

Rep. Osborne, Rock. 2
Rep. Wilhelm, Hills. 40
April 5, 2023
2023-1336h
10/08

Floor Amendment to HB 2-FN-A-LOCAL

Amend the bill by replacing section 45 with the following:

45 Appropriation; Affordable Housing Fund. The sum of \$30,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the housing finance authority for deposit in the affordable housing fund established in RSA 204-C:57, for the purpose of providing financing or state matching funds for affordable housing. The appropriation shall be in addition to any other funds appropriated to the housing finance authority and shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Amend the bill by deleting sections 48 - 51.

Amend the bill by replacing section 148 with the following:

148 Education Trust Fund Appropriations Reductions; Education Freedom Accounts. The education trust fund appropriations to the department of education, in account 06-56-56-560040-3043, class line 652, for education freedom accounts, shall be reduced by \$10,000,000 for the fiscal year ending June 30, 2024, and by \$10,000,000 for the fiscal year ending June 30, 2025. The department shall report to the fiscal committees of the general court on such reductions.

Amend the bill by replacing sections 157 - 162 with the following:

157 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a to read as follows:
198:40-a Cost of an Opportunity for an Adequate Education.

I. For the biennium beginning July 1, ~~[2015]~~ **2023**, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be as specified in paragraph II. The department shall adjust the rates specified in this paragraph in accordance with RSA 198:40-d.

II.(a) A cost of ~~[\$3,561.27]~~ **\$4,000** per pupil in the ADMR, plus differentiated aid as follows:

(b) An additional ~~[\$1,780.63]~~ **\$2,100** for each pupil in the ADMR who is eligible for a free or reduced price meal anytime during the determination year; plus

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1 (c) An additional [~~\$697.77~~] **\$1,000** for each pupil in the ADMR who is an English
2 language learner anytime during the determination year; plus

3 (d) An additional [~~\$1,915.86~~] **\$2,100** for each pupil in the ADMR who is receiving special
4 education services anytime during the determination year[; plus

5 ~~(e) An additional \$697.77 for each third grade pupil in the ADMR with a score below the~~
6 ~~proficient level on the reading component of the state assessment administered pursuant to RSA~~
7 ~~193-C:6 or the authorized, locally administered assessment as provided in RSA 193-C:3, IV(i),~~
8 ~~provided the pupil is not eligible to receive differentiated aid pursuant to subparagraphs (b)-(d). A~~
9 ~~school district receiving aid under this subparagraph shall annually provide to the department of~~
10 ~~education documentation demonstrating that the district has implemented an instructional program~~
11 ~~to improve non-proficient pupil reading].~~

12 III. The sum total calculated under paragraph II shall be the cost of an adequate education.
13 The department shall determine the cost of an adequate education for each municipality based on
14 the ADMR of pupils who reside in that municipality.

15 158 Annual Adjustment; Relief Funding. RSA 198:40-d and RSA 198:40-e are repealed and
16 reenacted to read as follows:

17 198:40-d Annual Adjustment. Beginning July 1, 2024 and every year thereafter, the
18 department of education shall adjust the following with an increase of 2 percent annually:

19 I. Per pupil costs in RSA 198:40-a, II;

20 II. Relief funding “factor” and “max grant” as defined in RSA 198:40-e, II, (a)-(b);

21 III. Extraordinary need grant “grant floor”, “grant ceiling”, “factor”, and “max grant” as
22 defined in RSA 198:40-f, II, (a)-(d);

23 IV. Fiscal capacity disparity aid “grant floor”, “grant ceiling”, “factor”, and “max grant” as
24 defined in RSA 198:40-g, II, (a)-(d); and

25 V. Chartered public school additional grants under RSA 194-B:11, I(b)(1)(A) and (B).

26 198:40-e Relief Funding.

27 I. In addition to the cost of an opportunity for an adequate education provided under RSA
28 198:40-a, each year the commissioner shall calculate relief funding for schools and provide that
29 amount of aid to a municipality’s school districts as follows:

30 (a) In a school district in which 48 percent or more of the ADMR is eligible to receive a
31 free or reduced-priced meal, an additional \$400 for each pupil in the ADMR who is eligible for a free
32 or reduced-priced meal.

