HB 2-FN-A-LOCAL - AS AMENDED BY THE HOUSE

2023 SESSION

23-1064
10/05

HOUSE BILL 2-FN-A-LOCAL

AN ACT relative to state fees, funds, revenues, and expenditures.

SPONSORS: Rep. Weyler, Rock. 14

COMMITTEE: Finance

AMENDED ANALYSIS

This bill:

1. Names the divisions of the department of information technology.

2. Authorizes the department of information technology to fill unfunded positions for the biennium ending June 30, 2025.

3. Broadens the community college system of New Hampshire's dual and concurrent enrollment program and makes an appropriation therefor.

4. Makes an appropriation to the university system of New Hampshire for the renovation of the Whittemore Center Arena.

5. Authorizes the liquor commission to transfer funds for its employee incentive program.

6. Establishes new unclassified positions within the department of corrections.

7. Authorizes the department of administrative services to conduct a reallocation of certified corrections officers and internal affairs investigators within the department of corrections and makes an appropriation therefor.

8. Moves positions within the department of corrections from group I to group II status in the New Hampshire retirement system, and removes the position of professional standards director from the department of corrections.

9. Makes certain organizational changes to the office of the commissioner of the department of environmental services.
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10. Alters the hearings process within the department of environmental services, for the wetlands council, water council, and air resources council to be under the attorney general.

11. Removes the subsurface systems fund established in RSA 485-A:30, I-b and directs the revenues to the water resources fund.

12. Makes certain changes to, and continuously appropriates, the fees collected for excavating and dredging permits being deposited into the water resources fund.

13. Modifies the wastewater plant operator certification fund to be continuously appropriated.

14. Mandates that applications for aid to municipalities for water pollution control under RSA 486:7 be filed within one year of final completion of the eligible project and makes an appropriation to such program.

15. Clarifies the chargeable area for fees associated with terrain alteration disturbances.

16. Removes certain limitations to the Winnipesaukee River basin control program.

17. Establishes a new chapter regulating PCB assistance, a corresponding fund, and makes an appropriation therefor.

18. Establishes the InvestNH Program.

19. Makes an appropriation for the Affordable Housing Fund.


21. Creates the establishment of the bridges house special account.

22. Establishes a fund and appropriations for the New Hampshire state prison administered by the department of corrections.

23. Makes an appropriation for the department of corrections IT infrastructure.

24. Makes an appropriation for the department of administrative services to purchase 2 Granite Place, Concord, New Hampshire.

25. Makes an appropriation for the body-worn and dashboard camera fund.

26. Authorizes the Christa McAuliffe memorial.

27. Establishes a commission on New Hampshire civics.

28. Makes an appropriation for expanding the Teacher of the Year program.

29. Requires the board of tax and land appeals to have at least one member of board be an attorney admitted to practice in New Hampshire.

30. Adjusts the transition provisions for group II service retirement adopted in 2011 over a 10 year period until 2033, and makes general fund appropriations each year to fund the cost of the benefits.

31. Moves the repeal of the interest and dividends tax from 2027 to 2025.

32. Redirects workers’ compensation funds from the general fund to a department of labor restricted fund and makes changes to the employer insurance carrier reimbursement process.
33. Alters the nomination process to the labor commissioner penalty appeal board.

34. Authorizes the commissioner of labor to adopt administrative rules to facilitate administration and enforcement of family and medical leave insurance.

35. Alters the composition of the workers’ compensation appeal board.

36. Changes the term of office, the process to fill vacancies, and scope of authority of the department of transportation appeals board.

37. Creates an over-length, over-width, and over-height revolving fund credited to the department of transportation.

38. Authorizes highway surveillance for the security of the Little Bay Bridges in Dover and Newington.

39. Alters the definition of prime wetlands and adjacent buffers for state highway rights-of-way. and authorizes the commissioner of transportation to discontinue rights-of-way.

40. Authorizes the department of transportation to charge a credit card use convenience fee for aircraft operating fee transactions.

41. Clarifies the requirements for eligibility for the E-Z Pass transponder road toll discount.

42. Alters the process of the development of the statewide transportation improvement program plan.

43. Alters the process to claim assets which have escheated to the state.

44.Suspends revenue sharing with cities and towns for the biennium ending June 30, 2025.

45. Transfers certain responsibilities of the department of environmental services and the public utilities commission to the department of energy.

46. Directs the department of energy to support offshore wind initiatives.

47. Changes the dates required to submit reports to the department of energy.

48. Increases staff and expenditures at the department of energy.

49. Changes the dates of the quarters for quarterly assessments by the public utilities commission.

50. Enables the commissioner of the department of energy to appoint a general counsel.

51. Removes the statutory fee for record requests from the division of motor vehicles.

52. Allows certain emergency medical care providers to administer Naloxone.

53. Enables the engagement of peer support services following a critical incident or other certain experiences by emergency services providers.

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

55. Changes the distribution schedule from the education trust fund.
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57. Makes an appropriation to the department of education for the renovation of the Sugar River Valley Regional Technical Center in Newport.

58. Revises the formula for calculating adequate education grants and increases the amount of such funding.

59. Increases chartered public school funding.

60. Repeals the grade 3 statewide education improvement and assessment program data.

61. Provides that appropriations to state agencies for bond insurance and property and casualty insurance shall not be transferred or expended for any other purpose.

62. Provides that funds appropriated for state employee medical and surgical benefits shall be nonlapsing.

63. Clarifies administration of the salary adjustment fund and employee benefit adjustment account.

64. Changes the name of the department of administrative services state budget director to the state budget officer.

65. Provides the department of administrative services authority to bill agencies for planning and design costs associated with capital construction projects.

66. Makes an appropriation to the department of administrative services for technology upgrades.

67. Revises the duties and authority of the state commission on aging.

68. Establishes the salary schedule applicable to certain corrections officers.

69. Authorizes the department of administrative services to expend funds appropriated for additional parking for state employees in downtown Concord.

70. Establishes salaries and salary schedules for certain state officers and unclassified employees.

71. Increases the distribution of business profits and business enterprise tax revenues to the education trust fund.

72. Makes an appropriation to the department of health and human services for the Choose Love Program.

73. Allows the department of health and human services to fill unfunded positions.

74. Suspends the foster grandparents program.

75. Suspends the congregate housing and services program.

76. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program.
77.Suspends the provision of direct and indirect graduate medical education payments to hospitals.

