AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees and making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; making an appropriation for recovery friendly workplaces; relative to kindergarten funding; relative to transitional housing; relative to the state loan repayment program; relative to disproportionate share hospital payments and making an appropriation therefor; and relative to the uncompensated care and Medicaid fund.


COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill:

I. Establishes the position of state demographer in the office of strategic initiatives and establishes a commission on demographic trends.

II. Requires certain state agencies to prepare 10-year current services cost projections for identified programs.

III. Requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

IV. Provides salary increases for state employees and makes appropriations therefor.

V. Makes an appropriation to the department of transportation for red list bridge projects and municipally-owned high traffic volume bridge projects.
VI. Makes an appropriation to the revenue stabilization reserve account.

VII. Makes an appropriation to the community development finance authority to support recovery friendly workplace initiatives offered by nonprofit organizations.

VIII. For the fiscal year ending June 30, 2019:

(a) Allows school districts and chartered public schools to receive kindergarten grant funds, and collect private payments for that portion of the pupil's education which is not covered by the school district; and

(b) Prohibits a school district or chartered public school from collecting payment from a private party for the education of a kindergarten pupil that exceeds the difference of the amount of charged to the private party and the kindergarten grant received.

IX. Makes an appropriation to the housing finance authority for affordable transitional housing.

X. Makes an appropriation to the department of health and human services for the state loan repayment program.

XI. Makes an appropriation for the purpose of funding disproportionate share hospital payments if there is a shortfall.

XII. Revises the formula for reimbursing hospitals for uncompensated care costs.

----------------------------------------
Explanation:  Matter added to current law appears in bold italics.  
Matter removed from current law appears [in brackets and struckthrough.]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare 10-year current services cost projections; relative to the inclusion of a demographic analysis as part of the legislative fiscal note process; relative to salary increases for state employees and making appropriations therefor; making an appropriation for red list bridge projects; making an appropriation to the revenue stabilization account; making an appropriation for recovery friendly workplaces; relative to kindergarten funding; relative to transitional housing; relative to the state loan repayment program; relative to disproportionate share hospital payments and making an appropriation therefor; and relative to the uncompensated care and Medicaid fund.

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

162:1 New Subdivision; Office of Strategic Initiatives; State Demographer; Commission on Demographic Trends. Amend RSA 4-C by inserting after section 35 the following new subdivision:

State Demography

4-C:36 State Demographer; Position Established.

I. There is established within the office of strategic initiatives, the position of state demographer.

II. The state demographer shall be professionally competent in demography and possess demonstrated ability based on past performance. An appropriately qualified economist may hold the position.

III. The responsibilities of the demographer shall include, but not be limited to, developing demographic projections and working with the United States Census Bureau.

IV. The state demographer shall provide assistance and data to the legislative budget assistant in the preparation of demographic analyses requested pursuant to RSA
4-C:37 Commission on Demographic Trends.

I. There is established a commission on demographic trends. The commission shall work with the state demographer to develop long-term net migration goals, review and recommend programs and legislation designed to meet the net migration goals, and monitor the success of any such programs.

II. The members of the commission shall be as follows:
   (a) Six New Hampshire citizens who have expertise to support the mission of the commission, appointed by and serving at the pleasure of the governor.
   (b) Four members of the house of representatives, appointed by the speaker of the house of representatives.
   (c) One member of the senate, appointed by the president of the senate.
   (d) The state demographer or designee of the director of the office of strategic initiatives.

III. The commission shall elect a chairperson from its membership, and any other officers it deems necessary. The terms of the elected members of the commission shall be coterminous with their terms in office; the terms of all other appointed members shall be 3 years. In the event of a vacancy, a new member shall be appointed for the unexpired term in the same manner as the original appointment. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

IV. The commission shall report at least annually to the governor, speaker of the house of representatives, president of the senate, clerk of the house of representatives, clerk of the senate, and state library. The annual report shall be posted on the general court website.

V. The commission shall create a biennial scorecard on New Hampshire’s demographic condition and trends, which shall be distributed to the governor, speaker of the house of representatives, president of the senate, clerk of the house of representatives, clerk of the senate, county commissioners, and state library. The scorecard also shall be posted on the general court website.

162:2 New Sections; Budget and Appropriations; Ten-Year Current Services Cost Projections; Legislative Reporting Requirement. Amend RSA 9 by inserting after section 9-c the following new sections:

9:9-d Ten-Year Current Services Cost Projections.

I. Each of the following state agencies shall provide 10-year cost projections for the identified service or program:
(a) The department of administrative services: state retiree health insurance, and in conjunction with the department of revenue administration, state revenues.
(b) The state treasurer: debt service.
(c) The department of education: adequate education grants.
(d) The New Hampshire retirement system: state employer retirement contributions.

II. The cost projections shall be based on current policy, programs, and tax rates, and shall be adjusted only for demographically-induced changes in demand for public services and projected effects on state government revenues and expenditures.

