

**HOUSE FINANCE - DIVISION II  
HB 1 and HB 2 PROPOSED AMENDMENTS**

<b>HB 1</b>				
<b>Section</b>	<b>Bill Page</b>	<b>Section Title</b>	<b>Recommendation</b>	<b>Packet Page</b>
		NONE		

<b>HB 2</b>				
<b>Section</b>	<b>Bill Page</b>	<b>Section Title</b>	<b>Recommendation</b>	<b>Packet Page</b>
62	55	Dept. of Transportation; Federal Assistance Grant; Appropriation.	Amend (0892h)	1
63	55	Continuation of Appropriation Regarding Emergency Management.	Delete (0689h)	2
64-66	55-57	Infrastructure Revitalization Trust Fund.	Amend (1104h)	3
77	59	School Building Aid; Alternative School Building Aid.	Delete (1030h)	5
105	65	Chartered Public Schools; Funding.	Amend (1060h)	6
106	66	Kindergarten Initiative Development Support Grant.	Delete (1027h)	7
119	73	Dept. of Transportation; Ten-Year Transportation Improvement Plan.	Delete (0715h)	8
135, 140-142	77-80	Dept. of Transportation; Various Sections.	Delete (1058h)	9
145	80	Highway Fund; Transfers From Surplus.	Delete (0603h)	10
147	80	Education Trust Fund; Distribution of Unexpended Appropriations.	Delete (0604h)	11
NEW	N/A	Drug Interdiction Task Force Program, Judicial Council, Appropriation.	Amend (1039h)	12
NEW	N/A	Administration of Alcohol Concentration Tests.	Amend (0669h)	13
NEW	N/A	Liquor Commission Personnel Transferred; Positions Abolished.	Amend (1072h)	14
NEW	N/A	Appropriation to the Division of Travel and Tourism Development for Highway Safety Rest Area Operations.	Amend (1055h)	15
NEW	N/A	Dept. of Transportation; Mitigation Plan; Appropriation.	Amend (0993h)	16
NEW	N/A	Airways Toll.	Amend (0996h)	17
NEW	N/A	Federal and State Highway Aid; Apportionment.	Amend (1022h)	18
NEW	N/A	School Money; Distribution Schedule of Adequate Education Grants; Chartered Public Schools; Funding.	Amend (0922h)	19
NEW	N/A	Screening and Intervention for Dyslexia and Related Disorders; Reading Specialist.	Amend (1032h)	21
NEW	N/A	New Subdivision; Dual and Concurrent Enrollment Program.	Amend (0831h)	22
NEW	N/A	Lottery Commission; Authority to Purchase Real Property Granted.	Amend (0973h)	24
NEW	N/A	New Subdivision; Keno.	Amend (1066h)	25
NEW	N/A	Sale of Lottery Tickets; Internet Sales Added.	Amend (1098h)	30

Draft Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 62 with the following:

2

3 62 New Section; Department of Transportation; Federal Assistance Grant; Appropriation.

4 Amend RSA 228 by inserting after section 8 the following new section:

5 228:8-a Federal Assistance Grant; Appropriation. Any sum received from the Federal  
6 Emergency Management Agency or Federal Highway Administration's Emergency Relief Program  
7 or any other federal program providing emergency assistance to the department of transportation to  
8 reimburse costs incurred for emergency response, including but not limited to, equipment rental,  
9 snow plowing, sanding, salting, flood damage response, and personnel overtime during any  
10 emergency declared shall be collected by the appropriate agency and appropriated to the  
11 department of transportation.

Rep. Umberger, Carr. 2  
March 1, 2017  
2017-0689h  
06/01



Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 63.

Deletes the following:

63 Continuation of Appropriation Regarding Emergency Management. The sums appropriated pursuant to 2011, 223:1 as amended by 2013, 144:118 in accounting unit 02-23-23-236010-2740, class 244, state match public assistance, shall not lapse until June 30, 2019.

Draft Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 64-66 with the following:

2

3 64 Appropriation; Department of Transportation.

4 I. The sum of \$35,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to  
5 the department of transportation for the purpose of funding local infrastructure projects. The  
6 governor is authorized to draw a warrant for said sum out of any money in the treasury not  
7 otherwise appropriated. Funding shall be distributed in the following manner:

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

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

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

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

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

24 65 Appropriation; Department of Education; School Building Aid.

25 I. The sum of \$10,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to  
26 the department of education for the purpose of funding school building aid pursuant to RSA 198:15-  
27 a. The appropriation made in this section shall not lapse until June 30, 2019. The governor is  
28 authorized to draw a warrant for said sum out of any money in the treasury not otherwise  
29 appropriated.