78.Suspends catastrophic aid payments to hospitals.

79.Allows for additional funding for Medicaid to schools.

80.Requires submission of health facility plans to the division of fire safety.

81.Amends certain powers and responsibilities of the workplace violence prevention and health care workplace safety commission and suspends state participation in the workplace violence prevention and health care workplace safety commission for the biennium ending June 30, 2025.

82.Establishes unclassified positions in the department of health and human services.

83.Authorizes the carry forward of funds for certain services for the developmentally disabled.

84.Limitations on reimbursement of county funds.

85.Makes appropriations to the department of health and human services for programs and systems.

86.Makes appropriations to the department of health and human services for Medicaid provider rate increases.

87.Repeals the department of business and economic affairs programs for college graduate retention incentive partnership (NH GRIP), COVID-19 micro enterprise relief fund, and the package plan program.

88.Revises the workforce development program administration.

89.Provides for public comment at the semi-annual meetings of the agricultural advisory board.

90.Reclassifies and renames positions in the department of justice to unclassified.

91.Establishes a handling charge for the division of charitable trusts.

92.Makes certain changes to the administration of programs within the department of justice.

93.Provides for continued retirement system administration of certain benefit payments to existing beneficiaries.

94.Increases the business finance authority unified contingent credit limit.

95.Revises or removes the regulation by the office of professional licensure and certification (OPLC) of several of the state’s occupational regulatory boards and commissions.

96.Makes an appropriation to the New Hampshire retirement system to pay down the unfunded accrued liability.

97.Grants a supplemental allowance in 2023 to be paid by the retirement system to retired group II members’ or beneficiaries’ allowances. The cost of this supplemental allowance is paid from the state general fund.

98.Requires that the governor publicly post the budget trailer bill on the department of administrative services' website.
99. Requires that the department of administrative services provide reports to the general court on the current estimated general fund appropriation lapse for each fiscal year for the biennium ending June 30, 2025.

100. Modifies the state agency approval process for short term rentals of equipment for certain state trails, roads, bridges, and related maintenance and use of facilities.

101. Authorizes the governor to draw a warrant to supplement the department of revenue administration’s revenue information management system’s bond principal and interest payments.

102. Directs the department of agriculture, markets, and food to employ an electronic data processing system for all registrations under its purview and makes an appropriation therefor.

103. Prohibits the disposal of food waste into landfills under certain conditions, adds a new position of waste management specialist III to cover the new prohibited food waste disposal, and makes an appropriation for such position.

104. Changes the name of the PFAS loan fund to the PFAS response fund, and adds duties to the department of environmental services relative to investigating, testing, and monitoring for PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

105. Makes an appropriation to the solid waste management fund and targets food waste reduction and diversion.

106. Requires the liquor commission to submit a revised indirect cost allocation plan to the fiscal committee of the general court and the governor and council prior to closing a liquor store.

107. Establishes the land use review docket in the superior court and increases the amount of associate justices of the superior court to 22.

108. Modifies the department of military affairs and veterans services administration of certain fines and programs.

109. Directs the department of corrections to establish and administer an employee recruitment and retention program.

110. Allows the department of corrections to pay certain burial expenses of employees.

111. Makes an appropriation to the department of safety to develop and implement a system to electronically share an individual’s bail condition status with law enforcement.

112. Requires the state police to establish a contact person notification program to assist law enforcement personnel who have contact with a person with mental or physical disabilities and makes an appropriation therefor.

113. Adds a new position of academic research and improvement performance data analyst I to the department of education.

114. Makes an appropriation to the department of education for the National Student Clearinghouse Student Tracker Program.

115. Requires the department of education to seek participation in the Medicaid direct certification methodology for school meals program for free and reduced price meals for students in public kindergarten, elementary, and secondary schools.

116. Requires the community college system of New Hampshire to submit a report regarding the math learning communities program and makes an appropriation to support that program.
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117. Makes an appropriation to the community college system of New Hampshire for the implementation of the New Hampshire promise program.

118. Makes an appropriation to the community college system of New Hampshire to expand its workforce credential programs.

119. Modifies for the biennium the income eligibility for child care subsidies provided through programs administered by the department of health and human services.

120. Authorizes the commissioner of the department of health and human services to use TANF funds to avoid a wait list for employment-related child care services.

121. Requires the department of health and human services to set all child care services reimbursement rates for the biennium to match the 75th percentile of market rate survey.

122. Alters the duties and authority of the prescription drug affordability board, and mandates the department of insurance issue a report on the elimination of governmental redundancies related to the collection, analysis, and reporting on prescription drug prices between itself and the prescription drug affordability board by October 1, 2024.

123. Reestablishes and revises the membership and duties of the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program. The commission is repealed November 1, 2028; extends the New Hampshire granite advantage health care program by changing the prospective repeal of the program to December 31, 2027; removes the transfer of funds from the alcohol abuse prevention and treatment fund to the granite advantage health care trust fund; and reduces transfers from the liquor commission to the alcohol abuse prevention and treatment fund for fiscal year 2024.

124. Expands Medicaid to include certain postpartum health care services and makes an appropriation to the department of health and human services for this purpose.

125. Directs the department of health and human services to submit state plan amendments under Medicaid and CHIP to provide coverage to children and pregnant women lawfully residing in the United States, and makes an appropriation to the department of health and human services for this purpose.

126. Directs the department of health and human services to purchase a full body scanner from existing appropriations to the youth services center and authorizes the department to transfer funds among class lines within the Sununu youth services account.

127. Establishes a data privacy and information technology security governance board within the department of health and human services to oversee data privacy risk calculation and risk mitigation efforts, and makes an appropriation to the department for 2 classified employees to accomplish these objectives.

128. Makes an appropriation to the department of health and human services to fund the Merrimack, New Hampshire Kidney Incidence Phase 3 Feasibility Study.

129. Transfers funds from the general fund to the highway fund for the 2023 fiscal year.

130. Establishes the cyanobacteria mitigation loan and grant program and the cyanobacteria mitigation fund and makes an appropriation for the fund.

131. Adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid.
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132. Increases the eligibility for free school meals to household incomes up to 300 percent of federal poverty guidelines, and provides funding for the additional costs from department of education appropriations.

133. Requires the use of funds from the American Rescue Plan Act of 2021 to construct the youth detention center.

134. 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.