9:9-e Department of Health and Human Services; Ten-Year Current Services Cost Projections.

I. The department of health and human services shall provide 10-year cost projections for the identified service or program:
   (a) Uncompensated care.
   (b) Medicaid care management.
   (c) Medicaid-funded home and community based waiver services: Choices for Independence, Developmental Services, Acquired Brain Disorder, and Children's In Home Services.
   (d) Nursing home services.

II. The cost projections required in paragraph I for years one through 5 shall be based on the best available data and information available to the department to ensure accurate and reliable information is provided to the public and the general court.

III. The cost projections required in paragraph I for years 6 through 10 shall be based on current policy, programs, and federal and state law, and shall assume economic and other external factors remain static.

IV. The department shall issue the cost projections by September 30, 2019 and shall issue new projections every 2 years thereafter, or upon notice to the department by the state demographer of demographically-induced changes in demand for public services and projected effects on state government revenues.

9:9-f Legislative Report of 10-Year Current Services Cost Projections. On or before February 1 of each budget year, prior to the transmission of the budget to the legislature under RSA 9:2, the legislative budget assistant, in consultation with the state demographer, shall provide to the house and senate finance committees, a report with the 10-year current services cost projections described in RSA 9:9-d and RSA 9:9-e and any other relevant factors identified by the legislative budget assistant or state demographer. The report also shall be posted on the general court website.

162:3 New Paragraph; Preparation of Fiscal Notes; Demographic Analysis. Amend
RSA 14:46 by inserting after paragraph VI the following new paragraph:

VII. (a) The speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate, or the minority leader of the senate may request the legislative budget assistant to prepare and include in the fiscal note a demographic analysis on bills and resolutions having an effect on the demographics of the state. Each requestor shall be entitled to no more than 5 such requests during each annual legislative session.

(b) When possible, the demographic analysis contained in a fiscal note pursuant to subparagraph (a) shall be prepared and incorporated prior to the introduction of the bill or resolution. The demographic analysis shall accompany the bill throughout its course of passage through the general court and to the governor for action and shall be amended as necessary to correct errors or to agree with substantive amendments to the bill.

(c) In preparation of demographic analyses required pursuant to subparagraph (a), the legislative budget assistant shall seek the assistance and data from the state demographer or may request assistance from any other source of data which is deemed reliable, including but not limited to private individuals, research and educational organizations, corporations, and associations located within or outside the state.

162:4 Phase-in, Funding for Position of State Demographer. The position of state demographer shall be a part-time contract position in fiscal year 2019 and a full-time position beginning in fiscal year 2020. For fiscal year 2019, appropriations to the office of strategic initiatives in 2017, 155 shall be used to fund the part-time position.

162:5 Classified Salaries; June 8, 2018. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2019 shall be established as follows commencing June 8, 2018.

<table>
<thead>
<tr>
<th>GRADE</th>
<th>STEP 01</th>
<th>STEP 02</th>
<th>STEP 03</th>
<th>STEP 04</th>
<th>STEP 05</th>
<th>STEP 06</th>
<th>STEP 07</th>
<th>STEP 08</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>20,923.50</td>
<td>21,489.00</td>
<td>22,054.50</td>
<td>22,717.50</td>
<td>23,361.00</td>
<td>24,063.00</td>
<td>24,706.50</td>
<td>25,369.50</td>
</tr>
<tr>
<td>02</td>
<td>21,489.00</td>
<td>22,054.50</td>
<td>22,717.50</td>
<td>23,361.00</td>
<td>24,063.00</td>
<td>24,706.50</td>
<td>25,369.50</td>
<td>26,071.50</td>
</tr>
<tr>
<td>03</td>
<td>22,054.50</td>
<td>22,717.50</td>
<td>23,361.00</td>
<td>24,063.00</td>
<td>24,706.50</td>
<td>25,369.50</td>
<td>26,071.50</td>
<td>26,890.50</td>
</tr>
<tr>
<td>04</td>
<td>22,717.50</td>
<td>23,361.00</td>
<td>24,063.00</td>
<td>24,706.50</td>
<td>25,369.50</td>
<td>26,071.50</td>
<td>26,890.50</td>
<td>28,704.00</td>
</tr>
<tr>
<td>05</td>
<td>23,361.00</td>
<td>24,063.00</td>
<td>24,706.50</td>
<td>25,369.50</td>
<td>26,071.50</td>
<td>26,890.50</td>
<td>28,704.00</td>
<td>29,776.50</td>
</tr>
<tr>
<td>06</td>
<td>24,063.00</td>
<td>24,706.50</td>
<td>25,369.50</td>
<td>26,071.50</td>
<td>26,890.50</td>
<td>28,704.00</td>
<td>29,776.50</td>
<td>30,868.50</td>
</tr>
<tr>
<td>07</td>
<td>24,706.50</td>
<td>25,584.00</td>
<td>26,617.50</td>
<td>27,631.50</td>
<td>28,704.00</td>
<td>29,776.50</td>
<td>30,868.50</td>
<td>32,136.00</td>
</tr>
<tr>
<td>08</td>
<td>25,584.00</td>
<td>26,617.50</td>
<td>27,631.50</td>
<td>28,704.00</td>
<td>29,776.50</td>
<td>30,868.50</td>
<td>32,136.00</td>
<td>33,364.50</td>
</tr>
<tr>
<td>09</td>
<td>26,617.50</td>
<td>27,631.50</td>
<td>28,704.00</td>
<td>29,776.50</td>
<td>30,868.50</td>
<td>32,136.00</td>
<td>33,364.50</td>
<td>34,651.50</td>
</tr>
</tbody>
</table>
The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

