affected by the provisions of this act shall be given the highest priority for transfer to vacant positions, job retraining, and recall rights. In addition, employees who are within 5 years of regular retirement eligibility with the New Hampshire retirement system may request and shall be granted early retirement. Any required retirement payments under this provision shall be funded by the state of New Hampshire. Employees receiving early retirement</p>	<p>AMENDED BY THE SENATE</p> <p>176 Worker Displacement. To the extent permitted by existing law and collective bargaining agreements, employees affected by the provisions of sections 165-177 of this act shall be given the highest priority for transfer to vacant positions, job retraining, and recall rights. In addition, employees who are within 5 years of regular retirement eligibility with the New Hampshire retirement system may request and shall be granted early retirement. Any required retirement payments under this provision shall be funded by the state of New Hampshire. Employees</p>

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under this provision shall relinquish future recall rights.	receiving early retirement under this provision shall relinquish future recall rights.
<p>183 Applicability.</p> <p>I. RSA 169-B:19, I(j), as amended by section 175 of this act, shall apply to cases pending on or after March 1, 2018 in which a dispositional order has not yet been entered.</p> <p>II. RSA 169-B:31-c, as inserted by section 176 of this act, shall apply to cases commenced after July 1, 2016.</p> <p>III. RSA 621:19, I-a, as amended by section 177 of this act, shall apply to minors confined pursuant to a commitment order issued pursuant to RSA 169-B:19, I(j) after October 1, 2017.</p> <p>IV. RSA 621:19, IV, as inserted by section 178 of this act, shall apply to cases in which a minor is committed to the Sununu youth services center or any successor facility after October 1, 2017.</p>	<p>AMENDED BY THE SENATE (REFERENCES ONLY)</p> <p>177 Applicability.</p> <p>I. RSA 169-B:19, I(j), as amended by section 168 of this act, shall apply to cases pending on or after March 1, 2018 in which a dispositional order has not yet been entered.</p> <p>II. RSA 169-B:31-c, as inserted by section 169 of this act, shall apply to cases commenced after July 1, 2016.</p> <p>III. RSA 621:19, I-a, as amended by section 170 of this act, shall apply to minors confined pursuant to a commitment order issued pursuant to RSA 169-B:19, I(j) after October 1, 2017.</p> <p>IV. RSA 621:19, IV, as inserted by section 171 of this act, shall apply to cases in which a minor is committed to the Sununu youth services center or any successor facility after October 1, 2017.</p>
<p>184 Rate-setting. To the extent possible within available appropriations, the department of health and human services shall engage in a rate-setting process which is based on providers' reasonable costs of providing those services needed to implement the provisions of sections 172 through 183 of this act.</p>	<p>AMENDED BY THE SENATE (REFERENCES ONLY)</p> <p>178 Rate-setting. To the extent possible within available appropriations, the department of health and human services shall engage in a rate-setting process which is based on providers' reasonable costs of providing those services needed to implement the provisions of sections 165 through 177 of this act.</p>
<p>185 Funding of Alternative Placement Capacity for Youth. Notwithstanding any other provision of law, no less than \$8,714,632 of the funds appropriated in account 05-95-42-421010-2958, class 535, shall be expended during the biennium ending June 30, 2019, to fund rate increases and additional capacity for out-of-home placements pursuant to the duties of the commissioner of health and human services in section 180 of this act. These funds may not be transferred or utilized for any other purpose.</p>	<p>AMENDED BY THE SENATE (REFERENCE ONLY)</p> <p>179 Funding of Alternative Placement Capacity for Youth. Notwithstanding any other provision of law, no less than \$8,714,632 of the funds appropriated in account 05-95-42-421010-2958, class 535, shall be expended during the biennium ending June 30, 2019, to fund rate increases and additional capacity for out-of-home placements pursuant to the duties of the commissioner of health and human services in section 172 of this act. These funds may not be transferred or utilized for any other purpose.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>183 Special Medicaid Representatives; Applicability. Amend 2016, 265:2 to read as follows:</p> <p>265:2 Applicability. The implementation of RSA 151-I as inserted by section 1 of this act shall</p>

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	<p>be subject to written approval by the Centers for Medicare and Medicaid Services. If required, the commissioner of the department of health and human services shall develop and prepare amendments to the state Medicaid plan for submission and approval to the Centers for Medicare and Medicaid Services (CMS). [The commissioner shall seek and have in place approval from the CMS by December 31, 2016.] The commissioner shall certify the date of approval to the secretary of state and the director of legislative services.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>185 Advisory Board on Services for Children, Youth, and Families; Legislative Members. Amend RSA 170-G:6-a, I to read as follows:</p> <p style="padding-left: 40px;">I. There is hereby established a board to advise the department of health and human services on services for children, youth, and families. The board shall consist of 12 members and such additional members as may be necessary to comply with federal regulations for the acceptance of federal funds or to ensure representation of every county. Each member shall serve a term of 3 years; <i>provided that legislative members shall serve a term coterminous with their term in office.</i> A member shall continue to serve until a successor is appointed in the same manner as the original appointment. The board shall be representative of persons from community youth service agencies; from the juvenile justice field, such as law enforcement, probation, police, courts, and attorneys; and from appropriate professional fields such as psychology, social services, education, and health. Members of the board shall serve without compensation but shall receive mileage payments at the state employee rate within the limits of funds appropriated to the department.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>186 Advisory Board on Services for Children, Youth, and Families; Legislative Members. Amend RSA 170-G:6-a, II(b) and (c) to read as follows:</p> <p style="padding-left: 40px;">(b) The senate president shall appoint 4 members, no 2 of whom shall be from the same county, and one of whom shall be from a family that has been affected by the department of <i>health and human services, division for</i> children, youth and families.</p> <p style="padding-left: 40px;">(c) The speaker of the house shall appoint 4 members, no 2 of whom shall be from the</p>

	<p>same county, and one of whom shall be from a family that has been affected by the department of <i>health and human services, division for</i> children, youth and families.</p>
<p>186 Filling Unfunded Positions; Authorization. Notwithstanding other provisions of law to the contrary, the commissioner of the department of health and human services may fill unfunded positions during the biennium ending June 30, 2019.</p>	<p>AMENDED BY THE SENATE</p> <p>187 Department of Health and Human Services; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of health and human services, with prior approval of the fiscal committee of the general court, may fill unfunded positions during the biennium ending June 30, 2019, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.</p>
<p>187 Independent Review of the Division for Children, Youth, and Families.</p> <p>I. For the purpose of thoroughly examining the state's policies and practices related to child protection, and as a follow-up to the December 19, 2016 report on the division for children, youth and families by the Center for the Support of Families, the department of health and human services shall hire an independent consultant to perform an independent review of the division for children youth and families. The review and the resulting report shall be completed no later than November 1, 2019.</p> <p>II. The independent consultant shall submit a final report of the independent review to the committee established in section 189 of this act and to the fiscal committee of the general court for transmission to the governor, the speaker of the house of representatives, and the president of the senate.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>188 Appropriation. The sum of \$100,000 for the fiscal year ending June 30, 2018, is hereby appropriated to the department of health and human services for the purpose of conducting the independent review required under section 187 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Notwithstanding RSA 14:30-a, VI, the department is authorized to accept and expend matching funds for the purposes of section 187 of this act, without prior approval of the fiscal committee.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>188 Designated Receiving Facility for Persons with Developmental Disabilities on the Grounds of</p>