30 II. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA  
31 198:15-w, and except as provided in paragraph III, the commissioner of the department of education  
32 shall issue school building aid or alternative school building aid not to exceed the amount

1 appropriated in paragraph I, for any project approved on or after June 30, 2017 through June 30,  
2 2019.

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

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

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

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

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

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

20 66 Revenue Stabilization Reserve Account; General Fund Deficit. Notwithstanding the  
21 provisions of RSA 9:13-e, III, in the event of a general fund deficit at the close of the biennium  
22 ending June 30, 2017 as determined by the official audit performed pursuant to RSA 21-I:8, II(a),  
23 the comptroller shall notify the fiscal committee of the general court and the governor of such deficit  
24 and request that sufficient funds, to the extent available, be transferred from the revenue  
25 stabilization reserve account to eliminate such deficit.

26 67 Effective Date. This act shall take effect June 30, 2017.

2017-1104h

AMENDED ANALYSIS

Replace paragraph 18 with the following:

18. Makes appropriations for the fiscal year ending June 30, 2017 to the department of  
transportation for road and bridge maintenance and construction, and to the department of  
education to fund school building aid projects, and suspends the cap on school building aid grants  
for the biennium ending June 30, 2019.

19. Authorizes a transfer from the revenue stabilization reserve account to the general fund in  
the event of general fund deficit for the biennium ending June 30, 2017.

Rep. Kurk, Hills. 2  
March 21, 2017  
2017-1030h  
04/05

Draft Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 77.

Draft Amendment to HB 2-FN-A-LOCAL  
- Page 2 -

2017-1030h

AMENDED ANALYSIS

Delete:

27. Suspends school building aid from the department of education for the biennium.

Draft Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 105 with the following:

2

3 105 Chartered Public Schools; Funding; Virtual Learning Academy Charter School. Amend  
4 RSA 194-B:11, I(b) to read as follows:

5 (b)(1)(A) Except as provided in subparagraph (2), for a chartered public school  
6 authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition  
7 pursuant to RSA 198:40-a, [~~I, II, and II-a~~] **II(a)-(c) and (e)** plus an additional grant of [~~\$2,036 for~~  
8 ~~the Virtual Learning Academy Charter School and \$3,036 for~~] **\$3,286 to all [other] chartered public**  
9 **schools for the fiscal year ending June 30, 2018, and \$3,411 to all chartered public schools**  
10 **for the fiscal year ending June 30, 2019 and each fiscal year thereafter, except for the**  
11 **Virtual Learning Academy Charter School**, directly to the chartered public school for each  
12 pupil who is a resident of this state in attendance at such chartered public school. Beginning July  
13 1, 2017 and every biennium thereafter, the department of education shall adjust the per pupil  
14 amount of the additional grant based on the average change in the Consumer Price Index for All  
15 Urban Consumers, Northeast Region, using the "services less medical care services" special  
16 aggregate index, as published by the Bureau of Labor Statistics, United States Department of  
17 Labor. The state shall pay amounts required pursuant to RSA 198:40-a, [~~HH~~] **II(d)** directly to the  
18 resident district.

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

Rep. Umberger, Carr. 2  
March 21, 2017  
2017-1027h  
05/04

Draft Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 106.

Draft Amendment to HB 2-FN-A-LOCAL  
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2017-1027h

AMENDED ANALYSIS

Delete:

47. Provides targeted grants to municipalities for the funding of full-day kindergarten.



Rep. Umberger, Carr. 2  
March 3, 2017  
2017-0715h  
05/04

Draft Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 119.

Draft Amendment to HB 2-FN-A-LOCAL  
- Page 2 -

2017-0715h

AMENDED ANALYSIS

Delete:

54. Designates improvements to NH route 106 as high state economic importance.

Rep. Umberger, Carr. 2  
March 22, 2017  
2017-1058h  
06/04

Draft Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 135 and sections 140 through 142.

**Draft Amendment to HB 2-FN-A-LOCAL**  
**- Page 2 -**

2017-1058h

AMENDED ANALYSIS

Delete:

62. Revises the allocation of funds from the highway and bridge betterment account.
63. Revises certain provisions related to red list bridges.

Rep. Umberger, Carr. 2  
February 23, 2017  
2017-0603h  
04/03

Draft Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 145.

Draft Amendment to HB 2-FN-A-LOCAL  
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2017-0603h

AMENDED ANALYSIS

Delete:

64. Provides that any funds from the highway surplus fund shall be used to support appropriations from the highway fund for the biennium ending June 30, 2019.

Rep. Umberger, Carr. 2  
February 23, 2017  
2017-0604h  
04/03

Draft Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 147.