162:6 Classified Salaries; January 4, 2019. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2019 shall be established as follows commencing January 4, 2019:

<table>
<thead>
<tr>
<th>GRADE</th>
<th>STEP 01</th>
<th>STEP 02</th>
<th>STEP 03</th>
<th>STEP 04</th>
<th>STEP 05</th>
<th>STEP 06</th>
<th>STEP 07</th>
<th>STEP 08</th>
<th>STEP 09</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>21,255.00</td>
<td>21,820.50</td>
<td>22,386.00</td>
<td>23,068.50</td>
<td>23,712.00</td>
<td>24,433.50</td>
<td>25,096.50</td>
<td>25,759.50</td>
<td>26,481.00</td>
</tr>
<tr>
<td>02</td>
<td>21,820.50</td>
<td>22,386.00</td>
<td>23,068.50</td>
<td>23,712.00</td>
<td>24,433.50</td>
<td>25,096.50</td>
<td>25,759.50</td>
<td>26,481.00</td>
<td>27,300.00</td>
</tr>
<tr>
<td>03</td>
<td>22,386.00</td>
<td>23,068.50</td>
<td>23,712.00</td>
<td>24,433.50</td>
<td>25,096.50</td>
<td>25,759.50</td>
<td>26,481.00</td>
<td>27,300.00</td>
<td>29,152.50</td>
</tr>
<tr>
<td>04</td>
<td>23,068.50</td>
<td>23,712.00</td>
<td>24,433.50</td>
<td>25,096.50</td>
<td>25,759.50</td>
<td>26,481.00</td>
<td>27,300.00</td>
<td>29,152.50</td>
<td>30,225.00</td>
</tr>
</tbody>
</table>
The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

162:7 Classified Increases; June 8, 2018. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of June 8, 2018, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA
99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

162:8 Classified Increases; January 4, 2019. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of January 4, 2019, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

162:9 Compensation for Certain State Officers; Unclassified State Employees; June 8, 2018. RSA 94:1-a, I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

<table>
<thead>
<tr>
<th>GRADE</th>
<th>STEP 01</th>
<th>STEP 02</th>
<th>STEP 03</th>
<th>STEP 04</th>
<th>STEP 05</th>
<th>STEP 06</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA</td>
<td>54,607.28</td>
<td>58,168.76</td>
<td>61,729.72</td>
<td>65,289.12</td>
<td>68,849.04</td>
<td>72,410.00</td>
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<tr>
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<td>71,594.64</td>
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<td>79,258.92</td>
<td>83,594.68</td>
<td>87,932.52</td>
</tr>
<tr>
<td>FF</td>
<td>70,833.36</td>
<td>75,473.84</td>
<td>80,115.88</td>
<td>84,757.40</td>
<td>89,399.96</td>
<td>94,039.40</td>
</tr>
<tr>
<td>GG</td>
<td>76,462.36</td>
<td>81,476.72</td>
<td>86,492.12</td>
<td>91,505.96</td>
<td>96,521.36</td>
<td>101,536.24</td>
</tr>
<tr>
<td>HH</td>
<td>83,258.76</td>
<td>88,726.04</td>
<td>94,193.32</td>
<td>100,051.28</td>
<td>105,128.40</td>
<td>110,596.20</td>
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<tr>
<td>II</td>
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<td>93,811.64</td>
<td>99,597.68</td>
<td>105,382.68</td>
<td>111,168.20</td>
<td>116,953.20</td>
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<tr>
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<td>98,896.20</td>
<td>104,999.96</td>
<td>111,102.68</td>
<td>117,205.40</td>
<td>123,310.20</td>
</tr>
<tr>
<td>KK</td>
<td>95,165.72</td>
<td>101,427.56</td>
<td>107,689.40</td>
<td>113,951.24</td>
<td>120,213.08</td>
<td>126,475.44</td>
</tr>
<tr>
<td>LL</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>130,183.56</td>
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<tr>
<td>MM</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>134,581.72</td>
</tr>
<tr>
<td>NN</td>
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<tr>
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<td>PP</td>
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<tr>
<td>QQ</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>161,694.00</td>
</tr>
</tbody>
</table>

162:10 Compensation for Certain State Officers; Unclassified State Employees; January 4, 2019. RSA 94:1-a, I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