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

136. Changes the effective date for implementation of licensed historic horse racing in licensed facilities.

137. Requires a law enforcement agency to provide public notice of an immigration checkpoint.

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 relative to state fees, funds, revenues, and expenditures.

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

1 Department of Information Technology; Divisions Established. Amend RSA 21-R:5 to read as follows:

21-R:5 Divisions Established. The commissioner shall establish 4 divisions, business relationship management, user experience, infrastructure and operations, and user services, which shall be in alignment with the department's statewide strategic plan. Each division shall be under the supervision of a division director appointed pursuant to RSA 21-R:3.

2 Department of Information Technology; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of information technology may fill unfunded positions during the biennium ending June 30, 2025, provided that the total expenditure for such positions shall not exceed the amount appropriated for personnel services.

3 Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:26 to read as follows:

188-E:26 Program Established. There is established a dual and concurrent enrollment program in CCSNH. Participation in the program shall be offered to high school and career technical education center students in grades 10 through 12. The program shall provide opportunities for qualified New Hampshire high school students to gain access and support for dual and concurrent enrollment [in career and technical education courses, STEM (science, technology, engineering, and mathematics), and STEM related] courses that are fundamental and necessary for success in postsecondary education, career path opportunities, and to meet New Hampshire's emerging workforce needs.

4 Regional Career and Technical Education; Dual and Concurrent Enrollment Program. Amend RSA 188-E:27, II to read as follows:

II. A student in the program shall be provided funding for enrollment in no more than [2] 5 dual or concurrent enrollment courses taken in grade 10, no more than [2] 5 dual or concurrent enrollment courses taken in grade 11, and no more than [2] 5 dual or concurrent enrollment courses taken in grade 12. A student may take more than [2] 5 dual or concurrent enrollment courses per year at his or her own expense.

5 Dual and Concurrent Enrollment Program; Appropriation. The sums of $3,250,000 for the fiscal year ending June 30, 2024, and $3,250,000 for the fiscal year ending June 30, 2025, are hereby appropriated to community college system of New Hampshire for the purpose of providing scholarships and program support for the dual and concurrent enrollment program under RSA 188-
E:26. This appropriation shall be in addition to any other funds appropriated to the community college system of New Hampshire. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated. Said appropriation shall not lapse.

6 Appropriation; University System of New Hampshire; Blockchain. There is hereby appropriated to the University of New Hampshire’s Interoperability Lab the sum of $1,500,000 for the fiscal year ending June 30, 2023 which shall be nonlapping and shall be expended for the purpose of establishing a program at the University of New Hampshire Interoperability lab to analyze the interoperability of blockchain technology. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

7 Effective Date. Section 6 of this act shall take effect June 30, 2023.

8 Appropriation; University System of New Hampshire; Whittemore Center Arena. There is hereby appropriated to the University of New Hampshire the sum of $6,000,000 for the fiscal year ending June 30, 2023 which shall be nonlapping and shall be expended for the purpose of renovating and expanding the Whittemore Center Arena. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

9 Effective Date. Section 8 of this act shall take effect June 30, 2023.

10 New Paragraph; The Liquor Commission; Funds; Authority for Employee Incentive Program. Amend RSA 176:16 by inserting after paragraph V the following new paragraph:

VI. The commission is authorized to transfer funds for its employee incentive program from the liquor commission fund to such accounts as required to compensate qualifying employees as provided in the liquor commission rules, Liq 800.

11 Department of Corrections; Transfer Authority. The following classes within the department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a and 9:17-c; classes: 10-personal services-perm classified, 11-personal services unclassified, 12-personal services unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed, and 60-benefits. The department is authorized to transfer funding in these classes within and amongst all accounting units provided that any transfer of $100,000 or more shall require prior approval of the fiscal committee of the general court and governor and council. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

12 Department of Corrections; Unclassified Positions Established.

I. The unclassified positions of deputy director of health services, deputy director of rehabilitative services, and deputy warden are hereby established in the department of corrections and shall be qualified for that position by reason of education and experience and shall be appointed by the commissioner of the department of corrections and who shall serve at the pleasure of the commissioner. The positions shall be as follows:

(a) The deputy director of health services shall oversee the uniform integration of allied healthcare, dental services, health information management and contractual healthcare services into
the comprehensive medical and behavioral health system operated by the department of corrections as well as ensuring adherence of licensed clinical staff to their respective practice laws, rules, standards, and policies. In addition, the deputy director of health services will oversee the departments business agreements to ensure compliance with the health insurance portability and accountability act and its application within a correctional environment. This position shall also establish an organizational reporting structure to ensure that all licensed clinical staff receive adequate and appropriate supervision. Direct reports shall include the facility classified and contracted health administrators and all allied healthcare and health information management staff.

(b) The deputy director of rehabilitative services shall oversee the uniform integration of institutional rehabilitative programs, reentry services, faith-based services, educational and vocational offerings and family-based services operated by the department of corrections at all locations for those incarcerated, as well as ensuring adherence of certified professionals to their respective standards, rules and policies. In addition, this position will oversee and ensure compliance with applicable grants and contractual agreements with external partners and seek further resources to integrate into the correctional setting to improve programmatic resources for the incarcerated population. The deputy director of rehabilitative services will also establish an organizational reporting structure to ensure all staff, including certified educational professionals receive adequate and appropriate supervision. Direct reports shall include but not limited to the facilities classified administrators of program services, the education director, and institutional program management staff.

(c) The deputy warden of the New Hampshire state prison for men will work in close and immediate contact with prisoners on a daily basis, having responsibility for security. This position will administer and direct facility objectives by assessing needs and operational effectiveness, establishes controls, and monitors key performance measures and other quality improvement protocols related to the identified organizational goals of the department and the New Hampshire state prison for men. This position will assist the warden in management of the New Hampshire state prison for men and its security force. This position will conduct post-incident reviews to determine the scope of actions taken and whether those actions comply with applicable state law, administrative rules, policies and procedures, training, and proper use of force. This position will meet with those incarcerated and staff as necessary to determine the validity of requests and report outcomes and areas of improvement to the warden. This position will oversee supervision of prison security operations, bureau of classifications and client records, hobby craft/recreation staff, and related program activities, and will work with the warden on facility budget planning and development as it relates to equipment and operational costs. This position maintains its group II law enforcement classification in the retirement system due to its being in close and immediate contact with those incarcerated on a daily basis.
II. The commissioner shall appoint a person to each position established pursuant to
paragraph. Any vacancy shall be filled in the same manner as the original appointment.