Deletes the following:

147 Education Trust Fund; Distribution of Unexpended Appropriations. For each fiscal year of the biennium ending June 30, 2019, the commissioner of the department of education shall distribute any unexpended appropriations from accounting unit 06-56-56-560010-7550-079, adequate education aid-state, to any municipality in which the total education grant was reduced pursuant to RSA 198:41, III(b) in any fiscal year of the biennium ending June 30, 2019. The commissioner shall distribute such amount based on the proportion of a municipality's average daily membership in attendance in relation to the average daily membership in attendance of all such municipalities, but not to exceed a municipality's uncapped amount. In this section, "uncapped amount" means the amount determined pursuant to RSA 198:41, I and II.

Draft Amendment to HB 2-FN-A-LOCAL

1       1 Appropriation; Department of Safety; Drug Interdiction Task Force Program.

2           I. The sum of \$3,340,000 for the fiscal year ending June 30, 2017 is hereby appropriated to  
3 the department of safety for the purpose of funding a multi-jurisdictional, regionally coordinated  
4 effort to interdict drugs coming into New Hampshire. Funding shall be distributed in the following  
5 manner:

6           (a) \$352,250 to fund overtime for the state police mobile enforcement unit.

7           (b) \$171,600 to fund associated overtime costs at the state forensic laboratory.

8           (c) \$416,150 to fund overtime at the state police narcotics investigation unit.

9           (d) \$2,400,000 for grants to county and local enforcement agencies to fund overtime  
10 costs for local and county law enforcement officers for narcotics enforcement.

11       II. Appropriation; Judicial Council. The sum of \$320,000 for the fiscal year ending June 30,  
12 2017 is hereby appropriated to the judicial council for the purpose of drug related caseload  
13 increases.

14       III. The appropriations made in paragraphs I and II of this section shall not lapse until  
15 June 30, 2019. The governor is authorized to draw a warrant for said sums out of any money in the  
16 treasury not otherwise appropriated.

17       2 Effective Date. This act shall take effect June 30, 2017.

Draft Amendment to HB 2-FN-A-LOCAL

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2017-1039h

AMENDED ANALYSIS

1. Makes an appropriation to the department of safety for the purpose of funding a multi-jurisdictional, regionally coordinated effort to interdict drugs coming into New Hampshire.

2. Makes an appropriation to the judicial council for drug related caseload increases.

Draft Amendment to HB 2-FN-A-LOCAL

- 1        1 Administration of Alcohol Concentration Tests. Amend RSA 265-A:5, IV to read as follows:  
2            IV. No tests of blood, urine, or breath authorized by RSA 265-A:4 shall be considered as  
3 evidence in any proceeding before any administrative officer or court unless such test is performed  
4 in accordance with methods prescribed by the commissioner of the department of safety. *The*  
5 *commissioner of the department of safety shall have exclusive authority for equipment*  
6 *testing, law enforcement training, and administration of grant programs relating to*  
7 *alcohol concentration tests.*

Draft Amendment to HB 2-FN-A-LOCAL  
- Page 2 -

2017-0669h

AMENDED ANALYSIS

1. Clarifies the authority of the commissioner of the department of safety respecting alcohol concentration testing equipment.

Draft Amendment to HB 2-FN-A-LOCAL

1       1 Liquor Commission; Personnel Transferred; Positions Abolished. The personnel currently  
2 occupying liquor commission liquor enforcement sergeant positions #14299, #14318, #14296 and  
3 liquor enforcement lieutenant positions #14329 and #14275, shall be transferred to department of  
4 safety state police trooper positions #42558, #43406, #40693, #10792, and #10849, as determined by  
5 the commissioner of safety. Positions #14299, #14318, #14296, #14329, and #14275 shall be  
6 abolished upon transfer completion.

Draft Amendment to HB 2-FN-A-LOCAL  
- Page 2 -

2017-1072h

AMENDED ANALYSIS

1. Transfers personnel occupying certain liquor commission positions from the liquor commission to the department of safety and abolishes the liquor commission positions.

Draft Amendment to HB 2-FN-A-LOCAL

1           1 Appropriation to the Division of Travel and Tourism Development for Highway Safety Rest  
2 Area Operations. The sum of \$1,643,830 for the fiscal year ending June 30, 2018, and the sum of  
3 \$1,672,539 for the fiscal year ending June 30, 2019 are hereby appropriated to the division of travel  
4 and tourism development, account 03-22-22-221010-2025, for the purpose of paying for highway  
5 safety rest area operations, including but not limited to staffing, maintenance, and repair of such  
6 rest areas. The governor is authorized to draw a warrant for said sums out of any money in the  
7 treasury not otherwise appropriated.