<table>
<thead>
<tr>
<th>GRADE</th>
<th>STEP 01</th>
<th>STEP 02</th>
<th>STEP 03</th>
<th>STEP 04</th>
<th>STEP 05</th>
<th>STEP 06</th>
<th>STEP 07</th>
</tr>
</thead>
<tbody>
<tr>
<td>AA</td>
<td>55,426.80</td>
<td>59,041.32</td>
<td>62,655.84</td>
<td>66,268.80</td>
<td>69,882.28</td>
<td>73,496.28</td>
<td>77,110.28</td>
</tr>
<tr>
<td>BB</td>
<td>57,681.40</td>
<td>61,390.68</td>
<td>65,150.80</td>
<td>68,910.40</td>
<td>72,668.96</td>
<td>76,427.52</td>
<td>80,186.08</td>
</tr>
<tr>
<td>CC</td>
<td>60,307.00</td>
<td>64,246.52</td>
<td>68,185.52</td>
<td>72,124.52</td>
<td>76,063.00</td>
<td>80,003.04</td>
<td>83,943.08</td>
</tr>
<tr>
<td>DD</td>
<td>63,494.08</td>
<td>67,642.64</td>
<td>71,792.76</td>
<td>75,942.36</td>
<td>80,090.92</td>
<td>84,238.96</td>
<td>88,387.00</td>
</tr>
<tr>
<td>EE</td>
<td>67,245.36</td>
<td>71,647.16</td>
<td>76,047.40</td>
<td>80,448.16</td>
<td>84,848.92</td>
<td>89,251.76</td>
<td>93,654.60</td>
</tr>
<tr>
<td>FF</td>
<td>71,896.24</td>
<td>76,606.40</td>
<td>81,318.12</td>
<td>86,028.80</td>
<td>90,741.04</td>
<td>95,450.16</td>
<td>100,159.28</td>
</tr>
<tr>
<td>GG</td>
<td>77,609.48</td>
<td>82,699.24</td>
<td>87,789.52</td>
<td>92,878.76</td>
<td>97,969.56</td>
<td>103,059.32</td>
<td>108,149.08</td>
</tr>
</tbody>
</table>
CHAPTER 162
HB 1817-FN - FINAL VERSION
- Page 8 -

162:11 Salary Wages for Councilors and Commissioners; June 8, 2018. RSA 94:1-a, II
is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing June 8, 2018:

<table>
<thead>
<tr>
<th>Position</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governor's councilors</td>
<td>$16,999.84</td>
</tr>
<tr>
<td>Racing and charitable gaming commissioners</td>
<td>$13,185.12</td>
</tr>
<tr>
<td>Sweepstakes commission, chairman</td>
<td>$19,176.56</td>
</tr>
<tr>
<td>Sweepstakes commission, members</td>
<td>$10,794.68</td>
</tr>
</tbody>
</table>

162:12 Salary Wages for Councilors and Commissioners; January 4, 2019. RSA 94:1-a, II
is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing January 4, 2019:

<table>
<thead>
<tr>
<th>Position</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governor's councilors</td>
<td>$17,514.12</td>
</tr>
<tr>
<td>Racing and charitable gaming commissioners</td>
<td>$13,584.22</td>
</tr>
<tr>
<td>Sweepstakes commission, chairman</td>
<td>$19,756.62</td>
</tr>
<tr>
<td>Sweepstakes commission, members</td>
<td>$11,121.50</td>
</tr>
</tbody>
</table>

162:13 Department of Justice; Attorney Salaries; June 8, 2018. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and
deputy attorney general, the following shall apply commencing on June 8, 2018:

<table>
<thead>
<tr>
<th>Position</th>
<th>Minimum</th>
<th>Market anchor</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney</td>
<td>$50,562</td>
<td></td>
<td>$120,681</td>
</tr>
<tr>
<td>Assistant attorney general</td>
<td>$60,950</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior assistant attorney general</td>
<td>$83,024</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Associate attorney general</td>
<td>$102,502</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

162:14  Department of Justice; Attorney Salaries; January 4, 2019. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.  For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on January 4, 2019:

<table>
<thead>
<tr>
<th>Position</th>
<th>Minimum</th>
<th>Market anchor</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney</td>
<td>$53,990</td>
<td></td>
<td>$125,080</td>
</tr>
<tr>
<td>Assistant attorney general</td>
<td>$65,082</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior assistant attorney general</td>
<td>$88,653</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Associate attorney general</td>
<td>$109,451</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

162:15  Legislative Employees; June 8, 2018. Legislative employees shall receive 1.5 percent salary increases effective June 8, 2018, if such increases are approved by the appointing authority.

162:16  Legislative Employees; January 4, 2019. Legislative employees shall receive 1.5 percent salary increases effective January 4, 2019, if such increases are approved by the appointing authority.