33 (b) In a school district in which at least 12 percent but less than 48 percent of the ADMR
34 is eligible to receive a free or reduced-priced meal, an amount equal to \$0.1111 for each 0.01 percent
35 that its free or reduced-priced meal eligibility rate exceeds 12 percent, for each pupil in the ADMR
36 who is eligible for a free or reduced-priced meal.

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(c) A school district in which less than 12 percent of the ADMR is eligible to receive a free or reduced-priced meal shall receive no additional aid under this section.

II. In this section:

(a) The \$0.1111 for each 0.01 percent that its free or reduced-priced meal eligibility rate exceeds 12 percent, for each pupil in the ADMR who is eligible for a free or reduced-priced meal, referenced in RSA 198:40-e, I(b), shall be called the "factor."

(b) The \$400 for each pupil in the ADMR who is eligible for a free or reduced-priced meal referenced in RSA 198:40-e, I(a), shall be called the "max grant."

III. Relief funding shall be distributed pursuant to RSA 198:42.

159 Extraordinary Need Grants. Amend RSA 198:40-f to read as follows:

198:40-f Extraordinary Need Grants.

I. In addition to aid for the cost of the opportunity for an adequate education provided under RSA 198:40-a, each year the commissioner shall calculate an extraordinary need grant for schools and provide that amount of aid to a municipality's school districts as follows:

(a) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-priced meal of \$1,000,000 or less shall receive [~~\$650~~] **\$3,000** per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(b) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal between \$1,000,001 and \$5,999,999 shall receive a grant equal to [~~\$0.00013~~] **\$0.00060** for each dollar of difference between its equalized valuation per pupil eligible to receive a free or reduced-price meal and \$6,000,000, per pupil eligible to receive a free or reduced-price meal in the municipality's ADMR.

(c) A municipality with an equalized valuation per pupil eligible to receive a free or reduced-price meal of \$6,000,000 or more shall not receive an extraordinary need grant.

~~[II. In order to receive an extraordinary need grant, the eligible school district shall provide a plan to the department of education outlining how the district intends to use grant award funds to improve the educational achievement and growth of students. The extraordinary need grant plan shall include an accountability component designed to generate data that measures student academic achievement and growth of knowledge and skills in reading and language arts and/or mathematics at what grade levels funds will be used. The school district shall develop and administer its own grant accountability assessment that identifies a pupil's range of learning and yields objective data to use in improving instruction and learning, or use the statewide assessment. The school district shall submit to the department an annual grant accountability progress report that includes evidence of satisfactory program implementation and progress toward grant accountability improvement targets. The primary goal of this grant is to improve student achievement and growth and to help the school district to have funding for successful, best practice student learning approaches.]~~

1 **II. In this section:**

2 **(a) The \$1,000,000 in equalized valuation per free or reduced-price meal pupil**
3 **referenced in RSA 198:40-f, I(a) shall be called the “grant floor.”**

4 **(b) The \$6,000,000 in equalized valuation per free or reduced-price meal pupil**
5 **referenced in RSA 198:40-f, I(b) and RSA 198:40-f, I(c) shall be called the “grant ceiling.”**

6 **(c) The \$0.00060 for each dollar difference between equalized valuation per**
7 **pupil eligible to receive a free or reduced-price meal referenced in RSA 198:40-f, I(b) shall**
8 **be called the “factor.”**

9 **(d) The \$3,000 per pupil eligible to receive a free or reduced-price meal**
10 **referenced in RSA 198:40-f, I(a) shall be called the “max grant.”**

11 III. Extraordinary need grants shall be distributed pursuant to RSA 198:42.

12 IV. In this section, "equalized valuation per pupil eligible to receive a free or reduced-price
13 meal" means a municipality's equalized valuation[~~excluding properties subject to taxation under~~
14 ~~RSA 82 and equalized payments in lieu of taxes,~~] as determined by the department of revenue
15 administration, that was the basis for the local tax assessment in the determination year, divided by
16 the school district's kindergarten through grade 12 ADMR in the determination year eligible to
17 receive a free or reduced-price meal.

18 160 New Section; Fiscal Capacity Disparity Aid. Amend RSA 198 by inserting after section 40-f
19 the following new section:

20 198:40-g Fiscal Capacity Disparity Aid.