Draft Amendment to HB 2-FN-A-LOCAL  
- Page 2 -

2017-1055h

AMENDED ANALYSIS

1. Makes an appropriation to the division of travel and tourism development for highway safety rest area operations.



Rep. Umberger, Carr. 2  
March 21, 2017  
2017-0993h  
06/04

Draft Amendment to HB 2-FN-A-LOCAL

1        1 Department of Transportation; Mitigation Plan; Appropriation. The first \$22,000,000 of New  
2 Hampshire's share of the \$2,700,000,000 Volkswagon Mitigation Trust Agreement, approved by the  
3 United States District Court, Northern District of California on October 25, 2016, is hereby  
4 appropriated to the department of transportation for the purpose of purchasing equipment in  
5 accordance with the state's mitigation plan created as provided under the agreement. This  
6 appropriation shall be nonlapsing and continually appropriated to the department of transportation.

Draft Amendment to HB 2-FN-A-LOCAL  
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2017-0993h

AMENDED ANALYSIS

1. Makes a appropriation to the department of transportation for purchasing equipment in accordance with the beneficiary mitigation plan under the Volkswagon Mitigation Trust Agreement.

Rep. Umberger, Carr. 2  
March 20, 2017  
2017-0996h  
03/01

Draft Amendment to HB 2-FN-A-LOCAL

- 1        1 Airways Toll. Amend RSA 422:34, III to read as follows:  
2            III. The amount of motor fuel or fuel sold to and used in the propulsion of aircraft shall be  
3 determined by, and the toll shall be collected by, the director of motor vehicles, under the authority  
4 and procedure established by the provisions of RSA 260:30-65-a and the director of motor vehicles  
5 may further promulgate and establish such additional rules, regulations, and procedures as the  
6 director may deem necessary in the collection and allocation of the airways toll provided herein. In  
7 the case of sales of fuel, the airways toll shall be collected at the time of the sale of such fuel, and  
8 payment made to the director in the same manner as in the case of motor fuel. The director shall  
9 pay monthly to the state treasurer all revenue collected in accordance with the foregoing provisions.  
10 *The treasurer shall credit the revenue to the department as restricted revenue, which*  
11 *shall be continually appropriated to the department and shall not lapse.*

Draft Amendment to HB 2-FN-A-LOCAL  
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2017-0996h

AMENDED ANALYSIS

1. Continually appropriates revenue from the airways toll to the department of transportation.

Draft Amendment to HB 2-FN-A-LOCAL

1       1 Federal and State Highway Aid; Apportionment. Amend RSA 235:23, I to read as follows:  
2           I. Apportionment A. In each fiscal year, the commissioner shall allocate an amount not less  
3 than 12 percent of the gross road toll revenue and motor vehicle fees collected in the preceding  
4 fiscal year to a local highway aid fund. This fund shall be distributed to each city, town, and  
5 unincorporated place on a formula in which 1/2 of the amount is based on the proportion which the  
6 mileage of regularly maintained class IV and class V highways in each municipality, as of January  
7 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount is based  
8 on the proportion which the office of energy and planning population estimate of each municipality  
9 bears to the latest estimate of the total population of the state as of July 1 of the year of the  
10 estimate. The aid to be distributed under this paragraph shall be in addition to all other state and  
11 federal aid specifically authorized by statute. *In the event the appropriation for the*  
12 *disbursement required under this paragraph is insufficient, the governor is authorized to*  
13 *draw a warrant in the amount of the shortfall. Such warrant shall be a charge against*  
14 *the highway fund.*

Draft Amendment to HB 2-FN-A-LOCAL

1       1 School Money; Distribution Schedule of Adequate Education Grants. Amend RSA 198:42 to  
2 read as follows:

3       198:42 Distribution Schedule of Adequate Education Grants; Appropriation.

4       I. The adequate education grant determined in RSA 198:41 shall be distributed to each  
5 municipality's school district or districts from the education trust fund in 4 payments of 20 percent  
6 on September 1, 20 percent on November 1, 30 percent on January 1, and 30 percent on April 1 of  
7 each school year; provided that for a dependent school district, the grant determined in RSA 198:41  
8 shall be distributed to the municipality, which shall appropriate and transfer the grant funds to its  
9 dependent school department.

10       II. For the fiscal year beginning July 1, 2005, and every fiscal year thereafter, the amount  
11 necessary to fund the grants under RSA 198:41 is hereby appropriated to the department from the  
12 education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from  
13 the education trust fund to satisfy the state's obligation under this section. Such warrant for  
14 payment shall be issued regardless of the balance of funds available in the education trust fund. If  
15 the balance in the education trust fund, after the issuance of any such warrant, is less than zero,  
16 *the comptroller shall transfer sufficient funds from the general fund to eliminate such*  
17 *deficit.* The commissioner of the department of administrative services shall inform the fiscal  
18 committee and the governor and council of such balance. This reporting shall not in any way  
19 prohibit or delay the distribution of adequate education grants.

20       III. The department of education shall certify the amount of each grant to the state  
21 treasurer and direct the payment thereof to the school district or municipality.