162:17  Increases in Salary; Other Nonclassified or Unclassified Employees, Unrepresented New Hampshire State Troopers. All other nonclassified or unclassified employees or unrepresented New Hampshire state troopers not covered by the provisions for salary increases in this act shall be granted a salary increase of 1.5 percent effective June 8, 2018, and an additional salary increase of 1.5 percent effective January 4, 2019.

162:18  Judicial Salaries; June 8, 2018. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1  Salaries Established. The salaries for the positions set forth below shall be as follows:

<table>
<thead>
<tr>
<th>Position</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief justice, supreme court</td>
<td>$169,781</td>
</tr>
<tr>
<td>Associate justices, supreme court</td>
<td>$164,674</td>
</tr>
<tr>
<td>Chief justice, superior court and administrative</td>
<td></td>
</tr>
</tbody>
</table>

1 judges appointed pursuant to supreme
2 court rule 54 $164,674
3 Associate justices, superior court $154,442
4 District court justices prohibited
5 from practice pursuant to
6 RSA 502-A:21-a $154,442
7 Probate judges prohibited from
8 practice pursuant to RSA 547:2-a $154,442
9 162:19 Judicial Salaries; January 4, 2019. RSA 491-A:1 is repealed and reenacted to
10 read as
11 follows:
12 491-A:1 Salaries Established. The salaries for the positions set forth below shall be
13 as follows:
14 Chief justice, supreme court $181,290
15 Associate justices, supreme court $175,837
16 Chief justice, superior court and administrative
17 judges appointed pursuant to supreme
18 court rule 54 $175,837
19 Associate justices, superior court $164,911
20 District court justices prohibited
21 from practice pursuant to
22 RSA 502-A:21-a $164,911
23 Probate judges prohibited from
24 practice pursuant to RSA 547:2-a $164,911
25 162:20 Judges; State Employee Health Plan; Application. The cost sharing and plan
26 design for judges who participate in the health plans offered by the state shall be the
27 same as those for individuals covered by the collective bargaining agreement between
28 the state of New Hampshire and the State Employees' Association of New Hampshire, Inc.
29 162:21 Judicial Employees; June 8, 2018. All unrepresented judicial employees shall
30 receive 1.5 percent salary increases on June 8, 2018.
31 162:22 Judicial Employees; January 4, 2019. All unrepresented judicial employees
32 shall receive 1.5 percent salary increases on January 4, 2019.
33 162:23 Appropriation. The following sums are appropriated from the following
34 sources for the purposes of sections 5-22 of this act for the fiscal year ending June 30,
35 2019:
36
37 FY 2019
The department of administrative services is authorized to make rounding adjustments of up to +$.01 per hour as needed to properly process the employee’s payroll within the currently designed human resources/payroll system (NH FIRST).

### 162:24 Floating Holidays and Bonus Days.

#### I. Floating holidays: Unrepresented classified employees shall be authorized 3 floating holidays. Employees shall accrue one day on July 1, one day on October 1, and one day on January 1 of each fiscal year.

#### II. Bonus days: Bonus days shall sunset for all unrepresented classified employees after the fiscal year 2018 accrual. Any bonus time previously accrued shall remain to the employees’ credit not to exceed 64 hours.

### 162:25 Appropriation; Department of Transportation.

#### I. The sum of $20,000,000 is hereby appropriated to the department of transportation for the fiscal year ending June 30, 2018, which shall be nonlapsing and expended for the purposes of funding state red list bridge projects. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

#### II. There is hereby appropriated to the department of transportation the sum of $10,400,000 for the fiscal year ending June 30, 2019, which shall be nonlapsing and expended as state bridge aid for municipally-owned high traffic volume bridge projects under RSA 234. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

### 162:26 Appropriation; Revenue Stabilization Reserve Account. The sum of $10,000,000 is hereby appropriated to the revenue stabilization reserve account established pursuant to RSA 9:13-e, for the fiscal year ending June 30, 2018, for the purposes of said fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

### 162:27 Appropriation; Community Development Finance Authority; Recovery Friendly Workplace Initiatives.

#### I. The sum of $1,000,000 for the fiscal year ending June 30, 2018 is hereby appropriated to the community development finance authority for the purpose of supporting recovery friendly workplace programs offered by nonprofit organizations. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

#### II. The authority shall use the appropriation exclusively for the purpose of investing or lending to nonprofit organizations that deliver recovery friendly workplace
programs. In this section, "recovery friendly workplace programs" means programs that educate employers in evidence-based practices that demonstrably reduce substance misuse in the workplace and create work environments that are conducive to enabling persons in addiction and mental health recovery to sustain and reenter the workforce as productive members of society. Such programs shall include the training of all employees, including specialized training for human resources personnel, and shall be consistent with Substance Abuse and Mental Health Services Administration (SAMHSA) standards. The term "recovery friendly workplace programs" also includes the propagation of public awareness and information that supports health and safety for employees, while promoting active community engagement that will assist in reducing the negative impact of unaddressed substance misuse and untreated mental health. On or by September 30, 2020, the authority shall make public on its website and provide a report to the governor, the president of the senate, and the speaker of the house of representatives concerning the disbursement of funds and the effectiveness of the recovery friendly workplace initiatives supported by the authority, including, but not limited to, how many workers in recovery were attracted to and retained in the workforce.