III. The salary of these positions shall be determined after assessment and review of the
appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the positions which shall be
conducted pursuant to RSA 94:1-d and RSA 14:14-c.

IV. Upon completion of the appointment of the positions identified in paragraph I, the
following positions shall be abolished to allow for the transition of these classified positions with
their available appropriations into the unclassified positions. Funding shall be transferred into
expenditure class 011, within accounting unit 02-46-46-465010-8234, 02-46-46-469010-8232 and 02:-
46-46-463510-3372. The incumbents in the abolished classified positions shall be offered the
opportunity to seek the commissioner’s appointment of the unclassified positions:

(a) Administrator IV (Deputy Director of Health Services) #12849.
(b) Administrator IV (Deputy Director of Rehabilitative Services) #19953.
(c) Administrator IV (Deputy Warden) #16320.

Department of Corrections; Authorization to Transfer to Group II of the New Hampshire
Retirement System. Pursuant to the provision of RSA 100-A:3, IX, the following positions in the
department of corrections classified as group I positions are deemed to have met the requirement of
RSA 100-A:1, VII(b) and shall be transferred to group II status in the New Hampshire retirement
system:

I. Licensed Nursing Assistant III, #44273.

II. Licensed Nursing Assistant I, #44291.

III. Administrator -Secure Psychiatric Unit, #16849.

Department of Corrections; Qualifications and Compensation of Certain Officials. Amend
RSA 21-H:7 to read as follows:

21-H:7 Qualifications and Compensation of Certain Officials.

I. The commissioner, assistant commissioner, [professional standards director] director of
personnel and information, director of rehabilitative services, and the division directors of the
department shall be qualified to hold such positions by reason of education and experience.

II. The salaries of the commissioner, assistant commissioner, [professional standards
director] director of personnel and information, director of rehabilitative services, and the division
directors of the department shall be as specified in RSA 94:1-a.

15 Department of Corrections; Position Reallocation; Appropriation.

I. The department of administrative services is hereby authorized to conduct a reallocation
of all the certified corrections officer and internal affairs investigators from the rank of corrections
officer trainee through the rank of major at the NH department of corrections. The department of
administrative services shall conduct an assessment review of the reallocation request pursuant to
personnel rule Per 303.
II. The governor is authorized to draw a warrant for said sums in this section out of any money in the treasury not otherwise appropriated to fund the outcome of the reallocation. Such funds shall not lapse until June 30, 2025.

16 Department of Environmental Services; Commissioner; Assistant Commissioner; Directors; Chief Operations Officer; Compensation. Amend RSA 21-O:2, III-a and IV to read as follows:

III-a. The commissioner shall nominate for appointment by the governor and council a chief operations officer of the commissioner's office who shall serve for a term of 4 years. The chief operations officer shall oversee and coordinate the activities of the administrative services unit, geology, public information and permitting, and laboratory services units, and shall be responsible for the following functions:

(a) Preparing agency budget requests.
(b) Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office.
(c) Ensuring compliance with directives and procedures by the governor and general court.
(d) Implementing audit recommendations concerning the commissioner's office units.
(e) Carrying out the directives of the commissioner and assistant commissioner.

IV. The commissioner, or assistant commissioner, as designated by the commissioner, shall be responsible for the following functions:

(a) Developing and implementing procedures for assuring smooth operation of the various units within the commissioner's office;
(b) Ensuring compliance with directives and procedures by the governor and general court; and
(c) Implementing audit recommendations concerning the commissioner's office units.

V. The salaries of the commissioner, the assistant commissioner, the chief operations officer and each division director shall be as specified in RSA 94:1-a.

17 Department of Environmental Services; Office of the Commissioner. Amend RSA 21-O:12 to read as follows:

21-O:12 Office of the Commissioner. The commissioner of environmental services shall establish units within the office to be responsible for: administrative services, geological survey, human resources, planning, public information and permitting, risk analysis and management, and laboratory services legal, which shall include the following functions and such other functions as may be assigned by the commissioner:

I. Administrative services shall include the following services to all divisions, to the greatest extent possible:

(a) Accounting, purchasing, and budget control.
(b) Personnel management.
(c) Property, contracts, and grants management.
(d) Data processing.
(e) Compiling, indexing, and managing data collected by all divisions, which shall be used to establish a departmental data base for use by all divisions of the department, and which shall be a public record.

II. Geology shall be under the direction of the state geologist, who shall be the director of the New Hampshire geological survey. The geological survey shall collect data and perform research on the land, mineral, and water resources of the state, and disseminate the findings of such research to the public through maps, reports, and other publications. The state geologist shall: consult with the commissioner of the department of natural and cultural resources relative to the issuance of mining permits under RSA 12-E; assist the directors of the divisions of water and waste management as necessary; and perform such other duties as may be assigned by the commissioner. The state geologist and all members of the New Hampshire geological survey shall be staff members of the commissioner's office. The state geologist shall advise the department, and all other branches of state and local government, concerning the geologic character of the state and its implications for both economic and scientific needs in conjunction with all existing and future environmental factors relating to the geology of the state. The state geologist shall maintain liaison with federal and other state geologic agencies and with the state university. The state geologist shall also serve as a voting member of the board of professional geologists.

III. Planning shall be under the direct supervision of the assistant commissioner and shall include all department-level short and long-range planning activities and the coordination and compilation of all division-level planning activities.

IV. Public information and permitting shall assist members of the general public, whenever possible by directing them to the appropriate person within the relevant division of the department; and generally providing members of the general public with all of the information necessary for meeting permit requirements.

V. The risk analysis and management function shall be the direct responsibility of the assistant commissioner, in accordance with RSA 125-H:7. The commissioner may call on any personnel from any division or any other state department to assist the assistant commissioner in the event of a crisis, disaster, or other occurrence or condition requiring analysis and management of an actual or suspected risk of damage to the environment. The unit, once assembled by the commissioner in the event of a crisis, disaster, occurrence, or condition, shall work closely with the risk assessment bureau in the department of health and human services under the direction of the assistant commissioner to:
(a) Make assessments of potential or actual risk of harm to the environment or, in cooperation with the risk assessment bureau of the department of health and human services, to persons.

(b) Manage environmental risk hazards using the results of the assessment described above or any other available information to develop and evaluate regulatory options, within a statutory framework, to reduce or eliminate the risk of harm to the environment.