22       ~~IV. For chartered public schools approved by the state board of education, the department~~  
23 ~~of education may expend budgeted amounts to fund chartered public school payments under RSA~~  
24 ~~194-B:11, I. Said amounts are hereby appropriated to the department from the education trust fund~~  
25 ~~established under RSA 198:39. The education trust fund shall be used to satisfy the state's~~  
26 ~~obligation under this paragraph. The payment shall be issued regardless of the balance of funds~~  
27 ~~available in the education trust fund. The department of education may request additional funds~~  
28 ~~from the fiscal committee of the general court, with the approval of governor and council, for a new~~  
29 ~~chartered public school approved for initial operation by the state board of education pursuant to~~  
30 ~~RSA 194-B:3-a.]~~

31       2 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(d) to read as follows:

32       (d) The source of funds for payments under this section shall be moneys from the

Draft Amendment to HB 2-FN-A-LOCAL  
- Page 2 -

1 education trust fund established in RSA 198:39. *The governor is authorized to draw a warrant*  
2 *from the education trust fund to satisfy the state's obligation under this section. Such*  
3 *warrant for payment shall be issued regardless of the balance of funds available in the*  
4 *education trust fund. If the balance in the education trust fund, after the issuance of any*  
5 *such warrant, is less than zero, the state comptroller shall transfer sufficient funds from*  
6 *the general fund to eliminate such deficit. The commissioner of the department of*  
7 *administrative services shall inform the fiscal committee and the governor and council of*  
8 *such balance. This reporting shall not in any way prohibit or delay the distribution of*  
9 *payments. The department of education may request additional funds from the fiscal*  
10 *committee of the general court, with the approval of governor and council, for a new*  
11 *chartered public school approved for initial operation by the state board of education*  
12 *pursuant to RSA 194-B:3-a.*

Draft Amendment to HB 2-FN-A-LOCAL  
- Page 3 -

2017-0922h

AMENDED ANALYSIS

1. Authorizes the comptroller to transfer sufficient funds from the general fund to eliminate a deficit in the education trust fund.
2. Amends the chartered public school funding statute to add provisions for payments to chartered public schools.

Draft Amendment to HB 2-FN-A-LOCAL

1           1 Screening and Intervention for Dyslexia and Related Disorders; Reading Specialist. Amend  
2 RSA 200:60 to read as follows:

3           200:60 Reading Specialist.

4           I. ~~[There is hereby established in the department of education the position of reading~~  
5 ~~specialist, a temporary classified position until June 30, 2017, which shall be funded by existing~~  
6 ~~sources available to the department.~~

7           ~~II. No later than January 1, 2017,]~~ The commissioner of the department of education shall  
8 ~~[designate]~~ *issue a request for proposals pursuant to RSA 21-G to secure the contract*  
9 *services of* a reading specialist to enable the department to provide school districts with the  
10 support and resources necessary to assist students with dyslexia and related disorders and their  
11 families. The reading specialist shall *be qualified by education and experience in accordance*  
12 *with paragraph II and shall* provide technical assistance for dyslexia and related disorders to  
13 school districts.

14           ~~III.~~ II. The reading specialist shall:

15           (a) Be trained and certified in best practice interventions and treatment models for  
16 dyslexia, with expertise in related disorders, and dysgraphia.

17           (b) Have a minimum of 3 years of field experience in screening, identifying, and  
18 treating dyslexia and related disorders.

19           (c) Be responsible for the implementation of professional awareness.

20           (d) Serve as the primary source of information and support for school districts to  
21 address the needs of students with dyslexia and related disorders, and dysgraphia.

22           III. *The commissioner shall submit a report assessing the effectiveness of the*  
23 *reading specialist in complying with the requirements of this section, to the speaker of the*  
24 *house of representatives, the senate president, the chairpersons of the house and senate*  
25 *education committees, and the governor no later than November 1, 2018, and annually*  
26 *thereafter.*

Draft Amendment to HB 2-FN-A-LOCAL

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2017-1032h

AMENDED ANALYSIS

1. Requires the commissioner of the department of education to issue a request for proposals to secure a reading specialist to provide technical assistance for dyslexia and related disorders to school districts and to submit a report assessing<sup>21</sup> the effectiveness of the reading specialist.

Draft Amendment to HB 2-FN-A-LOCAL

1       1 New Subdivision; Dual and Concurrent Enrollment Program. Amend RSA 188-E by inserting  
2 after section 24 the following new subdivision:

3                               Dual and Concurrent Enrollment Program

4       188-E:25 Definitions. In this subdivision:

5           I. "Concurrent enrollment" means courses taught at the high school by high school teachers  
6 approved by the community college system of New Hampshire (CCSNH) in which high school  
7 students earn both high school and college or university credit while students are still attending  
8 high school or a career technical education center.