21 I. In addition to aid for the cost of the opportunity for an adequate education provided under
22 RSA 198:40-a, each year the commissioner shall calculate fiscal capacity disparity aid for schools and
23 provide that amount of aid to a municipality's school districts as follows:

24 (a) A municipality with an equalized valuation per ADMR of \$600,000 or less shall
25 receive \$1,000 per pupil in the municipality's ADMR.

26 (b) A municipality with an equalized valuation per ADMR greater than \$600,000 but
27 less than \$1,600,000 shall receive 0.0010 cents for each dollar of difference between its equalized
28 valuation per ADMR and \$1,600,000, per pupil in the municipality's ADMR.

29 (c) A municipality with an equalized valuation per ADMR of \$1,600,000 or more shall
30 receive no fiscal capacity disparity aid.

31 **II. In this section:**

32 (a) The \$600,000 in equalized valuation per ADMR referenced in RSA 198:40-g, I(a),
33 shall be called the “grant floor.”

34 (b) The \$1,600,000 in equalized valuation per ADMR referenced in RSA 198:40-g, I(b)-
35 (c), shall be called the “grant ceiling.”

36 (c) The 0.0010 cents for each dollar difference between equalized valuation per ADMR in
37 RSA 198:40-g, I(b) shall be called the “factor.”

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(d) The \$1,000 per pupil referenced in RSA 198:40-g, I(a) shall be called the "max grant."

III. Fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

IV. In this section, "equalized valuation" means a municipality's equalized valuation, as determined by the department of revenue administration, that was the basis for the local tax assessment in the determination year.

161 Determination of Education Grants. Amend RSA 198:41 to read as follows:

198:41 Determination of Education Grants.

I. Except for municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for the municipality as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year; and

(c) [Repealed.]

(d) Add the municipality's additional aid for relief funding pursuant to RSA 198:40-e.

(e) Add the municipality's extraordinary need grant pursuant to RSA 198:40-f.

(f) Add the municipality's fiscal capacity disparity aid pursuant to RSA 198:40-g.

~~II. [For municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the total education grant for each municipality as the lesser of the 2 following calculations:~~

~~(a) The amount calculated in accordance with paragraph I of this section; or~~

~~(b) The total amount paid for items of current education expense as determined by the department of education minus the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax year.~~

~~III.(a) For the biennium ending June 30, 2013, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds that municipality's total education grant in the second year of the previous biennium.~~

~~(b) [Repealed.]~~

~~IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.~~

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1 ~~[(b) For fiscal year 2013, the department of education shall identify all municipalities in~~
2 ~~which the fiscal year 2013 total education grant, including any stabilization grant distributed~~
3 ~~pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The~~
4 ~~department shall distribute funds to each of those municipalities equal to 100 percent of the~~
5 ~~decrease.~~

6 ~~(c) For fiscal year 2014 through fiscal year 2016, the department of education shall~~
7 ~~distribute a total education grant to each municipality in an amount equal to the total education~~
8 ~~grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012~~
9 ~~stabilization grant, if any, distributed to the municipality.~~

10 ~~(d)]~~ **III.** For fiscal year 2024 and each fiscal year thereafter, the department of education
11 shall distribute a total education grant to each municipality in an amount equal to the total
12 education grant for the fiscal year in which the grant is calculated plus ~~[a percentage]~~ **85 percent** of
13 the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality~~;~~ ~~the~~
14 ~~percentage shall be 96 percent for fiscal year 2017, 92 percent for fiscal year 2018, 88 percent for~~
15 ~~fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter.]~~ No
16 stabilization grant shall be distributed to any municipality for any fiscal year in which the
17 municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an
18 adequate education or to any municipality for any fiscal year in which the municipality's ADMR is
19 zero.

20 **IV. For fiscal year 2024 and fiscal year 2025, the department of education shall**
21 **distribute a hold harmless grant equal to 100 percent of the decrease when comparing the**
22 **eligible grant award in each year to the fiscal year 2024 preliminary estimate as of**
23 **November 15, 2022. No municipality with a current adequacy grant amount that exceeds**
24 **the fiscal year 2024 preliminary estimate shall receive a hold harmless grant.**

25 V. The department shall use the best available data and methods to estimate ADMR and
26 education grants by November 15 of the year preceding the school year for which aid is determined.