[VI. Laboratory services shall include such expert assistants and such facilities as are necessary to support the investigatory, analytical, and enforcement functions of the department of environmental services. The commissioner shall provide the commissioner of the department of health and human services with direct access to all raw data, test results, and other information and samples received or generated by the laboratories in the department deemed necessary by the commissioner of the department of health and human services in order to carry out his or her responsibilities to protect the public health.]

18 Department of Justice; Attorney General; Deputy; Associates; Assistants. Amend RSA 21-M:3, VIII-IX to read as follows:

VIII. The attorney general shall appoint qualified applicants to serve as a hearing officer for appeals to any of the councils established under RSA 21-O. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to transfer funds sufficient to fund the hearing officer position, clerical and support personnel and services, and related expenses. Such individual or individuals shall:

(a) Be qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts; and

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department.

VIII-a. Upon request by the commissioner of the department of environmental services, the attorney general shall appoint qualified applicants to serve as a hearing officer for all administrative enforcement matters authorized under any provision of law including, but not limited to, administrative fines and license actions. The attorney general and the commissioner of the department of environmental services may enter into a memorandum of understanding to fund the hearing officer position, clerical and support personnel and services, and related expenses. Such individual or individuals shall:

(a) Be qualified by education and experience in the conduct of administrative adjudicative hearings and the application of law to facts;

(b) Be fully screened by the attorney general from the outset of any such appeal from any attorney representing the department;

(c) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences; and
(d) Provide the commissioner with a proposed written decision on the merits within 45 days of the conclusion of the final hearing.

IX. When designated as the hearing officer for a particular appeal to any of the councils established under RSA 21-0, the hearing officer shall:

(a) Regulate all procedural aspects of a proceeding, including presiding over the hearing and any prehearing conferences;

(b) Subject to RSA 21-O:14, at the first prehearing conference order the parties and any persons who have been allowed to intervene to participate in mediation if the hearing officer concludes that it is reasonably possible that mediation will result in the resolution of the issues in dispute in the proceeding. No order to mediate shall stay the appeal proceeding;

(c) [Adopt all findings of fact made by the council except to the extent any such finding is without evidentiary support in the record;

(d) Deliberate with] Receive advice from an advisory quorum of the council [before reaching conclusions on mixed questions of law and fact] as described in RSA 21-O:14;

[(e)] (d) Decide all issues in the appeal including all questions of fact and law presented during the pendency of the appeal; and

[(f)] (e) Prepare and issue written decisions on all motions and on the merits of the appeal within 100 days of the conclusion of the hearing on the merits. [The hearing officer shall provide the council with a proposed written decision on the merits within 45 days of the conclusion of the hearing on the merits. If requested to do so by the members of the council participating in the discussion, the hearing officer shall meet with those members within the 100 day period to discuss the decision.]

19 Department of Environmental Services; Duties of Commissioner. Amend RSA 21-O:3, VIII-X to read as follows:

VIII. Provide all necessary clerical and technical support to any council established by this chapter. At a minimum, the commissioner shall:

(a) [For any appeal from a department decision before any such council provide all necessary clerical and support personnel and services in order to:

(1) Prepare notices and other documents required under RSA 541-A and distribute such notices and documents as directed by the hearing officer appointed under RSA 21-M:3, VIII;

(2) Schedule the conduct of all council administrative appeal proceedings, as directed by the hearing officer appointed under RSA 21-M:3, VIII so as to ensure timely and efficient conduct of such proceedings;

(3) Prepare and maintain the record, required by RSA 541-A, of all such appeals, which shall include the decisions issued in such proceedings.]

(b) Provide comfortable and adequate space for the use of all councils in performing their official duties; and
 Provide all necessary clerical and support personnel and services in order to:

(1) Prepare and distribute notices and other documents required under RSA 91-A for council meetings; and

(2) Prepare and maintain as public records the official minutes of the meetings of all councils supported by the department.

VIII-a. Have the authority to enter into a memorandum of understanding with the attorney general pursuant to RSA 21-M:3, VIII and VIII-a, to fund the hearing officer position, clerical and support personnel and services, and related expenses.

IX. [Repealed.]

X. [Repealed.]

20 Department of Environmental Services; Wetlands Council. Amend RSA 21-O:5-a, V-VII to read as follows:

V. A quorum of at least 3 members of the wetlands council shall [hear all] serve in an advisory role to the hearing officer assigned pursuant to RSA 21-M:3, VIII, at any hearing for administrative appeals from department decisions made under RSA 482-A relative to wetlands, or under RSA 483-B relative to shoreland protection [and shall decide all disputed issues of fact in such appeals] in accordance with RSA 21-O:14. Such a quorum shall be appointed by the chairperson; however, any member of the wetlands council not appointed to the quorum may voluntarily attend any hearing and participate to the same degree as a member appointed by the chairperson.

VI. The commissioner of the department of environmental services shall present all proposed rules relative to wetlands and protected shorelands to the wetlands council for consideration prior to filing a notice of proposed rule under RSA 541-A:6. The council shall present any objections to proposed rules to the commissioner in writing within 15 days. The commissioner may adopt a rule to which the council has objected only after presenting a written reply to the council detailing the reasons for adopting the rule over the objections of the council.

VII. [The council shall adopt rules in accordance with the rulemaking provisions of RSA 541-A to govern its proceedings.] During an appeal, the council shall be subject to the requirements of RSA 541-A:36[. notwithstanding RSA 21-O:14].

21 Department of Environmental Services; Water Council. Amend RSA 21-O:7, IV to read as follows:

IV. A quorum of at least 3 members of the water council shall [hear all] serve in an advisory role to the hearing officer assigned pursuant to RSA 21-M:3, VIII, at any hearing for administrative appeals from department decisions relative to the functions and responsibilities of the division of water other than department decisions made under RSA 482-A relative to wetlands and RSA 483-B relative to shoreland protection[, and shall decide all disputed issues of fact in such appeals] in accordance with RSA 21-O:14. Such quorum shall be appointed by the
chairperson; however, any member of the water council not appointed to the quorum may voluntarily attend any hearing and participate to the same degree as a member appointed by the chairperson.