	<p>the Laconia State School Property; Plan for Relocation Required. The commissioner of the department of health and human services shall develop a plan to relocate the individuals with developmental disabilities currently placed at the designated receiving facility on the grounds of the Laconia state school property by June 30, 2021. The plan shall be submitted to the speaker of the house of representatives, the president of the senate, and the governor on or before September 1, 2019, with the intention that it be implemented during the biennium ending June 30, 2021.</p>
<p>189 Joint Legislative Committee to Examine the Independent Review of the Division for Children, Youth and Families. There is established a committee to examine the independent review of the division for children, youth and families.</p> <p>I. The members of the committee shall be as follows:</p> <p>(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(b) Three members of the senate, appointed by the president of the senate.</p> <p>II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.</p> <p>III. The committee shall examine the independent review of the division for children, youth and families and assess the state's progress in addressing issues raised by the Center for the Support of Children in the center's report dated December 19, 2016. In consultation with the commissioner of health and human services, the committee shall develop any draft legislation necessary to implement recommendations from the report and review for inclusion in the 2020/2021 biennial budget.</p> <p>IV. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.</p> <p>V. The committee shall report its findings and any recommendations for proposed</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

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legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before July 1, 2020.	
190 Medicaid Managed Care Program; Implementation. Notwithstanding any other provision of law to the contrary, step 2 of the Medicaid managed care program, established in RSA 126-A:5, XIX, shall not be implemented before July 1, 2019.	NOT INCLUDED IN THE SENATE AMENDMENT
191 New Hampshire Partnership for Long-Term Care Plan. The New Hampshire Association of Counties, in consultation with the county-state finance commission, shall develop a New Hampshire partnership for long-term care plan. The plan shall address services for New Hampshire's population that is eligible for Medicaid for nursing home level of care, including those services provided under the choices for independence program. The plan shall account for demographic changes in New Hampshire, availability of non-nursing home community based services, and ensuring the least restrictive care available. The plan shall include methods for funding and management of programs that balance the interests of county, state, and federal payers into the system. Development of the plan shall include a process for meaningful input from affected persons. The New Hampshire Association of Counties shall submit to the governor, the speaker of the house of representatives, and the president of the senate a preliminary report by March 1, 2018 and a final report by September 1, 2018.	180 New Hampshire Partnership for Long-Term Care Plan. The New Hampshire Association of Counties, in consultation with the county-state finance commission, shall develop a New Hampshire partnership for long-term care plan. The plan shall address services for New Hampshire's population that is eligible for Medicaid for nursing home level of care, including those services provided under the choices for independence program. The plan shall account for demographic changes in New Hampshire, availability of non-nursing home community based services, and ensuring the least restrictive care available. The plan shall include methods for funding and management of programs that balance the interests of county, state, and federal payers into the system. Development of the plan shall include a process for meaningful input from affected persons. The New Hampshire Association of Counties shall submit to the governor, the speaker of the house of representatives, and the president of the senate a preliminary report by March 1, 2018 and a final report by September 1, 2018.
192 Appropriation; Health and Human Services; New Hampshire Partnership for Long-Term Care Plan. The sum of \$100,000 is hereby appropriated to the department of health and human services for the biennium ending June 30, 2019 for the purpose of funding the New Hampshire Association of Counties, development of a New Hampshire partnership for long-term care plan. This appropriation shall be contingent upon a 50 percent match by the county governments. The New Hampshire Association of Counties shall notify the commissioner of the department of health and human services once the match has been obtained. Upon notification, the commissioner shall distribute the appropriation to the New Hampshire Association of Counties. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise	181 Appropriation; Health and Human Services; New Hampshire Partnership for Long-Term Care Plan. The sum of \$100,000 is hereby appropriated to the department of health and human services for the biennium ending June 30, 2019 for the purpose of funding the New Hampshire Association of Counties, development of a New Hampshire partnership for long-term care plan. This appropriation shall be contingent upon a 50 percent match by the county governments. The New Hampshire Association of Counties shall notify the commissioner of the department of health and human services once the match has been obtained. Upon notification, the commissioner shall distribute the appropriation to the New Hampshire Association of Counties. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise

appropriated.	appropriated.
NO COMPARABLE HOUSE SECTION	<p>190 Designated Receiving Facilities; Residential Beds.</p> <p>I. The commissioner of the department of health and human services shall issue a request for applications (RFA) from qualified vendors to establish up to 20 designated receiving facility beds for up to 2 years. The designated receiving facilities, as defined in RSA 135-C:26, shall service individuals with severe mental illness who meet the criteria for involuntary emergency admission. The RFA shall be issued no later than June 30, 2017.</p> <p>II. The commissioner of the department of health and human services shall issue a request for applications (RFA) from qualified vendors for 20 transitional and community residential beds for the fiscal year ending June 30, 2018 and up to 40 transitional and community residential beds for the fiscal year ending June 30, 2019 with wrap-around services and supports for individuals, prioritizing those who are transitioning from New Hampshire hospital and designated receiving facilities. The RFA shall be issued no later than June 30, 2017 and the housing shall be operational by October 1, 2017.</p>
NO COMPARABLE HOUSE SECTION	<p>191 Plan Required for Removal of Certain Persons From New Hampshire Hospital. The commissioner of the department of health and human services shall develop a plan to safely remove the remaining 24 youths from the New Hampshire hospital and to ensure that they continue to receive the care they need by November 1, 2017. The commissioner shall make a report relative to the plan which shall be submitted to the speaker of the house of representatives, the president of the senate, the chairs of the house and senate committees having jurisdiction over health and human services, and the governor on or before November 2, 2017.</p>
NO COMPARABLE HOUSE SECTION	<p>192 Peer Crisis Respite Beds. The commissioner of the department of health and human services shall issue a request for proposals (RFP) from peer support agencies for up to 8 peer crisis respite beds. The RFP shall be issued no later than June 30, 2017.</p>
NO COMPARABLE HOUSE SECTION	<p>193 Mobile Crisis Teams and Apartments. The commissioner of the department of health and human services shall issue a request for proposals (RFP) for a mobile crisis team and apartments</p>

	from qualified vendors. The RFP for the mobile crisis team and apartments shall be issued no later than June 30, 2017 and operational no later than January 1, 2018. Any new mobile crisis teams shall be established in geographic locations that have high rates of admissions to and discharges from New Hampshire hospital.
NO COMPARABLE HOUSE SECTION	194 Integrated Data Management System. The commissioner of the department of health and human services and the commissioner of the department of information technology shall issue a request for proposals (RFP) from vendors to develop and implement an integrated data management system that provides real-time information about the availability of involuntary and voluntary inpatient psychiatric beds in the state of New Hampshire. The RFP shall be issued no later than September 1, 2017. The system shall be operational no later than January 1, 2018.
NO COMPARABLE HOUSE SECTION	195 Evaluation Required. The commissioner of the department of health and human services shall issue a request for proposals (RFP) for an independent evaluation of the capacity of the current health system in New Hampshire to respond to the inpatient, acute care psychiatric needs of patients, including, but not limited to, those patients who require involuntary emergency admissions, as defined in RSA 135-C. The commissioner shall seek non-state general funds to pay for the evaluation. The RFP shall be issued no later than June 30, 2017 and the evaluation shall be completed by November 1, 2017.
NO COMPARABLE HOUSE SECTION	196 Department of Health and Human Services; Associate Commissioner of Health and Human Services; Position Established. RSA 126-A:9, I(a) is repealed and reenacted to read as follows: (a) Subject to the approval of the governor and council, the commissioner of health and human services shall appoint an associate commissioner, who shall serve for a term of 4 years. The associate commissioner shall perform such duties as may be assigned by the commissioner, which shall include oversight of the division for children, youth and families and assigned responsibilities of the department under RSA 170-G. The annual salary of the associate commissioner shall be as prescribed in RSA 94:1-a.
NO COMPARABLE HOUSE SECTION	197 Department of Health and Human Services; Salaries; Reference to Associate Commissioner