27 VI. The department shall produce a revised estimate of grants using actual determination
28 year data for the purpose of settling municipal tax rates. A municipality's grant estimate shall not
29 be less than 95 percent of the estimate reported pursuant to paragraph V. The commissioner of the
30 department of education shall provide the estimate for the current fiscal year to the commissioner of
31 the department of revenue administration no later than October 1 of each year.

32 VII. When final determination year data is available, but not later than April 1, the
33 department shall make a final determination of grant amounts. A municipality's grant estimate
34 shall not be less than 95 percent of the estimate reported pursuant to paragraph V. The department
35 shall adjust the April grant disbursement required pursuant to RSA 198:42 so that the total amount
36 disbursed for the fiscal year shall match the final grant determination.

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VIII. Reports of grant determinations for municipalities required pursuant to paragraphs V-VII shall be available to the public by the date specified in paragraphs V-VII, and the department shall make available a report for multi-town school districts and municipalities with multiple school districts. The department of education shall provide the department of revenue administration the information needed to set tax rates.

162 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b)(1) to read as follows:

(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 amounts pursuant to RSA 198:40-a, II(a)-(c) and (e) plus an additional grant of ~~[\$3,286 to all chartered public schools for the fiscal year ending June 30, 2018, and \$3,411 to all chartered public schools for the fiscal year ending June 30, 2019]~~ **\$5,000 to all chartered public schools for the fiscal year ending June 30, 2024** 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 the chartered public school's ADMA. Beginning July 1, ~~[2017]~~ **2024** and every ~~[biennium]~~ **fiscal year** thereafter, the department of education shall adjust the per pupil amount of the additional grant ~~[based on the average annual 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]~~ **pursuant to RSA 198:40-d**. The state shall pay amounts required pursuant to RSA 198:40-a, II(d) directly to the resident district.

(B) For the Virtual Learning Academy Charter School authorized pursuant to RSA 194-B:3-a, the state shall pay tuition amounts 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 chartered public 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 amounts 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 annual 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 198:40-d**.

Amend the bill by replacing section 242 with the following:

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1 242 Appropriation; Department of Health and Human Services; Targeted Medicaid Rate
2 Increases. In addition to any other sums appropriated, there is hereby appropriated to the
3 department of health and human services the following amounts for the purpose of increasing rates
4 paid to service providers. The governor is authorized to draw a warrant for said sums out of any
5 money in the treasury not otherwise appropriated. Said rate increases shall go into effect no later
6 than January 1, 2024. If feasible, the department shall implement any of the rate increases prior to
7 that date, with priority given to those the commissioner has deemed most critical. For all
8 appropriations below, the department may accept and expend matching federal funds without prior
9 approval of the fiscal committee of the general court. For each appropriation, the department shall
10 report to the fiscal committee of the general court, by October 1, 2023, the accounting units in the
11 state operating budget to which funds will be or have been allocated, along with the rate increases
12 that will be provided from the funds appropriated:

13 I. \$4,677,979 in the fiscal year ending June 30, 2024 and \$9,355,958 in the fiscal year ending
14 June 30, 2025 for the purpose of increasing rates paid to nursing homes.

15 II. \$2,154,309 in the fiscal year ending June 30, 2024 and \$4,308,618 in the fiscal year
16 ending June 30, 2025 for the purpose of increasing rates for all Choices for Independence providers
17 not provided rate increases elsewhere in this section.

18 III. \$708,678 in the fiscal year ending June 30, 2024 and \$1,417,355 in the fiscal year ending
19 June 30, 2025 for the purpose of increasing rates paid to assisted living facilities.

20 IV. \$483,000 in the fiscal year ending June 30, 2024 and \$966,000 in the fiscal year ending
21 June 30, 2025 for the purpose of increasing rates paid to home health aides.

22 V. \$70,691 in the fiscal year ending June 30, 2024 and \$141,382 in the fiscal year ending
23 June 30, 2025 for the purpose of increasing rates for home delivered meals paid to Meals on Wheels
24 providers.