162:28 Funding for Kindergarten Pupils; Fiscal Year 2019.

I. For the fiscal year ending June 30, 2019, notwithstanding RSA 198:38, I, for each kindergarten pupil counted in the average daily membership in attendance who is attending a full-day kindergarten program, a school district or a chartered public school shall receive a kindergarten grant pursuant to RSA 198:48-c, I, and may collect payment from a private party for that portion of a kindergarten pupil's education which is not covered by the school district.

II. For the fiscal year ending June 30, 2019, the amount collected by a school district or a chartered public school from a private party for a kindergarten pupil who is not educated at school district expense shall not exceed the difference of the amount the school district or chartered public school charges the private party less the amount of the kindergarten grant received under RSA 198:48-c.

162:29 Appropriation; Housing Finance Authority; Affordable Housing Fund.

I. The sum of $1,000,000 for the fiscal year ending June 30, 2018 and the sum of $1,500,000 for the fiscal year ending June 30, 2019 are hereby appropriated to the housing finance authority for deposit in the affordable housing fund established in RSA 204-C:57. The appropriation for the fiscal year ending June 30, 2019 shall be contingent upon submission of the plan developed by the working group established in paragraph II to the fiscal committee of the general court by September 2018. The governor is authorized to draw a warrant for said sums out of any money in the treasury not
II. The purpose of the appropriation made in this section shall be to provide safe, affordable, and stable transitional housing opportunities to those leaving mental health and substance use disorder treatment facilities. Locations of the housing opportunities shall be determined using data, recognizing that many of the needs are in rural areas of New Hampshire. Within 30 days of the effective date of this section, the housing finance authority, in conjunction with the commissioner of the department of health and human services, shall form a working group of subject matter experts with knowledge and experience in addressing substance use disorder treatment and mental health needs as they relate to and impact transitional housing. The working group shall develop a data-driven plan to award the funds, guidelines for accountability, and metrics for demonstrating results that maintain employability and sustained treatment effects as priorities.

III. On January 1, 2019, and January 1, 2020, the housing finance authority shall submit a report to the governor, the senate president, and the speaker of the house of representatives regarding the findings and recommendations of the working group and disbursement of the funds appropriated in this section for transitional housing.

162:30 Supplemental Appropriation; State Loan Repayment Program. In addition to any other sums appropriated to the department of health and human services in 2017, 155, accounting unit 05-95-90-901010-7965, line 073, grants-non-federal, there is hereby appropriated the sum of $300,000 for the fiscal year ending June 30, 2019, for the state loan repayment program. The department may exceed this amount if new federal funds become available to the program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

162:31 Appropriation; Department of Health and Human Services.

I. Notwithstanding RSA 167:64, the commissioner of the department of health and human services shall make payments for uncompensated care costs, including state and federal share, in the fiscal year ending June 30, 2018 in an amount equal to 92.2 percent of the total Medicaid enhancement tax collected for that fiscal year, and in the fiscal year ending June 30, 2019 in an amount equal to 90.2 percent of the total Medicaid enhancement tax collected for that fiscal year. Such payments shall be a charge against amounts budgeted under account 05-95-47-470010-7943 pursuant to 2017, 155:1 and the uncompensated care and Medicaid fund established pursuant to RSA 167:64. The commissioner is authorized to accept and expend any matching federal funds without further approval from the fiscal committee of the general court.

II. For the biennium ending June 30, 2019, in the event estimated Medicaid enhancement tax revenue under account 05-95-47-470010-7948 is less than budgeted as a
result of payments authorized in paragraph I, the amount necessary to address the
shortfall is hereby appropriated to the department of health and human services. The
governor is authorized to draw a warrant for such sum out of any money in the treasury
not otherwise appropriated.

162:32 Uncompensated Care and Medicaid Fund. Amend RSA 167:64, I(a) to read as
follows:

(a)(1) The commissioner shall provide reimbursement for uncompensated care
costs [in accordance with the approved schedule of payments] from the uncompensated
care and Medicaid fund through either Medicaid rate adjustments, Medicaid
supplemental payments, MCO directed payments to hospitals, [or] disproportionate
share hospital payment adjustments, or any other allowable Medicaid payment,
including a combination thereof, provided however that no hospital shall receive any
such reimbursement for uncompensated care costs unless it is a qualified hospital as
defined in subparagraph (b)(1). Funds available under this section shall also be used to
make provider payments and to support Medicaid services and programs administered
by the department in amounts directed by the budget in each year of the biennium.

