

Sen. Whitley, Dist 15
Sen. Rosenwald, Dist 13
Sen. Prentiss, Dist 5
May 18, 2021
2021-1543s
08/11

Amendment to HB 2-FN-A-LOCAL

1 1 Findings.

2 I. On March 13, 2020, the governor signed the first declaration of a state of emergency due
3 to COVID-19. As of January 1, 2021, this order has been extended 14 times.

4 II. Between March 26, 2020 and June 16, 2020, a "Stay at Home" order had been in-place
5 under the authority of the governor as measure to prevent the spread of COVID-19. This order
6 included the closing of schools, prohibited gatherings of 10 or more people, and limited business
7 operations that were not considered essential.

8 III. Between March and August of 2020, 449 New Hampshire business closed temporarily or
9 permanently, with 280 remaining closed.

10 IV. New Hampshire began "reopening" on May 11, 2020 with restrictions, some of which
11 remain in place today and continue to impact the micro enterprise sector, those businesses with
12 between 1 and 5 employees including the proprietor. According to the Small Business
13 Administration, Office of Advocacy, there are 25,478 business with between 1-19 employees and
14 101,795 non-employer businesses.

15 V. It is incumbent upon the state government to take prompt, proactive, and continuing
16 action to protect the economic health of New Hampshire communities through building out the
17 infrastructure and sustainability of micro enterprises.

18 2 New Subdivision; COVID-19 Micro Enterprise Relief Fund. Amend RSA 12-O by inserting
19 after section 52 the following new subdivision:

20 COVID-19 Micro Enterprise Relief Fund

21 12-O:53 COVID-19 Micro Enterprise Relief Fund.

22 I. There is established in the office of the state treasurer a fund to be known as the COVID-
23 19 micro enterprise relief fund. Notwithstanding RSA 4:45, RSA 4:47, RSA 21-P:43, or any other law
24 to the contrary, to the extent permissible under federal law \$1 of any federal funds received by the
25 state in response to the COVID-19 public health emergency shall be deposited into the fund,
26 provided that at no time shall the balance of the fund exceed \$1 in any fiscal year.

27 II. Funds shall be disbursed at the discretion of the commissioner to the 10 New Hampshire
28 regional economic development corporations to be awarded to local or regional micro enterprises.
29 Each regional development corporation shall receive up to \$1. Each regional development economic
30 council shall be authorized to assess an administrative fee up to 10 percent of the funds received

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1 through the state to manage this grant program. Any regional economic development corporation
2 that does not award all of the funds received in grants to local micro enterprises shall return the
3 funds to micro enterprise relief fund at the department of business and economic affairs for
4 redistribution at the discretion of the commissioner.

5 III. With each award, an agreement for technical assistance shall be put in place between
6 the regional development corporation, the New Hampshire small business development center, and
7 the micro enterprise to support the implementation of the funds. 18 months after the
8 implementation of the program, the regional economic development councils will prepare and submit
9 reports to the commissioner, that include the number of grants and the amounts, and the use of each
10 grant by the recipient. The commissioner shall compile these reports and submit a compiled report
11 to the speaker of the house of representatives, the senate president, the house clerk, the senate
12 clerk, the state library, and the governor.

13 IV. Regional economic development corporations shall award one-time grants of up to \$1 to
14 support one or more areas of need, including development of e-commerce capabilities, upgrading
15 business practices, or maintaining storefront presence. The regional economic development
16 corporations shall ensure micro enterprises awarded grants pursuant to this subdivision are
17 provided such assistance as may be necessary to support implementation of any grants awarded.

18 V. For purposes of this subdivision, "micro enterprise" shall mean an entity with 10 or fewer
19 employees, including any proprietor, that has been in business prior to March 13, 2020, when the
20 governor signed the first declaration of a state of emergency due to COVID-19 and that has
21 demonstrated a financial impact during the COVID-19 public health emergency, such as temporary
22 closure, reduction in workforce, or loss of revenue of 50 percent or greater when compared to the
23 same time period during the previous year. Financial statements demonstrating losses, closures, or
24 reduction in workforce shall be supplied as part of the application process.

25 3 New Subparagraph; Application of Receipts; COVID-19 Micro Enterprise Relief Fund. Amend
26 RSA 6:12, I(b) by inserting after subparagraph (364) the following new subparagraph:

27 (365) Moneys deposited into the COVID-19 micro enterprise relief fund established
28 in RSA 12-O:53.