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	<p>Added; Reference to Senior Division Director Removed. Amend RSA 126-A:10 to read as follows:</p> <p style="padding-left: 40px;">126-A:10 Salaries. The annual salaries of the commissioner of health and human services, deputy commissioner of health and human services, [senior division director] associate commissioner, division directors, and unclassified employees of the department shall be as prescribed by RSA 94:1-a.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>198 Salary of Associate Commissioner. Amend RSA 94:1-a, I(b) to read as follows:</p> <p>Delete:</p> <p style="padding-left: 40px;">JJ Department of health and human services senior division director</p> <p>Insert:</p> <p style="padding-left: 40px;">JJ Department of health and human services associate commissioner</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>199 New Subparagraph; Department of Health and Human Services; Position Established. Amend RSA 126-A:9, I by inserting after subparagraph (b) the following new subparagraph:</p> <p style="padding-left: 40px;">(c) The commissioner shall appoint an unclassified mental health medical supervisor who shall perform such duties as may be assigned by the commissioner. These duties shall include, but not be limited to, collecting and reporting information regarding patients in need of high acuity mental health treatment and information regarding treatment options. The mental health medical supervisor shall be clinically qualified to assist in the triage for appropriate inpatient, partial hospitalization, and/or community based services. The mental health medical supervisor shall be a psychiatrist or psychiatric nurse practitioner licensed or qualified to practice in New Hampshire. The salary of the mental health medical supervisor shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p>
<p>193 Purpose Statement. The purpose of sections 194-199 of this act is to establish a pilot program by using allowable federal funds available from the Temporary Assistance to Needy Families (TANF) program to end the dependence of needy parents and low income childless adults ages 18 through 24 on governmental programs by promoting job and work preparation and placing them</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

into high labor need jobs based on the goals set forth in 45 C.F.R. section 260.20. The long-term goal of this program is to place low-income individuals into unsubsidized jobs in high labor need areas, transition them to self-sufficiency through providing career pathways with specific skills, and assist in eliminating barriers to work such as transportation and childcare. Taken together, these measures are designed to help low-income participants break the cycle of poverty and move them from living on the margin to the middle class and beyond.

194 Granite Workforce; Pilot Program Established.

I. The commissioner of the department of health and human services shall use allowable funds from the TANF program to provide subsidies to employers in high need areas, as determined by the department of employment security based upon workforce shortages, and to create a network of assistance to remove barriers to work for low-income families. The funds shall be used to establish a pilot program, referred to as Granite Workforce, a TANF nonassistance program, which shall accept enrollments by applicants for an initial period of 6 months. The program shall be jointly administered by the department of health and human services and the department of employment security. No cash assistance shall be provided to eligible participants through Granite Workforce. The total cost of the pilot program shall not exceed \$11,500,000 in federal TANF funds for the biennium ending June 30, 2019.

II. To be eligible for Granite Workforce, applicants shall be:

- (a) In a household with an income under 200 percent of the federal poverty level; and
- (b) Parents aged 18 through 64 with a child under age 18 in the household;
- (c) Noncustodial parents aged 18 through 64 with a child under the age of 18; or
- (d) Childless adults between 18 and 24 years of age.

III. The department of employment security shall determine eligibility and entry into the program, using nationally recognized assessment tools for vocational and job readiness assessments. Vocational assessments shall include educational needs, vocational interest, personal values, and aptitude. The department shall use the assessment results to work with the

NOT INCLUDED IN THE SENATE AMENDMENT

<p>participant to produce a long-term career plan for moving into the middle class and beyond.</p> <p>IV. Except as otherwise provided in paragraph II regarding program eligibility, administrative rules governing the New Hampshire employment program, adopted under RSA 541-A as chapter He-W 600, shall apply to the Granite Workforce pilot program.</p>	
<p>195 Granite Workforce; Subsidies for Employers.</p> <p>I. Upon placement of a participant into a paying job and receiving verification of employment and wages from the employer, the department of employment security shall pay the employer a subsidy of \$2,000.</p> <p>II. After at least 3 full months of the continued employment of the participant and receiving verification of the continued employment and wages from the employer, the department of employment security shall pay the employer a second subsidy of \$2,000.</p> <p>III. If an overpayment is made, the employer shall reimburse the department that amount upon being notified by the department.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>196 Referral for Barriers to Employment. The department of health and human services, in consultation with the department of employment security, shall issue a request for applications (RFAs) for community providers interested in offering case management services to participants with barriers to employment. Participants shall be identified by the department of employment security using an assessment process that screens for barriers to employment including, but not limited to, transportation, child care, substance use, mental health, and domestic violence. Thereafter, the department of employment security shall refer to community providers those individuals deemed needing assistance with removing barriers to employment. When child care is identified as a barrier to employment, the department of employment security or the community provider shall refer the individual to available child care service programs.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>197 Network of Education and Training.</p> <p>I. If after the assessment conducted by the department of employment security additional job training, education, or skills development is necessary prior to job placement, the department</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

of employment security shall address those needs by:

- (a) Referring individuals to training and apprenticeship opportunities offered by the community college system of New Hampshire;
- (b) Referring individuals to the department of resources and economic development to utilize available training funds and support services;
- (c) Referring individuals to education and employment programs for youth available through the department of education; or
- (d) Referring individuals to training available through other colleges and training programs.

II. All industry specific skills and training will be provided for jobs in high need areas, as determined by the department of employment security based upon workforce shortages.

198 Job Placement. Upon determining the participant is job ready, the department of employment security shall place individuals into jobs with employers in high need areas, as determined by the department of employment security based upon workforce shortages. This includes, but is not limited to, high labor need jobs in the fields of healthcare, advanced manufacturing, construction/building trades, information technology, and hospitality. Training and job placement shall focus on:

- I. Supporting health care/safety issues: training/jobs to combat the opioid crisis, including nurses, nursing assistants, clinicians, social workers, and treatment providers at the licensed alcohol and drug addictions counselor and licensed mental health counselor levels. Additionally, jobs to address long-term care needs, home healthcare services, and expanding mental/behavioral health services.
- II. Advanced manufacturing to meet employer needs: training/jobs that include computer-aided drafting and design, electronic and mechanical engineering, precision welding, computer numerical controlled precision machining, robotics, and automation.
- III. Construction/building trades to address critical infrastructure needs: training/jobs for