(2) Expenditure of revenues deposited to the uncompensated care and
Medicaid fund shall be made for the following purposes in the following order of priority
in fiscal year 2015:

(A) To support medical provider payments as budgeted in each year of
the biennium;

(B) To make disproportionate share hospital payments to support up to
75 percent of the uncompensated care costs of New Hampshire's hospitals with critical
access designation consistent with the requirements of 42 U.S.C. section 1396r-4(g) and
any relevant federal regulations promulgated thereunder as budgeted in each year of
the biennium based on available funding, to be shared among such hospitals in
proportion to the amount of uncompensated care provided;

(C) To make disproportionate share hospital payments to support the
uncompensated care costs of New Hampshire's general hospitals without critical access
designation shared among such hospitals consistent with the requirements of 42 U.S.C.
section 1396r-4(g) and any relevant federal regulations promulgated thereunder in
proportion to the amount of uncompensated care provided with funds available from net
Medicaid enhancement tax revenue received by the state in fiscal year 2015 in excess of
$190,300,000; and

(D) To make a disproportionate share hospital payment to each
hospital that meets the criteria set forth for "deemed disproportionate share hospitals"
as that term is defined under 42 U.S.C. section 1396r-4 up to an amount as budgeted in
each year of the biennium based on available funding.

(3) Subject to subparagraph (a)(3)(D).

(2) Expenditure of revenues deposited to the uncompensated care and
Medicaid fund shall be made for the following purposes in the following order of priority
in fiscal years [2016, 2017, 2018, and 2019, and in addition in fiscal years 2016, 2017, 2018,
and 2019, if New Hampshire hospitals' total aggregate uncompensated care costs as
reported to the department in any such fiscal year is less than $350,000,000, the state
shall pay New Hampshire's hospitals not less than $175,000,000 in disproportionate share
hospital payments, shared among such hospitals in proportion to the amount of
uncompensated care provided; provided that New Hampshire hospitals with a critical
access hospital designation shall continue to receive reimbursements of no less than 75
percent of each hospital's uncompensated care costs and no hospital shall be paid
disproportionate share hospital payments of more than 100 percent of uncompensated
care costs] 2018 through 2024. However, no hospital shall be paid uncompensated care
cost payments of more than 100 percent of the governing hospital-specific limit on
disproportional share hospital payments under Title XIX of the Social Security Act and
the provisions of all federal regulations promulgated thereunder.

(A) To make [disproportionate share hospital] uncompensated care
cost payments, including the state share and matching federal share, to New Hampshire
hospitals with and without critical access designation in the following order of priority,
[provided that, in fiscal years 2016 and 2017, the New Hampshire hospitals shall not be
paid more than a cap of $224,000,000 in disproportionate share hospital payments and in
fiscal years 2018 and 2019 the New Hampshire hospitals shall not be paid more than a
cap of $241,900,000 in disproportionate share hospital payments] and in the following
amounts: fiscal year 2018 – a sum equaling 92.2 percent of money collected pursuant to
RSA 84-A for the fiscal year; fiscal year 2019 – a sum equaling 90.2 percent of money
collected pursuant to RSA 84-A for the fiscal year; and fiscal years 2020 through 2024 - a
sum equaling 86 percent of money collected pursuant to RSA 84-A for the fiscal year.
Notwithstanding the foregoing sums for each fiscal year, in no event shall the amounts
paid to hospitals as uncompensated care cost hospital payments, including the New
Hampshire Hospital, in any particular fiscal year exceed the state share for matching
the maximum state disproportionate share hospital allotment established under 42
U.S.C. section 1396r-4(f) for that fiscal year plus the matching federal share. If the
maximum state disproportionate share hospital allotment established under 42 U.S.C.
section 1396r-4(f) for any fiscal year, less the uncompensated care cost hospital payments
to be made to New Hampshire Hospital, plus state matching funds equal to the available
federal state disproportionate share hospital allotment for uncompensated care cost
hospital payments is less than a sum equaling the percentage of money collected pursuant to RSA 84-A for the fiscal year, any remaining amount, including state and federal share, of the foregoing sums equaling the percentage of money collected pursuant to RSA 84-A for the fiscal year shall be paid to the hospitals as supplemental Medicaid payments, MCO directed payments to hospitals, increased hospital service provider rates, or any other allowable Medicaid payment:

(i) To support 75 percent of the uncompensated care costs of New Hampshire's hospitals with critical access designation consistent with the requirements of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder to be shared among such hospitals in proportion to the amount of uncompensated care provided;

(ii) To make [disproportionate share hospital] payments for uncompensated care costs to [support 50 percent of the uncompensated care costs of] New Hampshire's hospitals without critical access hospital designation [in fiscal year 2016 and 2017 and 55 percent of uncompensated care costs of New Hampshire's hospitals without critical access hospital designation in fiscal year 2018 and fiscal year 2019 and in fiscal years thereafter consistent with the requirements of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder in proportion to the amount of uncompensated care provided and up to the remaining amount of the applicable cap set forth in subparagraph (a)(3)(A)] in proportion to the amount of uncompensated care provided by each hospital from the sum equal to the remainder of the percentage of money collected pursuant to RSA 84-A for the fiscal year specified in subparagraph (a)(2)(A).