22 Department of Environmental Services; Waste Management Council. Amend RSA 21-O:9, V to read as follows:

V. A quorum of at least 3 members of the waste management council shall [hear all] serve in an advisory role to the hearing officer assigned pursuant to RSA 21-M:3, VIII, at any hearing for administrative appeals from department decisions relative to the functions and responsibilities of the division of waste management[,] and shall decide all disputed issues of fact in such appeals[,] in accordance with RSA 21-O:14. Such quorum shall be appointed by the chairperson; however, any member of the waste management council not appointed to the quorum may voluntarily attend any hearing and participate to the same degree as a member appointed by the chairperson.

23 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, IV to read as follows:

IV. A quorum of at least 3 members of the air resources council shall [hear all] serve in an advisory role to the hearing officer assigned pursuant to RSA 21-M:3, VIII, at any hearing for administrative appeals from department decisions relative to the functions and responsibilities of the division of air resources[,] and shall decide all disputed issues of fact in such appeals[,] in accordance with RSA 21-O:14. Such quorum shall be appointed by the chairperson; however, any member of the air resources council not appointed to the quorum may voluntarily attend any hearing and participate to the same degree as a member appointed by the chairperson.

24 Department of Environmental Services; Administrative Appeals. Amend RSA 21-O:14, I-a and I-b to read as follows:

I-a. (a) Any person aggrieved by a department decision may, in addition to any other remedy provided by law, appeal such decision by submitting a notice of appeal to the council having advisory jurisdiction over the subject matter of the appeal within 30 days of the date of the decision and shall set forth fully in a notice of appeal every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. The appeal shall be heard by a hearing officer designated pursuant to RSA 21-M:3, VIII, with the advice of a quorum of the council. Only those grounds set forth in the notice of appeal shall be considered by the hearing officer and the quorum of the council. On any such appeal, the council hearing officer shall determine whether the department decision was unlawful or unreasonable by reviewing the administrative record together with any evidence and testimony the parties to the appeal may present.

(b) On appeal, the council hearing officer may affirm the department decision or may remand the matter to the commissioner with a determination that the decision complained of is
unlawful or unreasonable. The council hearing officer shall specify the factual and legal basis for its determination and shall identify the evidence in the record created before the council that supports its decision.

(c) In the case of a remand to the commissioner by the council, the commissioner shall:

(1) Accept the council’s hearing officer’s determination and take action consistent with the determination, imposing such conditions as are necessary and consistent with the purposes of the chapter under which the department decision was issued; or

(2) Appeal as provided in paragraph III.

(d) If the commissioner issues a revised decision, the department may at any time, and the appellant may within 30 days of issuance, request the council to confirm that the revised decision is consistent with the council’s remand order.

I-b. As an alternative to filing an appeal under paragraph I-a and in addition to any other remedy provided by law, any person aggrieved by a department permitting decision may, within 30 days of the date of the decision, file with the council having jurisdiction over the subject matter of the appeal a preliminary notice of appeal and an offer to enter into settlement discussions. Filings made under this paragraph shall be made on forms maintained by the department and shall be governed by the following:

(a) Notwithstanding any other provision of law prescribing the contents of a notice of appeal, a preliminary notice of appeal shall contain only information identifying the appellant, the decision being appealed, and a list of every ground on which the appellant claims that the decision is unlawful or unreasonable.

(b) The preliminary notice of appeal and offer to enter into settlement discussions shall be served on the commissioner and, if not filed by the applicant, on the applicant on the same day as they are filed with the council.

(c) The offer to enter into settlement discussions shall propose mediated settlement discussions, unmediated settlement discussions, or both.

(d) The department and, if applicable, the applicant shall notify the appellant in writing within 7 days whether they accept the offer to enter into settlement discussions. Any such notification accepting the offer shall propose dates within the ensuing 30 days on which to hold the settlement discussions, and if the appellant’s offer proposed both mediated and unmediated settlement discussions the notification shall elect one or the other.

(e) A notice of appeal that complies fully with the council’s procedural rules established pursuant to RSA 21-O:14, IV, shall be filed no later than 45 days after the preliminary notice of appeal was filed by the appellant under this paragraph. No notice of appeal shall raise grounds for appeal beyond those contained in the preliminary notice of appeal.
(f) If the department and, if applicable, the applicant accept the offer to enter into settlement discussions the appeal shall be stayed until a notice of appeal is filed under subparagraph (e).

(g) If the parties enter into mediated settlement discussions under this paragraph, the provisions of paragraph I-c(a), (b), and (d) shall apply.

25 Department of Environmental Services; Administrative Appeals. Amend RSA 21-O:14, III and IV to read as follows:

III. Any party aggrieved by the disposition of an administrative appeal [before any council established by] under this chapter may appeal such results in accordance with RSA 541.

IV. The attorney general shall adopt procedural rules under RSA 541-A to govern the conduct of administrative appeals under this section. [To the extent possible, the rules of the councils shall be consistent with each other.]

26 Water Management and Protection; Water Pollution and Waste Disposal; Sewage Disposal Systems; Fees. Amend RSA 485-A:30, I-b to read as follows:

I-b. [There is hereby established the subsurface systems fund into which] The fees collected under paragraph I shall be deposited in the water resources fund established in RSA 482-A:3, III [The fund shall be a separate, nonlapsing fund, continually appropriated to the department] for the purpose of paying all costs and salaries associated with the subsurface systems program and other land resources management programs.

27 Repeal. RSA 6:12, I(b)(281), relative to the subsurface systems fund, is repealed.

28 Water Management and Protection; Fill and Dredge in Wetlands; Excavating and Dredging Permit; Certain Exemptions. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), XII(c), and X are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to wetlands under RSA 482-A, protected shorelands under RSA 483-B, alteration of terrain under RSA 485-A:17, conducting field investigations, individual sewage disposal systems and subdivisions under RSA 485-A:30, and holding public hearings. Such fees and any monetary grants, gifts, donations, or interest generated by these funds shall be deposited with and held by the treasurer in a nonlapsing and continuously appropriated fund identified as the water resources fund.

29 Water Management and Protection; Water Pollution and Waste Disposal; Wastewater Operator Certification; Application; Special Fund. Amend RSA 485-A:7-a, II to read as follows:

II. All applications shall be accompanied by a $50 fee to cover department expenses for conducting the certification program. All fees shall be deposited [with the state treasurer and deposited] in a special nonlapsing and continuously appropriated wastewater plant operator
certification fund to be used by the department for the administration of this subdivision and for the
operation of the department-owned Wastewater Plant Operator Training Center.