9           II. "Dual enrollment" means college courses taught by instructors from the community  
10 college system of New Hampshire (CCSNH) in which high school students earn college credit while  
11 students are still enrolled in high school or a career technical education center.

12       188-E:26 Program Established. There is established a dual and concurrent enrollment program  
13 in the department of education. Participation in the program shall be offered to high school and  
14 career technical education center students in grades 11 and 12. The program shall provide  
15 opportunities for qualified New Hampshire high school students to gain access and support for dual  
16 and concurrent enrollment in STEM (science, technology, engineering, and mathematics) and  
17 STEM-related courses that are fundamental for success in postsecondary education and to meet  
18 New Hampshire's emerging workforce needs.

19       188-E:27 Enrollment Requirements.

20           I. An interested high school student in grade 11 or 12 may enroll in a course that is  
21 designated by the CCSNH as part of the dual and concurrent enrollment program.

22           II. A student in the program shall be provided funding for enrollment in no more than 2  
23 dual or concurrent enrollment courses taken in grade 11 and no more than 2 dual or concurrent  
24 enrollment courses taken in grade 12. A student may take more than 2 dual or concurrent  
25 enrollment courses per year at his or her own expense.

26           III. The state shall pay up to \$250 to the CCSNH institution where a high school or career  
27 and technical education student successfully completes an approved course and the CCSNH shall  
28 accept such amount as full payment for course tuition.

29           IV. Each high school should provide a designated individual to serve as the point of contact  
30 on matters related to the program, including but not limited to, student counseling, support  
31 services, course scheduling, managing course forms and student registration, program evaluation,  
32 course transferability, and assisting with online courses. Each high school shall annually notify all

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1 high school students and their parents of dual and concurrent enrollment opportunities.

2 188-E:28 School Board Policy.

3 I. No later than July 1, 2018, the school board of each school district shall develop and  
4 adopt a policy permitting students residing in the district who are in grade 11 or 12 to participate in  
5 the dual and concurrent enrollment program. The policy shall, at a minimum, include compliance  
6 with measurable educational standards and criteria approved by the CCSNH and that meet the  
7 same standard of quality and rigor as courses offered on campus by the CCSNH. The policy shall  
8 also comply with the standards for accreditation and program development established by the  
9 National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be  
10 limited to, student eligibility criteria, standards for course content, standards for faculty approval,  
11 program coordination and communication requirements, tuition and fees, textbooks and materials,  
12 course grading policy, data collection, maintenance and security, revenue and expenditure  
13 reporting, and the process for renewal of the agreement.

14 II. The department of education and the CCSNH shall develop and approve a model dual  
15 and concurrent enrollment agreement that shall be used by the CCSNH and the school board of a  
16 school district participating in the dual and concurrent enrollment agreement program. The model  
17 agreement shall include standards established by the CCSNH, elements, standards, and criteria  
18 that have been approved by the department of education and the CCSNH, and shall serve as the  
19 framework for the development, implementation, and administration of the dual and concurrent  
20 enrollment program in each school district by clearly defining the procedures related to concurrent  
21 and dual enrollment of high school students in college classes. The department shall further  
22 develop guidelines for the program relating to reporting, accountability, and payment of available  
23 funds to the CCSNH.

24 188-E:29 Budget Requests. The commissioner of the department of education shall submit  
25 expenditure requests in accordance with RSA 9:4 to fund the dual and concurrent enrollment  
26 program established in this subdivision.

27 2 Appropriation. The sum of \$1 for the fiscal year ending June 30, 2018 and the sum of \$1 for  
28 the fiscal year ending June 30, 2019 are hereby appropriated to the department of education to fund  
29 student participation in the dual and concurrent enrollment program established in RSA 188-E:25-  
30 29. The governor is authorized to draw a warrant for said sums out of any money in the treasury  
31 not otherwise appropriated.



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1        1 Lottery Commission; Authority to Purchase Real Property Granted. The lottery commission,  
2 in consultation with the department of administrative services, is hereby authorized to purchase, in  
3 the name of the state, land and buildings to serve as the lottery commission's headquarters. Such  
4 purchase shall be completed during the biennium ending June 30, 2019 and shall require approval  
5 of the fiscal committee of the general court and the governor and council. If the lottery commission  
6 so chooses, the commission is hereby authorized to secure a commercial loan for the purchase of  
7 land in order to build buildings, and to secure a contract to build suitable buildings to serve as the  
8 lottery commission's headquarters. If the lottery commission is unable to secure a commercial loan,  
9 the commission shall apply for funds through the capital budget process in the next biennium.

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AMENDED ANALYSIS

1. Grants the lottery commission the authority to purchase real property for use as the lottery commission's headquarters.



1 before the first game date.

2 V. The applicant shall certify under oath that:

3 (a) The information provided on the application is accurate.