NOT INCLUDED IN THE SENATE AMENDMENT

<p>building roads, bridges, municipality infrastructure, and ensuring safe drinking water.</p> <p>IV. Information technology: training/jobs to allow businesses to excel in an ever-increasing network dependent business environment.</p> <p>V. Hospitality-training/jobs to address the workforce shortage and support New Hampshire's tourism industry, to include but not be limited to hotel workers, restaurant workers, campground workers, lift operators, state park workers, and amusement park workers.</p>	
<p>199 Reporting Requirement; Measurement of Outcomes.</p> <p>I. The department of health and human services shall prepare a report on the outcomes of the Granite Workforce program using appropriate standard common performance measures. Program partners, as a condition of participation, shall be required to provide the department with the relevant data. Metrics to be measured shall include, but are not limited to:</p> <ul style="list-style-type: none"> (a) Degree of participation. (b) Progress with overcoming barriers. (c) Entry into employment. (d) Job retention. (e) Earnings gain. (f) Movement within established federal poverty level measurements, including the Supplemental Nutrition Assistance Program (SNAP) and the New Hampshire health protection program. (g) Health insurance coverage provider. (h) Attainment of education or training, including credentials. <p>II. The report shall be issued to the speaker of the house of representatives, president of the senate, the governor, and the state library on or before December 1, 2018.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>200 Repeal. Sections 193-199 of this act, relative to the Granite Workforce pilot program, are repealed.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>201 Commission to Review Child Abuse Fatalities; Reporting Dates. Amend RSA 169-C:39-k, V</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>

<p>to read as follows:</p> <p>V. The commission shall submit an interim report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before [November 1, 2015] September 1, 2017. The commission shall submit a final report of its findings and recommendations on or before [June 30, 2017] September 1, 2018.</p>	
<p>202 Commission to Review Child Abuse Fatalities; Repeal Date Extended. Amend 2015, 127:6, II, as amended by 2016, 201:2 and 2016, 229:3, to read as follows:</p> <p>II. Section 5 of this act shall take effect [June 30, 2017] September 1, 2018.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>203 Appropriation; State Treasurer; Municipal Aid. The sum of \$25,000,000 for the fiscal year ending June 30, 2018 and the sum of \$25,000,000 for fiscal year ending June 30, 2019 are hereby appropriated to the state treasurer for the purpose of providing municipal aid to each city, town, and unincorporated place in the state. The treasurer shall distribute the municipal aid on a per capita basis to each city, town, and unincorporated place in the state by September 1 of each year. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Notwithstanding RSA 31:95-b or any other provision of law no such additional municipal aid shall be considered unanticipated money from the state.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>204 Contingency. If HB 1-A of the 2017 regular legislative session does not become law, then this act shall not take effect.</p>	<p>NOT INCLUDED IN THE SENATE AMENDMENT</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>200 New Subdivision; Office of the Child Advocate. Amend RSA 170-G by inserting after section 16 the following new subdivision:</p> <p style="text-align: center;">Office of the Child Advocate</p> <p>170-G:17 Office of the Child Advocate.</p> <p>I. The office of the child advocate shall be an independent agency, administratively attached to the department of administrative services pursuant to RSA 21-G:10.</p> <p>II. The office shall be under the supervision of an unclassified director of the office of the</p>

child advocate. The director shall serve a term of 4 years and until a successor is appointed and qualified. Any vacancy in the office shall be filled in the same manner as the original appointment for the remainder of the unexpired term. The director shall be appointed by the governor and council, upon the recommendation of the oversight commission established in RSA 170-G:18. The director shall possess a professional graduate degree in law, social work, public health, or a related field and be qualified by reason of education, experience, and expertise to perform the duties of the office.

III. The office of the child advocate shall:

(a) Provide independent oversight of the state's child protection system to assure that the best interests of children are being protected.

(b) Regularly consult with the department of health and human services and the oversight commission established in RSA 170-G:18.

(c) Maintain client confidentiality and the confidentiality of all case records as specified in law.

(d) Have access to records within the scope of its mission, except for those records maintained by the department of justice which are part of a pending legal proceeding.

(e) Have the ability to subpoena witnesses and/or records.

(f) Have the authority to review and investigate any aspect of the department's child protection policies or practices.

(g) Provide information and referral services to the public regarding the department's child protection services; provided that case specific complaints shall be handled by the department.

(h) Receive a copy of all critical incident reports from the department. The department shall provide the office with a copy of the report not later than 48 hours after the occurrence; provided that any child fatality shall be immediately communicated to the office by phone.

	<p>(i) Perform educational outreach and advocacy activities in furtherance of the mission and responsibilities of the office.</p> <p>(j) Investigate and report on issues related to child protection upon the request of the governor, commissioner of health and human services, speaker of the house of representatives, senate president, or oversight commission.</p> <p>IV. Beginning November 1, 2017, and each November 1 thereafter, the director of the office of the child advocate shall submit an annual report of its activity, findings, and recommendations to the commissioner of the department of health and human services, the governor, the speaker of the house of representatives, the senate president, and the state library.</p> <p>170-G:18 Oversight Commission on Children's Services and Juvenile Justice Established.</p> <p>I. There shall be an oversight commission on children's services and juvenile justice, which shall consist of the following members:</p> <p>(a) Two members of the senate, appointed by the senate president.</p> <p>(b) Two members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(c) Four members representing the executive branch, appointed by the governor.</p> <p>(d) Two members representing the judicial branch, appointed by the chief justice of the supreme court.</p> <p>(e) Two representatives of the New Hampshire Association of Chiefs of Police, one of whom serves as chief of police for a city and one of whom serves as chief of police for a town.</p> <p>(f) Four members of child advocacy organizations, appointed by the governor.</p> <p>II. Legislative members of the commission shall serve a term coterminous with their term in office. Members appointed under subparagraphs (c)-(f) shall serve 3-year terms. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.</p> <p>III. The oversight commission shall:</p>
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	<p>(a) Recommend at least 3 qualified candidates to the governor for appointment as director of the office of the child advocate; except that in the case of reappointment, a single recommendation shall be sufficient.</p> <p>(b) Provide oversight to the department of health and human services and the office of the child advocate to support an effective, comprehensive, and coordinated system of services and programs for children, youth, and families.</p> <p>(c) Analyze the efficacy of selected programs and services of the department, including the characteristics of target populations, trends affecting program costs and participation, and alternative approaches to programmatic and administrative concerns.</p> <p>(d) Collaborate with the department of health and human services and the office of the child advocate to identify and implement best practices on behalf of children and families.</p> <p>(e) Monitor and review implementation of the memorandum of understanding entered into by the department of health and human services and the department of justice regarding the collaboration between the 2 departments in the department of health and human services' investigation and prosecution of abuse and neglect cases.</p> <p>IV. The oversight commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.</p> <p>V. Not later than November 1, 2017 and May 1, 2018, and not later than each November 1 thereafter, the commission shall submit a report of its activity, findings, and any recommendations for proposed legislation to the commissioner of the department of health and human services, the director of the office of the child advocate, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.</p>
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NO COMPARABLE HOUSE SECTION