30 Water Management and Protection; Aid to Municipalities for Water Pollution Control;
Application for Funding. Amend RSA 486:7 to read as follows:

486:7 Application for Funding. Application for payments under the provisions of this chapter
shall be made in accordance with rules adopted by the department under RSA 541-A, and shall be
based upon reports filed with the department prior to January 31 in the calendar year for which
payment is being requested. Final applications must be received within one year of final
completion of project to be eligible for funding.

31 Appropriation; Department of Environmental Services; Municipal Water Pollution Control.
There is hereby appropriated to the department of environmental services the sum of $27,900,000
for the fiscal year ending June 30, 2023 for the purpose of administering payments pursuant to RSA
486:1 - RSA 486:8. The sum appropriated shall be nonlapsing for the biennium concluding June 30,
2025. The governor is authorized to draw a warrant for said sum out of any money in the treasury
not otherwise appropriated.

32 Effective Date. Section 31 of this act shall take effect June 30, 2023.

33 Water Management and Protection; Water Pollution and Waste Disposal; Enforcement;
Terrain Alteration. Amend RSA 485-A:17, II(b) to read as follows:

(b) The department shall charge a non-refundable fee of $500 plus a $.10 per square foot
of disturbance associated with the amendment request fee for each request to amend a permit
that requires plans to be reviewed.

34 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee
River Basin Control; Expenditures. Amend RSA 485-A:49, II to read as follows:

II. To provide funds for the municipal share of the costs involved pursuant to this
subdivision, the state treasurer is authorized to borrow upon the credit of the state not exceeding the
sum of $3,000,000 $30,000,000 and for said purposes may issue bonds and notes in the name and
on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

35 Water Management and Protection; Water Pollution and Waste Disposal; Winnipesaukee
River Basin Control; Municipal Assessments. Amend RSA 485-A:50, III to read as follows:

III. The respective share of the assessments made in paragraphs I and II shall be paid to the
department by each municipality quarterly [on July fifteenth, October fifteenth, January fifteenth,
and April fifteenth of that fiscal year], except for capital cost recovery assessments which shall be
paid annually [on July fifteenth]. After the close of each fiscal year, the department shall ascertain
its actual total expenses in accordance with the foregoing provisions, and then shall adjust the
assessment for the second quarterly payment of the new fiscal year for each such municipality
served for any under-payment or over-payment by each such municipality served for the prior fiscal
year.
36 New Chapter; PCB Assistance. Amend RSA by inserting after chapter 483-E the following new chapter:

CHAPTER 483-F

PCB ASSISTANCE

483-F:1 Purpose Statement. The general court recognizes that polychlorinated bi-phenyl (PCB) contamination is widespread in New Hampshire and impacts both land and water. As a result of PCB laden products used both as intended and inappropriately dumped from 1929-1977, over 100 waterways have become impaired for fish consumption. In addition, waterfowl have been found to have high levels of PCBs in their blood and in their eggs. The general court hereby declares that the purpose of this chapter is to better understand the impact of PCBs on aquatic life and to ameliorate those impacts to the greatest extent possible.

483-F:2 Definitions. In this chapter:
I. "Department" means the department of environmental services.
II. "Fund" means the PCB assistance fund established in this chapter.

483-F:3 PCB Assistance Fund.
I. There is hereby established in the department the PCB assistance fund which shall be maintained in distinct and separate custody from all other funds, notwithstanding RSA 6:12. All moneys in the fund shall be nonlapsing and continually appropriated to the department of environmental services for the purposes of this chapter.

II. The commissioner may apply for and accept, from any source, gifts; donations of money; grants; federal, local, private, and other matching funds and incentives; and interests in land for the purposes of this chapter. The moneys collected under this paragraph shall be deposited in the fund established under paragraph I of this section.

III. The commissioner shall adopt rules relative to the distribution of money from the fund, taking into consideration ability to pay, natural disaster conditions and locations, requirements for repair, replacement and treatment, and other factors as determined by the department.

37 Appropriation; Department of Environmental Services; PCB Contamination. The sum of $1,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the commissioner of the department of environmental services for the purpose of assisting to fund studies, investigations and remediation of PCB contamination. Such funds shall be nonlapsing to the commissioner of the department of environmental services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

38 Effective Date. Section 37 of this act shall take effect June 30, 2023.

39 New Subdivision; InvestNH Program. Amend RSA 12-O by inserting the following new subdivision after section 68:

InvestNH Fund and Program
12-O:69 Fund established. There is hereby established in the office of the state treasurer a fund to be known as the InvestNH fund. The fund shall be composed of appropriations, gifts, grants, donations, bequests, or other moneys from any public or private source. The fund may be expended by the commissioner to accomplish the purposes of RSA 12-O:70. The moneys in this fund shall be non-lapsing.

12-O:70 InvestNH Program. The department shall establish a program to make grants for the purpose of accelerating the approval and construction of workforce housing, as defined in RSA 674:58, IV, and other types of housing determined by the department to be important for the economic development of the state. Grants may be made by the department to municipalities. The program shall be known as the InvestNH program. The department shall adopt rules pursuant to RSA 541-A to implement the provisions of this subdivision no later than July 1, 2024.

40 New Subparagraph; Application of Receipts; InvestNH Program. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the InvestNH fund as established in RSA 12-O:69.

41 Appropriation; InvestNH. The sum of $15,000,000 for the for the fiscal year ending June 30, 2023 is hereby appropriated to the InvestNH fund established in RSA 12-O:69 for the purposes set forth in RSA 12-O:70. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

42 Effective Date. Section 41 of this act shall take effect June 30, 2023.

43 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.

44 Effective Date. Section 43 of this act shall take effect June 30, 2023.

45 Repeals; Advanced Manufacturing Education. The following are repealed:

I. RSA 188-E:21, relative to the advanced manufacturing education advisory council.

II. RSA 188-E:22, relative to the advanced manufacturing education advisory council membership and terms.

III. RSA 188-E:23, relative to the advanced manufacturing education advisory council duties.

IV. RSA 188-E:23-a, relative to the advanced manufacturing education fund.

46 New Subdivision; Bridges House Special Account. Amend RSA 4:9 by inserting after section 4:9-r the following new subdivision:

Bridges House Special Account
4:9-s Establishing the Bridges House Special Account Fund. There is hereby established in the
state treasury the Bridges house special account fund. The funds may be comprised of public funds,
gifts, grants or donations or any other source of funds, and shall be used for the purposes of the care,
maintenance, and repair of, and additions to, the Bridges house, or for any other relevant purpose
deemed appropriate by the bridges house advisory board. The fund shall be non-lapsing and shall be
continually appropriated to the department.