25 VI. \$736,954 in the fiscal year ending June 30, 2024 and \$1,473,908 in the fiscal year ending
26 June 30, 2025 for the purpose of increasing rates for private duty nursing providers.

27 VII. \$169,658 in the fiscal year ending June 30, 2024 and \$339,317 in the fiscal year ending
28 June 30, 2025 for the purpose of increasing rates paid for section 1915(c) waiver case management
29 services.

30 VIII. \$3,969,301 in the fiscal year ending June 30, 2024 and \$7,938,602 in the fiscal year
31 ending June 30, 2025 for the purpose of increasing rates and/or wages paid to providers of
32 community mental health services.

33 IX. \$623,848 in the fiscal year ending June 30, 2024 and \$1,247,697 in the fiscal year ending
34 June 30, 2025 for the purpose of increasing housing reimbursement rates for those receiving
35 community mental health services.

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X. \$3,000,000 in the fiscal year ending June 30, 2024 and \$6,000,000 in the fiscal year ending June 30, 2025 for the purpose of rebasing rates for community health centers to ensure that Medicaid rates are sufficient to cover the cost of service provision.

XI. \$1,133,707 in the fiscal year ending June 30, 2024 and \$2,267,415 in the fiscal year ending June 30, 2025 for the purpose of bringing Medicaid rates for community health centers up to the levels of Medicare reimbursement.

XII. \$8,221,367 in the fiscal year ending June 30, 2024 and \$16,442,733 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of early supports and services, developmental services, acquired brain disorder services, and children's in-home support services.

XIII. \$1,374,940 in the fiscal year ending June 30, 2024 and \$2,749,881 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of opioid treatment programs. Said amounts are intended to cover the cost of rate increases for both the traditional Medicaid population and granite advantage program population.

XIV. \$113,106 in the fiscal year ending June 30, 2024 and \$226,211 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to residential treatment providers serving those experiencing substance use disorders.

XV. \$169,858 in the fiscal year ending June 30, 2024 and \$339,317 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of medication assisted treatment for those experiencing substance use disorders.

XVI. \$255,371 in the fiscal year ending June 30, 2024 and \$510,743 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to providers of outpatient services for those experiencing substance use disorders.

XVII. \$50,000 in the fiscal year ending June 30, 2024 and \$100,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to midwives providing Medicaid births in nonhospital environments.

XVIII. \$125,000 in the fiscal year ending June 30, 2024 and \$250,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid to birthing centers.

XIX. \$1,944,003 in the fiscal year ending June 30, 2024 and \$3,888,007 in the fiscal year ending June 30, 2025 for the purpose of increasing rates paid for providers of ambulance/EMT services. Notwithstanding any other provisions, the rates for the following ambulance codes shall be as follows:

Ambulance Codes	Rate
A0425	13.00
A0427	700
A0428	325
A0429	450

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1 If the department determines that the appropriations contained in this paragraph are insufficient
2 to set rates at the specified levels, it may delay implementation until such time as the rate increases
3 can be provided.

4 XX. \$1,500,000 in the fiscal year ending June 30, 2024 and \$3,000,000 in the fiscal year
5 ending June 30, 2025 for the purpose of increasing rates for state plan personal care assistant
6 services.

7 XXI. \$15,740,786 in fiscal year 2024 for the purpose of increasing any of the rates in this
8 section prior to January 1, 2024, if feasible, where the department has given priority to those
9 increases the commissioner has deemed most critical.

10
11 Amend the bill by inserting after section 447 the following new sections and renumbering the
12 effective date to be the last numbered section:

13
14 448 Department of Health and Human Services; Family Resource Centers; Appropriation.
15 There is hereby appropriated to the department of health and human services the sums of
16 \$1,000,000 for the state fiscal year ending June 30, 2024, and \$1,000,000 for the state fiscal year
17 ending June 30, 2025, to support family resource center (FRC) infrastructure. The appropriation
18 shall be allocated to the FRC facilitating organization to distribute to FRCs. The use of the funds
19 shall include, but not be limited to, better serving families, preparing for FRC-Q designation,
20 enhancing coordination with other early childhood systems, and supporting evidence-based
21 programs such as home visiting programs, ACERT, and community collaborations. The governor is
22 authorized to draw a warrant for said sums out of any money in the treasury not otherwise
23 appropriated.