201 Department of Health and Human Services; Director of Legal Services; Memorandum of

	<p>Understanding between the Department of Health and Human Services and the Department of Justice.</p> <p>I. On the effective date of this section, the director of legal services, position number 9U468, shall be physically located in the department of justice. The director of legal services shall be under the supervision of the attorney general and shall be responsible for the supervision of all attorneys in the department of health and human services, division for children, youth and families. Funding for the position shall remain with the department of health and human services.</p> <p>II.(a) On or before August 1, 2017, the commissioner of the department of health and human services and the attorney general of the department of justice shall enter into a memorandum of understanding that provides for the ongoing communication and collaboration by and between the 2 departments in connection with the department of health and human services' investigation and prosecution of abuse and neglect cases. The memorandum of understanding shall:</p> <ul style="list-style-type: none"> (1) Provide for joint case consultation, oversight, and review of the department of health and human services, division for children, youth and families cases in appropriate instances; (2) Outline the roles and responsibilities of each agency in the prosecution of these cases; and (3) Establish a process to address any identified training needs for the division for children, youth and families attorneys, including, but not limited to, monthly meetings with the department of justice and supervisory attorneys representing the division for children, youth and families and quarterly meetings with the department of justice and all attorneys representing the division for children, youth and families. <p>(b) The department of health and human services, in collaboration with the department of justice, shall provide an interim report on or before December 31, 2017 and an</p>
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	<p>annual report beginning on or before June 30, 2018, to the oversight commission on children's services and juvenile justice established in RSA 170-G:18 regarding implementation and progress under the memorandum of understanding. The report shall address whether additional attorney positions in the division for children, youth and families should be transferred to the department of justice.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>202 Child Protection Act; Purpose. Amend RSA 169-C:2 to read as follows:</p> <p>169-C:2 Purpose.</p> <p>I. It is the <i>primary</i> purpose of this chapter, through the mandatory reporting of suspected instances of child abuse or neglect, to provide protection to children whose life, health or welfare is endangered. and</p> <p><i>II. It is a further purpose of this chapter</i> to establish a judicial framework to protect the rights of all parties involved in the adjudication of child abuse or neglect cases. Each child coming within the provisions of this chapter shall receive, preferably in his <i>the child's</i> own home, the care, emotional security, guidance, and control that will promote the child's best interest; and, if the child should be removed from the control of his <i>or her</i> parents, guardian, or custodian, adequate care shall be secured for the child. This chapter seeks to coordinate efforts by state and local authorities, in cooperation with private agencies and organizations, citizens' groups, and concerned individuals, to:</p> <p>(a) Protect the safety of the child.</p> <p>(b) [Preserve the unity of the family whenever possible.</p> <p>(c) Provide assistance to parents to deal with and correct problems in order to avoid removal of children from the family.</p> <p>(d) Take such action as may be necessary to prevent abuse or neglect of children.</p> <p>(e) Provide protection, treatment, and rehabilitation, as needed, to children placed in alternative care.] <i>Take such action as may be necessary to prevent the abuse or neglect of children.</i></p>

	<p>(c) <i>Preserve the unity of the family.</i></p> <p>(d) <i>Provide protection, treatment, and rehabilitation, as needed, to children placed in alternative care.</i></p> <p>(e) <i>Provide assistance to parents to deal with and correct problems in order to avoid removal of children from the family.</i></p> <p>[H.] <i>III.</i> This chapter shall be liberally construed to the end that its purpose may be carried out, to wit:</p> <p>(a) To encourage the mental, emotional, and physical development of each child coming within the provisions of this chapter, by providing [him] <i>the child</i> with the protection, care, treatment, [counseling] <i>counseling</i>, supervision, and rehabilitative resources which [he] <i>the child</i> needs and has a right to receive.</p> <p>(b) To achieve the foregoing purposes and policies, whenever possible, by keeping a child in contact with his <i>or her</i> home community and in a family environment by preserving the unity of the family and separating the child from his <i>or her</i> parents only when the safety of the child is in danger or when it is clearly necessary for [his] <i>the child's</i> welfare or the interests of the public safety and when it can be clearly shown that a change in custody and control will plainly better the child; and</p> <p>(c) To provide effective judicial procedures through which the provisions of this chapter are executed and enforced and which recognize and enforce the constitutional and other rights of the parties and assures them a fair hearing.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>203 Child Protection Act; Definitions. Amend RSA 169-C:3, XIX(a)-(b) to read as follows:</p> <p>(a) Who has been abandoned by his <i>or her</i> parents, guardian, or custodian; or</p> <p>(b) Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for [his] <i>the child's</i> physical, mental, or emotional health, when it is established that [his] <i>the child's</i> health has suffered or is [very] likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the</p>

	<p>parents, guardian, or custodian; or</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>204 Child Protection Act; Definitions. Amend RSA 169-C:3, XXVII-a and XXVIII to read as follows:</p> <p>XXVII-a. <i>"Serious impairment" means a substantial weakening or diminishment of a child's emotional, physical, or mental health or of a child's safety and general well-being. The following circumstances shall be considered in determining the likelihood that a child may suffer serious impairment:</i></p> <ul style="list-style-type: none"> <i>(a) The age and developmental level of the child.</i> <i>(b) Any recognized mental, emotional, or physical disabilities.</i> <i>(c) School attendance and performance.</i> <i>(d) The child's illegal use of controlled substances, or the child's contact with other persons involved in the illegal use or sale of controlled substances or the abuse of alcohol.</i> <i>(e) Exposure to incidents of domestic or sexual violence.</i> <i>(f) Any documented failure to thrive.</i> <i>(g) Any history of frequent illness or injury.</i> <i>(h) Findings in other proceedings.</i> <i>(i) The condition of the child's place of residence.</i> <i>(j) Assessments or evaluations of the child conducted by qualified professionals.</i> <i>(k) Such other factors that may be determined to be appropriate or relevant.</i> <p>XXVII-b. "Sexual abuse" means the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children. With respect to the definition of</p>

	<p>sexual abuse, the term "child" or "children" means any individual who is under the age of 18 years.</p> <p>XXVIII. "Unfounded report" means a report made pursuant to this chapter for which the department [finds] determines that there is [no probable cause to believe] insufficient evidence to substantiate a finding that the child is abused or neglected.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>205 Determination of Parental Rights and Responsibilities. Amend RSA 461-A:6, IV(b) to read as follows:</p> <p>(b) In this paragraph, "sexual abuse" shall mean sexual abuse as defined in RSA 169-C:3, [XXVII-a] XXVII-b, and "sexual assault" shall mean sexual assault as provided in RSA 632-A:2, RSA 632-A:3, and RSA 632-A:4.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>206 Child Protection Act; Evidence. Amend RSA 169-C:12 to read as follows:</p> <p>169-C:12 Evidence. In any hearing under this chapter, the court shall not be bound by the technical rules of evidence and may admit evidence which it considers relevant and material. Evidence of prior founded or unfounded reports of abuse or neglect shall be admissible in proceedings under this chapter in order to establish a relevant pattern or course of conduct.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>207 New Section; Public Assistance; Home and Community Based Behavioral Health Services Program. Amend RSA 167 by inserting after section 3-j the following new section:</p> <p>167:3-k Home and Community-Based Behavioral Health Services for Children. The department shall establish a Medicaid home and community-based behavioral health services program for children with severe emotional disturbances whose service needs cannot be met through traditional behavioral health services. The department may establish such services through a state plan amendment as provided in Section 1915(i) of the Social Security Act or a waiver under other provisions of the Act. If the department proceeds with a waiver, it shall not limit the geographic availability of services. Such services shall include the following services or their functional equivalent:</p> <p>(a) Wraparound care coordination.</p>