(iii) If there is a change to the federal definition of uncompensated care costs that would result in a decrease to the calculation in subparagraph (i), the percentage of allowable uncompensated care costs for New Hampshire's hospitals with critical access designation percentage of allowable uncompensated care costs shall increase from 75 percent to a percentage that would be equivalent to their receiving 75 percent of uncompensated care costs calculated without regard to payments from Medicare or third party payers as allowable on the date of the enactment of this provision, except that no hospital shall be paid disproportionate share hospital payments of more than 100 percent of the governing hospital-specific limit on disproportional share hospital payments under Title XIX of the Social Security Act. If increasing the percentage of the allowable uncompensated care costs would exceed 100 percent of the governing hospital specific limit, any amount in excess shall be paid to the New Hampshire hospitals with critical access designation as supplemental Medicaid
payments, MCO directed payments to hospitals, increased hospital service provider rates, or any other allowable Medicaid payments.

(B) To make a [disproportionate share hospital] payment for uncompensated care costs to each hospital that meets the criteria set forth for "deemed disproportionate share hospitals" as that term is defined under 42 U.S.C. section 1396r-4 up to [an amount as budgeted] $250,000 in each year of the biennium as set forth in subparagraph (b)(1)(A). For fiscal years 2018 and 2019 only, any payment under this subparagraph shall not reduce the payments made under subparagraphs (a)(2)(A)(i)-(iii).

(C) To increase hospital service provider rates in fiscal year 2020 through fiscal year 2024, by an amount equal to 5 percent of the revenue collected pursuant to RSA 84-A for the fiscal year.

(D) Any remaining funds produced from the Medicaid enhancement tax shall be used to support provider payments and to support Medicaid services and programs administered by the department.

(E) Hospitals entitled to payments under subparagraphs (a)(2)(A)(i)-(iii) or (a)(2)(C) have a vested contractual right to receive these payments in fiscal years 2018 through 2024 as limited by paragraph IV.

[D] Notwithstanding any provision to the contrary, in each of fiscal years 2016, 2017, 2018, and 2019, the amount of uncompensated care reimbursed to non-critical access hospitals shall be reduced in both state contribution and federal match by any shortfall in net Medicaid enhancement tax revenues received below the following thresholds: fiscal year 2016 $220.5 million; fiscal year 2017 $228.1 million; fiscal year 2018 $235.9 million; and fiscal year 2019 $243.4 million. However, to the extent the aggregate uncompensated care for all hospitals falls below $375 million and the Medicaid enhancement tax rate is further reduced as set forth in RSA 84-A:2, V, then the threshold for fiscal year 2018 shall be $229.4 million and for fiscal year 2019 shall be $235.7 million. Further, the caps in subparagraph (a)(3)(A) and the reimbursements and caps in subparagraph (a)(3)(A)(ii) shall be reduced by 85 percent of the difference between total Medicaid enhancement tax revenue calculated at 5.5 percent of net patient services revenue and Medicaid enhancement tax revenue at the current tax rate for the applicable fiscal year.

162:33 Uncompensated Care and Medicaid Fund. RSA 167:64, IV is repealed and reenacted to read as follows:

IV. Payment of the federal share of uncompensated care cost hospital payments, supplemental Medicaid payments, MCO directed payments to hospitals, increased hospital service provider rates, and any other allowable Medicaid payment under this section is contingent upon New Hampshire receiving those federal funds and any
necessary CMS approvals that the department is required to secure pursuant to paragraph III.

162:34 Medicaid Enhancement Tax. Amend RSA 84-A:2, V to read as follows:

V. For the taxable period ending June 30, 2018, and for every taxable period thereafter, a tax is imposed at a rate of 5.4 percent upon the net patient services revenue of every hospital for the hospital's fiscal year ending during the calendar year in which the taxable period begins [unless the total aggregate uncompensated care for hospitals with both a critical and a noncritical access hospital designation falls below $375 million, at which point the tax rate shall be 5.25 percent].

162:35 Effective Date.

I. Sections 5, 7, 9, 11, 13, 15, 17, 18, and 21 of this act shall take effect June 8, 2018.

II. Sections 1, 2, and 4 of this act shall take effect July 1, 2018.

III. Sections 6, 8, 10, 12, 14, 16, 19, and 22 of this act shall take effect January 4, 2019.

IV. Section 3 of this act shall take effect July 1, 2019.

V. The remainder of this act shall take effect upon its passage.

Approved: June 06, 2018
Effective Date:
I. Sections 5, 7, 9, 11, 13, 15, 17, 18, and 21 shall take effect June 8, 2018.
II. Sections 1, 2, and 4 shall take effect July 1, 2018.
III. Sections 6, 8, 10, 12, 16, 19, and 22 shall take effect January 4, 2019.
IV. Section 3 shall take effect July 1, 2019.
V. Remainder shall take effect June 6, 2018.