29 4 Purpose Statement. Independent live venues are important entertainment hubs and economic
30 multipliers for New Hampshire's local economies. They serve as critical tax bases as employers and
31 tourism destinations and as revenue generators for neighboring businesses such as restaurants,
32 hotels, and retail. The cultural impact of New Hampshire's independent live venues is difficult to
33 calculate and serves as an important draw for young people to the state. Unfortunately, these
34 businesses were among the first to close as COVID-19 spread across the country, will likely be the
35 last to reopen, and will take years to recover if they can stay in business at all. Smaller venues with
36 a capacity of 300 or less are being impacted the most by the COVID-19 economic and public health

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1 crisis. This act provides targeted assistance and long-term planning support and recognizes the
2 importance of independent live venues to New Hampshire's economy.

3 5 Council on the Arts; Declaration of Policy. Amend RSA 19-A:1 to read as follows:

4 19-A:1 Declaration of Policy. It is hereby found that many of our citizens lack the opportunity to
5 view, enjoy or participate in living theatrical performances, musical concerts, operas, dance and
6 ballet recitals, art exhibits, examples of fine architecture, and the performing and fine arts
7 generally. It is hereby further found that, with increasing leisure time, the practice and enjoyment
8 of the arts are of increasing importance and that the general welfare of the people of the state will be
9 promoted by giving further recognition to the arts as a vital aspect of our culture and heritage and as
10 a valued means of expanding the scope of our educational programs. ***It is hereby further found***
11 ***that arts organizations and businesses are important entertainment hubs and economic***
12 ***multipliers for New Hampshire's local economies. They serve as critical tax bases as***
13 ***employers and tourism destinations and as revenue generators for neighboring businesses***
14 ***such as restaurants, hotels, and retail. The cultural impact of New Hampshire's creative***
15 ***sector is difficult to calculate and serves as an important draw for young people to the***
16 ***state.*** It is hereby declared to be the policy of the state to join with private patrons and with
17 institutions and professional organizations concerned with the arts to insure that the role of the arts
18 in the life of our communities will continue to grow and will play an ever more significant part in the
19 welfare and educational experience of our citizens. It is further declared that all activities
20 undertaken by the state in carrying out this policy shall be directed toward encouraging and
21 assisting rather than in any ways limiting the freedom of artistic expression that is essential for the
22 well-being of the arts.

23 6 Council on the Arts; Report. Amend RSA 19-A:7 to read as follows:

24 19-A:7 Reports. The council shall make biennial reports to the governor and council. ***The***
25 ***council's strategic plan and biennial report under this section shall address the activities***
26 ***related to the Save Our Granite Stages Fund created under RSA 19-A:15.***

27 7 New Subdivision; Council on the Arts; Save Our Granite Stages Fund. Amend RSA 19-A by
28 inserting after section 14 the following new subdivision:

Save Our Granite Stages Fund

29
30 19-A:15 Save Our Granite Stages Fund. There is hereby established the save our granite stages
31 fund, which shall be appropriated for fiscal year 2022 to the New Hampshire state council on the
32 arts for the purpose of providing grants to both non-profit and for-profit live venues that did not
33 receive a grant from the federal Shuttered Venue Operators (SVO) program, which was established
34 by Economic Aid to Hard-Hit Small Businesses, Nonprofits and Venues Act (P.L. 116-260). The fund
35 shall be nonlapsing and kept separate and distinct from all other funds. Notwithstanding any other
36 provision of law, \$1 of any discretionary federal funds received by the state in response to the

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1 COVID-19 public health emergency shall be deposited into the fund. In addition to state
2 appropriations, the council may accept grants, gifts, and donations for deposit in the fund.

3 8 New Subparagraph; Dedicated Funds; Save our Granite Stages Fund. Amend RSA 6:12, I(b)
4 by inserting after subparagraph (364) the following new subparagraph:

5 (365) Moneys deposited in the save our granite stages fund under RSA 19-A:15.

6 9 Repeal. RSA 19-A:15 and RSA 6:12, I(b)(365), as inserted by sections 7 and 8 of this act,
7 respectively, are repealed.

8 10 Effective Date.

9 I. Section 9 of this act shall take effect June 30, 2023.

10 II. Sections 1 through 8 of this act shall take effect upon its passage.

UNAPPROVED

2021-1543s

AMENDED ANALYSIS

1. Establishes a COVID-19 micro enterprise relief fund.
2. Relative to the support and promotion of New Hampshire's live performance industry by the council on the arts.

UNAPPROVED