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	<ul style="list-style-type: none"> (b) Wraparound participation. (c) In home respite care. (d) Out of home respite care. (e) Customizable goods and services. (f) Family peer support. (g) Youth peer support.
<p>SENATE SECTIONS 208-212 REPLACE HOUSE SECTIONS 2, 49, 66, 76, 106, 109, AND 114</p>	<p>208 Budget and Appropriations; Transfers. Amend RSA 9:16-a to read as follows:</p> <p>9:16-a Transfers Authorized. Notwithstanding any other provision of law, every department as defined in RSA 9:1 is hereby authorized to transfer funds within and among all accounting units <i>and establish new accounting units and/or expenditure classes</i> within said department, provided that any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, 9:17-b, or 9:17-c or in violation of any restrictions otherwise provided by law or to or from any account, except accounts in the department of health and human services, which is not composed of the same funding source mix. <i>The \$75,000 threshold shall be applied at the accounting unit level on a cumulative basis within the fiscal year. Once the threshold has been reached, the approval of the fiscal committee of the general court and the governor and council shall be required for subsequent transfers within the fiscal year.</i></p>
<p>SENATE SECTIONS 208-212 REPLACE HOUSE SECTIONS 2, 49, 66, 76, 106, 109, AND 114</p>	<p>209 Budget and Appropriations; Limitations of Transfers. Amend RSA 9:17-a to read as follows:</p> <p>9:17-a Limitations.</p> <p>I. Notwithstanding the provisions of RSA 9:17, [no transfer shall be made:</p> <p>I. From appropriation items for equipment to any other use or purpose.</p> <p>II. To or from any out of state travel appropriation and the state treasurer and state commissioner of administrative services shall maintain separate appropriation accounts for all out of state travel appropriations.</p>

	<p>II a. From any appropriation items for permanent personal services to any other use or purpose, provided however that this provision shall not supersede the provisions of RSA 99:4.</p> <p>III. [Repealed.]</p> <p>IV.] any department, as defined in RSA 9:1, which transfers appropriations for full-time salaries and benefits in accordance with RSA 9:16-a shall not be eligible for funds transferred from the salary adjustment fund pursuant to RSA 99:4 or the employee benefit adjustment account pursuant to RSA 9:17-c.</p> <p>II. The provisions of this section shall apply to transfers in general appropriations, capital budget appropriations and in any other special appropriations.</p>
<p>SENATE SECTIONS 208-212 REPLACE HOUSE SECTIONS 2, 49, 66, 76, 106, 109, AND 114</p>	<p>210 Employee Benefit Adjustment Account. Amend RSA 9:17-c to read as follows:</p> <p>9:17-c Employee Benefit Adjustment Account. Whereas the appropriations for employee benefits in state departments and institutions may upon occasion not be totally needed for each position due to vacancies and personnel turnover, the department of administrative services shall transfer said amount quarterly from the departmental or institutional appropriation to a special account to be known as the employee benefit adjustment account. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Upon the certification of the commissioner of administrative services, subject to the approval of governor and council, the employee benefit account shall be available for transfer to departments and institutions in amounts that are deemed necessary to pay the state's required proportionate share of any legally authorized employee benefit. Notwithstanding the provisions of RSA 9:17, no transfer shall be made from any appropriation for employee benefits to any other appropriation for any other use or purpose except as provided in this section. Departments which have transferred appropriations for benefits in accordance with RSA 9:16-a, and which therefore are subject to RSA 9:17-a, shall not be eligible for transfers from the employee benefit adjustment account.</p>
<p>SENATE SECTIONS 208-212 REPLACE HOUSE SECTIONS 2, 49, 66, 76, 106, 109, AND 114</p>	<p>211 Reference Corrected. Amend RSA 9:17-d to read as follows:</p> <p>9:17-d Transfer of Appropriations, Judicial Branch. The supreme court may transfer</p>

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	<p>funds for any specific purposes to funds for other purposes in the general appropriations for any accounting unit within the judicial branch, provided that any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court, and provided that no funds may be transferred in violation of the provisions of RSA 9:17-a, 491-A:2, or any other restriction provided by law. The judicial branch shall certify such transfers to the commissioner of administrative services. The certification shall state that the transfers are necessary to efficiently carry out the functions of the courts and that the legislative fiscal committee has approved the transfers. The provisions of this section shall not supersede the provisions of RSA 99:4, 9:17-a, [I, II, and II a and IV,] and 491-A:2.</p>
<p>SENATE SECTIONS 208-212 REPLACE HOUSE SECTIONS 2, 49, 66, 76, 106, 109, AND 114</p>	<p>212 Salary Adjustment Fund. Amend RSA 99:4 to read as follows:</p> <p>99:4 Salary Adjustment Fund. Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administrative services shall transfer said amount from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Under no circumstances will this fund be used for temporary positions or new positions. Upon the certification of the director of personnel, subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are deemed necessary to comply with [RSA 98] <i>RSA 21-I. Departments that have transferred appropriations for full-time salaries in accordance with RSA 9:16-a, and which therefore are subject to RSA 9:17-a, shall not be eligible for transfers from the salary adjustment fund.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>213 Department of Health and Human Services; Contracts for Family Planning Services. Notwithstanding any law or administrative rule to the contrary, the commissioner of health and</p>

	<p>human services shall establish and utilize a competitive bidding process for family planning services.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>214 Administrative Procedure Act; Filing of Proposed Rule Text; Newly Enacted Authority. Amend RSA 541-A:10, I to read as follows:</p> <p style="padding-left: 40px;">I. At the same time the notice required by RSA 541-A:6, I is filed, the agency shall file the text of the proposed rule with the director of legislative services. [The first time a rule is proposed under RSA 541 A:3 to implement newly enacted state authority, the agency shall send an electronic copy of the notice and proposed rule to the chair of each house and senate standing policy committee, as defined in RSA 541 A:1, XVI, for distribution to the members of such standing policy committees. "Newly enacted state authority" means a state statute or session law adopted or amended after July 30, 2011. If the newly enacted state authority was not referred originally to a standing policy committee, the agency shall send an electronic copy of the notice and proposed rule to the speaker of the house and senate president for appropriate distribution. The members of the standing policy committees receiving proposed rules may review the proposed rules to determine whether the proposed rule is consistent with the intent of the authorizing legislation. If a standing policy committee concludes that the proposed rule is not consistent with the intent of the authorizing legislation, the standing policy committee shall send written notice to the agency, with a copy to the director of legislative services, identifying the provision or provisions the committee believes to be inconsistent with legislative intent. Such written notice may be sent to the agency via e-mail and shall be delivered so as to be received by the agency no later than the deadline for public comment specified in the rulemaking notice. If the agency does not receive notice from any standing policy committee by the end of the public comment period, the agency may proceed on the basis that the rule is consistent with the intent of the authorizing legislation.] The text of the proposed rules as filed by the agency pursuant to RSA 541-A:3, III shall not be changed prior to the hearing held pursuant to RSA 541-A:11, I(a).</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>215 Implementation of Drinking Water and Groundwater Protection; New Hampshire Drinking</p>