24 449 Department of Health and Human Services; System of Care; Appropriation. There is
25 hereby appropriated to the department of health and human services the sum of \$5,000,000 for the
26 biennium ending June 30, 2025, to support residential treatment provider rates as a component of
27 the system of care. The department may accept and expend matching federal funds without prior
28 approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of
29 any money in the treasury not otherwise appropriated.

30 450 Emergency Powers; Notice; Declaration and Termination of State of Emergency. Amend
31 RSA 4:45, I and II to read as follows:

32 I. The governor shall have the power to declare a state of emergency, as defined in RSA 21-
33 P:35, VIII, by executive order if the governor finds that a natural, technological, or man-made
34 disaster of major proportions is imminent or has occurred within this state, and that the safety and
35 welfare of the inhabitants of this state require an invocation of the provisions of this section. As
36 soon as practicable, the governor shall notify the speaker of the house of representatives and the
37 senate president of the impending issuance of emergency orders under this section and provide a

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1 description of such orders. The general court shall have the same power to declare a state of
2 emergency by concurrent resolution of the house and senate. An executive order or concurrent
3 resolution declaring a state of emergency shall specify the:

- 4 (a) Nature of the emergency;
5 (b) Political subdivisions or geographic areas subject to the declaration;
6 (c) Conditions that have brought about the emergency; and
7 (d) Duration of the state of emergency, if ***declared by the governor and*** less than 21
8 days, ***or if declared by the general court and less than 90 days.***

9 II.(a) A state of emergency shall terminate automatically 21 days after its declaration ***if***
10 ***declared by the governor, or 90 days after its declaration if declared by the general court,***
11 unless it is renewed under the same procedures set forth in paragraph I of this section. The
12 governor may, by executive order, renew a declaration of a state of emergency [as many times as] ***no***
13 ***more than 3 times if*** the governor finds ***it*** is necessary to protect the safety and welfare of the
14 inhabitants of this state. ***The general court may, by concurrent resolution, renew a***
15 ***declaration of a state of emergency as many times as it finds is necessary to protect the***
16 ***safety and welfare of the inhabitants of this state.***

17 (b) If the governor finds that maintaining the state of emergency is no longer justified,
18 the governor shall issue an executive order terminating the state of emergency.

19 (c) The legislature may terminate a state of emergency or any emergency order issued
20 thereunder by a [majority vote of both the senate and the house of representatives] ***concurrent***
21 ***resolution adopted by a majority vote of each chamber.*** A majority for this vote shall consist of
22 a majority of members present and voting in each chamber acting separately. A state of emergency
23 shall terminate upon a [majority vote of both chambers] ***concurrent resolution adopted by a***
24 ***majority vote of each chamber,*** under this subparagraph; provided, however, that such vote shall
25 not preclude the governor from declaring a new emergency for different circumstances under
26 paragraph I of this section.

27 [~~(d) Ninety days from the date of declaration of a state of emergency, and every 90 days~~
28 ~~thereafter, the governor shall call, pursuant to Part II, Article 50 of the New Hampshire~~
29 ~~constitution, and address a joint session of the general court, and shall provide a written copy of the~~
30 ~~address to all members of both chambers within 5 business days. At such joint session, the~~
31 ~~legislature shall vote on whether to terminate the state of emergency by concurrent resolution~~
32 ~~adopted by a simple majority of both chambers acting separately on the following question: "Shall~~
33 ~~the current state of emergency be terminated?" For purposes of this section, "simple majority" means~~
34 ~~a majority of members present and voting "yea" in both chambers.]~~

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AMENDED ANALYSIS

Delete:

22. Creates a computer science and STEM administrator for the department of education.

Delete:

23. Creates a new chapter for a computer science educator program.

Replace:

59. Reduces the appropriations to the department of education for education freedom accounts.

Insert:

139. Makes appropriations to the department of health and human services to support family resource infrastructure and to support residential treatment provider rates as a component of the system of care.

Insert:

140. Revises the authority of the governor and general court to declare, renew, or terminate a state of emergency.