4 (b) Neither the applicant nor any employee will operate keno games if such person has  
5 been convicted of a felony within the previous 10 years which has not been annulled by a court, or a  
6 misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been  
7 annulled by a court, or has violated the statutes or rules governing charitable gaming in this or any  
8 state.

9 (c) The applicant and any employee who will be participating in the operation of the  
10 keno games is aware of all statutes and rules applicable to the operation of keno games.

11 VI. To be eligible for licensure under this subdivision an applicant shall:

12 (a) Document that it is one of the following:

13 (1) A restaurant or hotel holding a valid liquor license under RSA 178:20, II,  
14 RSA 178:21, II(a) or (b), or RSA 178:22, V(q).

15 (2) A brew pub holding a valid liquor license under RSA 178:13.

16 (3) A ballroom holding a valid liquor license under RSA 178:22, V(c).

17 (4) A veterans' club, private club, or social club holding a valid liquor license under  
18 RSA 178:22, V(h).

19 (5) A convention center holding a valid liquor license under RSA 178:22, V(i).

20 (6) A hotel holding a valid liquor license under RSA 178:22, V(k).

21 (7) A racetrack holding a valid liquor license under RSA 178:22, V(n).

22 (8) A sports recreation facility holding a valid liquor license under RSA 178:22, V(v).

23 (b) Document that the keno games will only be operated in towns and cities that have  
24 voted to allow the operation of keno games pursuant to RSA 284:51.

25 (c) Maintain a current list of employees.

26 (d) Document that no minor under the age of 18 shall be allowed to purchase or redeem  
27 a keno ticket.

28 VII. Any suspension or revocation of a liquor license shall result in the immediate  
29 suspension of the keno license issued under this chapter.

30 284:46 License; Issuance.

31 I. Upon receipt of an application under RSA 284:45 the lottery commission shall review the  
32 application and shall, in writing, grant or deny the application within 45 days of receipt.

33 II. The lottery commission shall deny a license application for any one of the following  
34 reasons:

35 (a) The license of the applicant has been previously revoked by the commission.

36 (b) The applicant has been convicted of a crime provided for in this chapter or in any  
37 other chapter for any gaming offense.

1 (c) The applicant loses his or her liquor license after submitting the application.

2 III. No person who has been convicted of a felony or class A misdemeanor within the  
3 previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past  
4 5 years which has not been annulled by a court, or who has violated any of the statutes or rules  
5 governing charitable gambling in the past in this or in any other state shall be licensed under this  
6 subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the  
7 conduct of keno licensed under this subdivision.

8 IV. The lottery commission shall only issue a license for an eligible location where keno  
9 tickets shall be sold and the game played within the area apportioned to distribute beverages  
10 pursuant to RSA 284:45. The lottery commission shall control the installation of the keno ticket  
11 terminals and ensure that the sale of the tickets is limited to the area apportioned to distribute  
12 beverages pursuant to RSA 284:45.

13 284:47 Operation of Keno Games.

14 I. A licensee may operate keno games at its business between the hours of 11 a.m. and 11  
15 p.m.

16 II. A licensee may retain 8 percent of the proceeds from keno games. Of the remaining 92  
17 percent:

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

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

22 III. No person who has been convicted of a felony or class A misdemeanor within the  
23 previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past  
24 5 years which has not been annulled by a court, or who has violated any of the statutes or rules  
25 governing charitable gambling in the past in this or any other state shall operate a keno game  
26 licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno  
27 paraphernalia for the conduct of keno licensed under this subdivision.

28 IV. No one under the age of 18 years shall be allowed to purchase or redeem a keno ticket.

29 284:48 Financial Reports and Inspection Required.

30 I. Any person which has been licensed to conduct keno games shall submit a complete  
31 financial report to the lottery commission for each license issued under RSA 284:46 within 15 days  
32 after the expiration of each license, provided, however, a complete monthly financial report shall be  
33 submitted in a timely fashion to the commission for each month covered by a license issued under  
34 RSA 284:46 on a form to be approved by the lottery commission.

35 II. All licensees shall maintain a separate checking account for the deposit and  
36 disbursement of all income relating to keno, except cash prizes awarded at the games. All expenses  
37 shall be paid by check, and all prizes of \$500 or more shall be paid by check. No keno funds shall be

1 commingled with other funds of the licensee. The licensee shall retain all canceled checks for the  
2 payment of expenses and prizes for at least 2 years from the date of the check. The licensee shall  
3 not cash checks which it issues.

4 III. All financial reports filed by the licensee shall be maintained by the lottery commission  
5 for a period of one year from the date of filing and shall be open to public inspection.

6 IV. All financial records pertaining to the operation of keno games shall be maintained by  
7 the licensee and shall be made available to representatives of the lottery commission or of the  
8 commissioner of the department of safety upon request.