	<p>Water and Groundwater Advisory Commission Established. Amend RSA 485-F:3 and 485-F:4 to read as follows:</p> <p>485-F:3 Implementation of Drinking Water and Groundwater Protection.</p> <p>I. The [department] <i>New Hampshire drinking water and groundwater advisory commission, established in RSA 485-F:4</i>, shall administer the drinking water and groundwater trust fund through the MTBE remediation bureau. Subject to the approval of the fiscal committee of the general court, trust fund proceeds sufficient to fund the department's MTBE remediation bureau and qualifying projects shall be transferred to the department and maintained in a separate, nonlapsing account, continually appropriated to the department for the purpose of paying all costs of this program. The department shall <i>provide administrative support to the drinking water and groundwater advisory commission by performing the following duties, including but not limited to:</i></p> <p>(a) [Investigate] <i>Investigating</i>, [manage] <i>managing</i>, and [remediate] <i>remediating</i> contaminated groundwater.</p> <p>(b) [Protect against future contamination or impacted drinking water sources through measures including, but not limited to, the expansion of drinking water infrastructure or drinking water source protection.]</p> <p>(e) Assist] <i>Assisting</i> local and regional entities in the development and administration of local wellhead protection programs, including delineation of wellhead protection areas and the inventory and management of activities which have a potential effect on groundwater quality.</p> <p>[(d) Maintain] (c) <i>Maintaining</i> a statewide map identifying the classes of groundwater.</p> <p>[(e) Measure] (d) <i>Measuring</i> levels of contamination statewide and [generate] <i>generating</i> maps to show the areas of greatest contamination.</p> <p>[(f) Maintain] (e) <i>Maintaining</i> an inventory of wells serving public water supply</p>
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	<p>systems, and to the extent practicable other wells, and [establish] establishing a priority list for delineation of systems that are currently contaminated with MTBE.</p> <p>[(g) Provide funding through cost sharing grants to municipalities, municipally owned water utilities, and water utilities regulated by the public utilities commission for the design, construction, and extension of public water systems, and the establishment and expansion of wellhead protection areas where they provide the most cost effective method for providing safe and clean drinking water.]</p> <p>II. The department shall adopt rules, under RSA 541-A, necessary to implement this chapter. Such rules may include a competitive grant application process, revolving loan funds, matching funds, funding qualifications, funding application requirements, provisions for cost-sharing related to municipal projects, and other provisions consistent with the purposes and requirements of this chapter.</p> <p>485-F:4 New Hampshire Drinking Water and Groundwater Advisory Commission Established.</p> <p>I. There is hereby established the New Hampshire drinking water and groundwater advisory commission which shall consult with and advise the department relative to the proper administration and management of the drinking water and ground water trust fund, as established in RSA 6-D. The commission shall consist of the following members:</p> <ul style="list-style-type: none"> (a) The state treasurer, or designee. (b) Two members of the house of representatives, appointed by the speaker of the house of representatives. (c) Two members of the senate, appointed by the president of the senate. (d) The governor, or designee. (e) The director of the division of public health services, department of health and human services, or designee. (f) The commissioner of the department of environmental services, or
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	<p><i>designee.</i></p> <p><i>(g) The director of economic development, department of resources and economic development, or designee.</i></p> <p><i>(h) The executive director of the fish and game department, or designee.</i></p> <p><i>(i) One representative of the New Hampshire Water Pollution Control Association, appointed by the association.</i></p> <p><i>(j) One representative of the New Hampshire business community, appointed by the president of the senate.</i></p> <p><i>(k) One representative of a state or regional land trust, appointed by the governor.</i></p> <p><i>(l) One representative of the New Hampshire Water Works Association, appointed by the association.</i></p> <p>(m) <i>(m)</i> One public member, who shall have business experience related to the creation and/or delivery of clean and safe drinking water, appointed by the speaker of the house of representatives.</p> <p>(n) <i>(n)</i> One public member, who shall represent the interests of citizens receiving their drinking water from private wells, appointed by the governor.</p> <p><i>(o) Two members from a board of selectmen, a town or city council, or a board of alderman, one of whom shall be from a municipality without a public drinking water system, appointed by the governor.</i></p> <p>(h) One municipal official, who shall represent municipalities with public water systems, appointed by the governor.]</p> <p>(p) <i>(p)</i> One public member, appointed by the president of the senate.</p> <p>II. The commission shall elect a chairperson from among the members. <i>Ten members of the commission shall constitute a quorum.</i></p> <p>III. <i>Members appointed under subparagraphs (a)–(e) shall serve terms that are</i></p>
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	<p><i>coterminous with their term in office.</i></p> <p><i>IV.</i> Except for the members appointed under subparagraphs (a)-(e), members shall be appointed for 2-year staggered terms.</p> <p>[IV]. <i>V.</i> Members of the commission shall serve without compensation, except that legislative members shall receive mileage at the legislative rate when attending to the duties of the commission.</p> <p>[V-] <i>VI.</i> The department shall provide an annual report to the commission that includes information on expenditures for the fiscal year, projects begun or completed during the year, and projections on future program costs.</p> <p><i>VII. The commission shall:</i></p> <p><i>(a) Award grants, revolving loan funds, and matching funds to projects on a competitive basis from the drinking water and groundwater trust fund in a manner consistent with the purpose statement. All disbursements or grants shall require approval of the governor and council. Funds may be awarded if the project meets one of the following criteria:</i></p> <p><i>(1) Emergency remediation is necessary, where contamination to drinking water or groundwater is prevalent.</i></p> <p><i>(2) Planning, design, and building of aging water infrastructure is involved.</i></p> <p><i>(3) The project protects against future contamination or impacted drinking water sources through measures including, but not limited to, the expansion of drinking water infrastructure or drinking water source protection.</i></p> <p><i>(4) The project assists local and regional entities in the development and administration of local wellhead protection programs, including delineation of wellhead protection areas and the inventory and management of activities which have a potential effect on groundwater quality.</i></p>
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	<p><i>(5) The project provides funding through cost-sharing grants to municipalities, municipally-owned water utilities, and water utilities regulated by the public utilities commission for the design, construction, and extension of public water systems, and the establishment and expansion of wellhead protection areas where they provide the most cost effective method for providing safe and clean drinking water.</i></p> <p><i>(b) Take land preservation into consideration.</i></p> <p><i>(c) Encourage all applicants to provide matching funds beyond the minimum.</i></p> <p>[VI.] VIII. The commission shall meet at least annually quarterly. The commission shall, at least annually, provide a report to the general court with information on the progress of the MTBE efforts, expenditures for the year, projects begun or completed during the previous year, the balance in the trust fund, and any other information the commission deems appropriate.</p> <p>[VII.] IX. The commission shall, at least annually, review the work and projects funded by the trust fund during the previous year. The commission shall, at least annually, consult with the department regarding these activities, and provide advice and counsel relative to future work and project priorities, as outlined in RSA 485-F:3, I.</p> <p>[VIII.] X. At least every 5 years, the commission shall prepare and file a report with the general court evaluating the progress made relative to MTBE contamination, the efficiency of the program established under this chapter, and whether it continues to provide the maximum benefit to New Hampshire citizens, and providing any recommendations on potential additional tasks for which the trust fund could be used to improve access to safe and clean drinking water.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>216 Department of Education; Chartered Public School Program Officer. There is established within the department of education the classified position of administrator II to serve as chartered public school program officer consistent with the duties and charges specified in RSA 21-N:4, XII. The commissioner may transfer available appropriations from within the department’s budget to fund this position, with prior approval of the fiscal committee of the general court and governor and executive council.</p>