9 V. A licensee which has been licensed to conduct keno games shall maintain complete and  
10 accurate documentation of all revenues and expenses contained in the financial reports for at least 2  
11 years from the date the financial report is filed.

12 284:49 Suspension; Revocation. The commission may suspend or revoke the license of any  
13 licensee who violates any provision of this subdivision. Any licensee whose license is revoked shall  
14 not be eligible for licensure for a period of up to one year from the date of revocation.

15 284:50 Rehearing and Appeal. Any person aggrieved by a decision of the commission to deny or  
16 revoke a keno license may apply to the commission for a rehearing within 15 business days of the  
17 decision. Rehearings and appeals shall be governed by RSA 541.

18 284:51 Local Option.

19 I. Any town or city may allow the operation of keno games according to the provisions of  
20 this subdivision, in the following manner:

21 (a) In a town, the question shall be placed on the warrant of an annual town meeting  
22 under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative  
23 body may vote to place the question on the official ballot for any regular municipal election, or, in  
24 the alternative, shall place the question on the official ballot for any regular municipal election  
25 upon submission to the legislative body of a petition signed by 5 percent of the registered voters.

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

30 (c) The wording of the question shall be substantially as follows: "Shall we allow the  
31 operation of keno games within the town or city?"

32 II. If a majority of those voting on the question vote "Yes," keno games may be operated  
33 within the town or city.

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

36 IV. A municipality that has voted to allow the operation of keno games may consider  
37 rescinding its action in the manner described in paragraph I of this section.

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1 V. The lottery commission shall maintain a list of municipalities where keno is available.

2 2 Application of Receipts; Education Trust Fund. Amend RSA 6:12, I(b)(65) to read as follows:

3 (65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B,  
4 RSA 83-F, *RSA 284:44, RSA 284:47*, and from the sweepstakes fund, which shall be credited to the  
5 education trust fund under RSA 198:39.

6 3 Education Trust Fund Creation and Investments; Keno Profits Added. Amend RSA 198:39,  
7 I(k) to read as follows:

8 (k) *Funds collected and paid over to the state treasurer by the lottery*  
9 *commission pursuant to RSA 284:47, relative to keno profits.*

10 (l) Any other moneys appropriated from the general fund.  
11

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AMENDED ANALYSIS

1. Allows the operation and playing of keno games, provides for licensing of keno game operators by the lottery commission, and directs revenues from keno to the department of health and human services to address problem gamblers and to the education trust fund.

Draft Amendment to HB 2-FN-A-LOCAL

1       1 Sale of Lottery Tickets; Internet Sales Added. Amend RSA 284:21-h, II(e) to read as follows:

2           (e) *May be sold by or for the lottery commission through the use of mobile*  
3 *applications by mobile devices or over the Internet. With respect to such sales, the lottery*  
4 *commission shall provide:*

5           (1) *Age verification measures to be undertaken to block access to and*  
6 *prevent sales of lottery tickets to people under the age of 18 years. Such measures shall*  
7 *include requiring players to register for an account at a lottery retailer licensed pursuant*  
8 *to this chapter.*

9           (2) *That lottery purchases shall be limited to transactions initiated and*  
10 *completed within the geographic borders of the state of New Hampshire.*

11           (3) *Wager limits for daily, weekly, and monthly amounts for each player*  
12 *and account consistent with the best practices in addressing problem gambling.*

13           (4) *A voluntary self-exclusion program for players to self-exclude themselves*  
14 *from wagering for set periods of time.*

15       II-a. Owners of retail establishments who have been convicted of a felony within the  
16 previous 10 years which has not been annulled by a court, or a misdemeanor involving falsehood or  
17 dishonesty within the previous 5 years which has not been annulled by a court, shall not be allowed  
18 to sell lottery tickets in their retail establishment.

19       2 Sale of Lottery Tickets; Reference Removed. Amend RSA 284:21-h, VI to read as follows:

20       VI. The commission shall not authorize the use of any electronic gaming device in any  
21 game, lottery, or other offering which was not in use by the commission on or before January 1,  
22 2011, unless specific authorization for such electronic gaming device is enacted by the general court.  
23 Electronic gaming devices shall mean and include all electro-mechanical instruments and device  
24 used for the purpose of gaming[~~whether in physical presence or through the Internet,~~] and shall  
25 include video slot machines and other gambling devices which function or are designed to emulate a  
26 video slot machine or other gambling machine, historic racing machine, and computer technology to  
27 reveal instant ticket winners. This section shall not be interpreted to prohibit the commission from  
28 replacing offerings, games, or equipment which were in service prior to January 1, 2011 with new  
29 offerings, games, or equipment which are the functional equivalent of those offerings, games, or  
30 equipment which are being replaced.