NO COMPARABLE HOUSE SECTION	217 Department of Transportation; Town of Ossipee. The department of transportation shall take all practical measures to alleviate safety issues at the intersection of Route 28 and Route 171 in the town of Ossipee. Such measures shall include, but shall not be limited to, speed reduction and the installation of a traffic light or rotary.
NO COMPARABLE HOUSE SECTION	219 Reproductive Health Care Facilities; Funding Restriction. No state funds awarded by the department of health and human services to a reproductive health care facility, as defined in RSA 132:37, I, shall be used to provide abortion services. This section shall not apply to funding available from the state pursuant to Title XIX of the Social Security Act to the minimum extent necessary to comply with federal conditions for the state's participation in the Medicaid program.
NO COMPARABLE HOUSE SECTION	220 Division of Motor Vehicle; Milford Substation. I. To ensure minimal disruption of existing services, the commissioner of safety is authorized to obtain a suitable temporary location to serve as the Milford division of motor vehicles substation until a permanent location is constructed and fully operational. II. The sum of \$150,000 is hereby appropriated to the department of safety, division of motor vehicles, for biennium ending June 30, 2019, for the purposes of paragraph I of this section. This appropriation shall be treated as costs associated with the collection and administration of highway funds under RSA 9:9-a.
NO COMPARABLE HOUSE SECTION	221 Business Profits Tax; Imposition of Tax; 2019. RSA 77-A:2 is repealed and reenacted to read as follows: 77-A:2 Imposition of Tax. A tax is imposed at the rate of 7.7 percent upon the taxable business profits of every business organization.
NO COMPARABLE HOUSE SECTION	222 Business Enterprise Tax; Imposition of Tax; 2019. RSA 77-E:2 is repealed and reenacted to read as follows: 77-E:2 Imposition of Tax. A tax is imposed at the rate of .60 percent upon the taxable enterprise value tax base of every business enterprise.
NO COMPARABLE HOUSE SECTION	223 Business Profits Tax; Imposition of Tax; 2021. Amend RSA 77-A:2 to read as follows:

	77-A:2 Imposition of Tax. A tax is imposed at the rate of [7-7] 7.5 percent upon the taxable business profits of every business organization.
NO COMPARABLE HOUSE SECTION	224 Business Enterprise Tax; Imposition of Tax; 2021. Amend RSA 77-E:2 to read as follows: 77-E:2 Imposition of Tax. A tax is imposed at the rate of [-60] .50 percent upon the taxable enterprise value tax base of every business enterprise.
NO COMPARABLE HOUSE SECTION ⁰	225 Applicability. I. Sections 221 and 222 of this act shall apply to taxable periods ending on or after December 31, 2019. II. Sections 223 and 224 of this act shall apply to taxable periods ending on or after December 31, 2021.
NO COMPARABLE HOUSE SECTION	226 Business Profits Tax; Expense Deduction; Amount. Amend RSA 77-A:3-a to read as follows: 77-A:3-a Expense Deductions. In determining gross business profits before net operating loss and special deductions, a business organization shall calculate expense deductions as permitted under Section 179 of the Internal Revenue Code as provided in RSA 77-A:1, XX, except that for property placed in service on or after [January 1, 2017] January 1, 2018 , a business organization shall calculate expense deductions not to exceed [\$100,000] \$500,000 .
NO COMPARABLE HOUSE SECTION	227 Department of Health and Human Services; New Hampshire Health Protection Program; Medicaid Wavier; Work Requirements. I. The commissioner of the department of health and human services shall seek any new waiver or state plan amendments required to implement the provisions of RSA 126-A:5, XXX. Specifically the commissioner shall require that: (a) Newly eligible adults who are unemployed shall be eligible to receive benefits under RSA 126-A:5 XXIV-XXV, if the commissioner finds that the individual is engaging in at least 30 hours per week of one or a combination of the following activities: (1) Unsubsidized employment. (2) Subsidized private sector employment.

	<p>(3) Subsidized public sector employment.</p> <p>(4) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.</p> <p>(5) On-the-job training.</p> <p>(6) Job search and job readiness assistance.</p> <p>(7) Community service programs.</p> <p>(8) Vocational educational training not to exceed 12 months with respect to any individual.</p> <p>(9) Job skills training directly related to employment.</p> <p>(10) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.</p> <p>(11) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.</p> <p>(12) The provision of child care services to an individual who is participating in a community service program.</p> <p>(b) The requirements under subparagraph (a) shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(d).</p> <p>(c) Grounds for disqualification for benefits under this subparagraph shall be consistent with the federal Temporary Assistance for Needy Families Program, 42 U.S.C. section 607(e).</p> <p>(d) This subparagraph shall only apply to those considered childless, abled-bodied adults as defined in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i). In this subparagraph, "childless" means an adult who does not live with a dependent child which includes a child under 18 years of age or under 20 years of age if the child is a full-time student in a secondary school or the equivalent.</p>
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SIDE BY SIDE COMPARISON – TRAILER BILL

06/02/17

HB 2 - HOUSE FINANCE (1163h)

HB 517 - SENATE PASSED

	<p>(e) This subparagraph shall not apply to:</p> <p>(1) A person who is temporarily unable to participate in the requirements under subparagraph (a) due to illness or incapacity as certified by a licensed physician, an advanced practice registered nurse (APRN), a licensed behavioral health professional, a licensed physician assistant, or a board-certified psychologist. The physician, APRN, licensed behavioral health professional, licensed physician assistant, or psychologist shall certify, on a form provided by the department, the duration and limitations of the disability.</p> <p>(2) A person participating in a state-certified drug court program, as certified by the administrative office of the superior court.</p> <p>(3) A parent or caretaker as identified in RSA 167:82, II(g) where the required care is considered necessary by a licensed physician, APRN, board-certified psychologist, physician assistant, or licensed behavioral health professional who shall certify the duration that such care is required.</p> <p>II. Any such waivers or amendments shall be in place by November 1, 2017. Prior to submitting the waiver or state plan amendments to the CMS, the commissioner shall present the waiver or state plan amendments to the fiscal committee of the general court for approval. The program shall not be reauthorized until such waivers or state plan amendments have been approved by CMS. If the waiver or state plan is not approved, the commissioner shall immediately, no later than November 1, 2017, notify all program participants that the program has not been reauthorized beyond December 31, 2018.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>228 Incorporation by Reference. All appropriations and sections of amendments 2017-1179h to HB 1 of the 2017 regular legislative session, and 2017-1163h to HB 2 of the 2017 regular legislative session as proposed by the house finance committee shall be incorporated by reference into HB 144 and HB 517 of the 2017 regular legislative session for purposes of committees of conference.</p>
	<p>AMENDED BY THE SENATE</p>

<p>205 Effective Date:</p> <p>I. Sections 134-135, 176, 180, 190, 201 and 202 of this act shall take effect upon its passage.</p> <p>II. Section 138 of this act shall take effect 60 days after its passage.</p> <p>III. Sections 1, 68-70, 149, 152, and 170 of this act shall take effect June 30, 2017.</p> <p>IV. Section 172 of this act shall take effect May 1, 2018.</p> <p>V. Section 175 of this act shall take effect March 1, 2018.</p> <p>VI. Sections 173-174, 177-179, and 181-183 of this act shall take effect January 1, 2018.</p> <p>VII. Section 200 of this act shall take effect July 1, 2019.</p> <p>VIII. The remainder of this act shall take effect July 1, 2017.</p>	<p>229 Effective Date:</p> <p>I. Sections 1, 134, 164, and 174 of this act shall take effect June 30, 2017.</p> <p>II. Section 10 shall take effect October 1, 2017.</p> <p>III. Section 165 of this act shall take effect May 1, 2018.</p> <p>IV. Section 168 of this act shall take effect March 1, 2018.</p> <p>V. Sections 169, 172, and 225 of this act shall take effect upon its passage.</p> <p>VI. Sections 6, 7, 8, 9, 166, 167, 170, 171, 173, 176, 177, and 226 of this act shall take effect January 1, 2018.</p> <p>VII. Sections 221 and 222 of this act shall take effect July 1, 2019.</p> <p>VIII. Sections 223 and 224 of this act shall take effect July 1, 2021.</p> <p>IX. The remainder of this act shall take effect July 1, 2017</p>
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