47 New Subparagraph; Application of Receipts; Bridges House Special Account. Amend RSA
6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the bridges house special account fund under RSA 4:9-s.

48 New Section; Department of Corrections; New Hampshire State Prison Fund Established.
Amend RSA 21-H by inserting after section 16 the following new section:

21-H:17 Department of Corrections; New Hampshire State Prison Fund Established. There is
hereby established in the state treasury a state prison fund, which shall be a fund administered by
the department of corrections. The fund shall not lapse. The fund is established for the purpose of
design and construction of a new New Hampshire state prison.

Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the New Hampshire state prison fund under RSA 21-
H:17.

50 Appropriation; Department of Corrections; New Hampshire State Prison; 2023. There is
hereby appropriated to the department of corrections the sum of $10,000,000 for the fiscal year
ending June 30, 2023 for deposit in the state prison fund under RSA 21-H:17, for the purpose of
preliminary design and complete site survey for a new state prison. The sum appropriated shall not
lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury
not otherwise appropriated.

51 Effective Date. Sections 48-50 of this act shall take effect June 30, 2023.

52 Appropriation; Department of Corrections; IT Infrastructure. There is hereby appropriated
to the department of corrections the sum of $1,340,000 for the fiscal year ending June 30, 2023
which shall be nonlaping until June 30, 2025 for the purpose of replacing certain computers and
information technology infrastructure. The sum appropriated shall not lapse. The governor is
authorized to draw a warrant for said sum out of money in the treasury not otherwise appropriated.

53 Effective Date. Section 52 of this act shall take effect on June 30, 2023.

54 Appropriation; Department of Administrative Services. There is hereby appropriated to the
department of administrative services the sum of $21,000,000 for the fiscal year ending June 30,
2023 for the purpose of purchasing 2 Granite Place, Concord, New Hampshire in order to provide
office space for the department of justice and other state agencies, or for any other purpose the
commissioner of the department of administrative services determines is necessary, provided that
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any unexpected amount following the purchase shall lapse to the general fund. The sum
appropriated shall not lapse. The governor is authorized to draw a warrant for said sum out of
money in the treasury not otherwise appropriated.

55 Effective Date. Section 54 of this act shall take effect on June 30, 2023.

56 Appropriation; Body-Worn and Dashboard Camera Fund. There is hereby appropriated to
the department of Safety for deposit in the body-worn and dashboard camera fund established in
RSA 105-D:3 the sum of $1,005,000 for the fiscal year ending June 30, 2023. The sum appropriated
shall not lapse. The governor is authorized to draw a warrant for said sum out of money in the
treasury not otherwise appropriated.

57 Effective Date. Section 56 of this act shall take effect on June 30, 2023.

58 Department of Natural and Cultural Resources; Christa McAuliffe Memorial.

I. The department of natural and cultural resources shall design, construct, and maintain a
permanent memorial to Christa McAuliffe on state house grounds, specifically, at the front facing
area of the state house.

II. The governor is authorized to accept for the department of natural and cultural
resources, in the name of the state, any gifts of money, which are donated to construct and maintain
the Christa McAuliffe memorial. Notwithstanding any other provision of law, the department may
accept donated in-kind services, goods, and materials for the construction and maintenance of the
memorial without governor and council approval.

III. Any gifts of money, which are donated to contract, construct, and maintain the
memorial, shall be placed in the special nonlapsing account in the state treasury, to be expended for
the purposes of the Christa McAuliffe memorial. Any money remaining in the special account after
construction of the memorial is completed shall be used for the care, maintenance, repair, and
additions to the memorial, or for any other purpose deemed appropriate.

IV. The memorial shall be permanently affixed to state house grounds, on the front facing
portion of the state house, upon completion.

59 Appropriation; Christa McAuliffe Memorial. There is hereby appropriated to the department
of natural and cultural resources which shall be placed in a special nonlapsing account in the state
treasury, the sum of $1,005,000 for the fiscal year ending June 30, 2023 for the purpose of designing,
constructing, and maintaining a permanent memorial to Christa McAuliffe on state house grounds,
specifically the front facing area of the state house. The sum appropriated shall not lapse. The
governor is authorized to draw a warrant for said sum out of any money in the treasury not
otherwise appropriated.

60 Effective Date. Sections 58 and 59 of this act shall take effect June 30, 2023.

61 New Section; Department of Education; The Commission on New Hampshire Civics;
Commission Established. Amend RSA 21-N by inserting after section 8-b the following new section:
Commission Established; Department of Education; New Hampshire Schools Civics Program. The commission on New Hampshire civics is hereby established to develop educational materials to teach the state constitution in New Hampshire schools.

I. Notwithstanding RSA 14:49, the members of the commission shall be as follows:

(a) Three public members appointed by the governor, of which at least one shall be a parent of a student in a qualified New Hampshire education program.

(b) The chair of NH Civics, or designee.

(c) The chief justice of the New Hampshire supreme court, or designee.

(d) The secretary of state, or designee.

(e) The chief administrative judge of the New Hampshire superior court, or designee.

(f) The chief administrative judge of the New Hampshire circuit court or designee.

(g) The commissioner of the department of education, or designee.

(h) Two New Hampshire civics teachers appointed by the commissioner of education.

(i) The executive director of the New Hampshire historical society, or designee.

(j) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(k) One member of the senate, appointed by the president of the senate.

(l) One member of the governor’s office, appointed by the governor.

II. The commission shall create a textbook and related curriculum specifically designed for New Hampshire students and teachers to help them explore the history, heritage and principles of the New Hampshire Constitution and the government it established.

(a) A paper copy of the published textbook shall be available for each New Hampshire civics classroom and an interactive electronic version shall be made available on the department of education’s website or in another form to all New Hampshire citizens at no charge.

(b) The commission shall meet as often as the chair determines and shall publish the book on or before August 1, 2025.

III. The members of the commission shall elect a chairperson among the members. The first meeting of the commission shall be called by the first-named governor appointee. The first meeting of the commission shall be held within 30 days of the effective date of this section. A majority of the members of the commission shall constitute a quorum.

62 Appropriation; Department of Education. There is hereby appropriated to the department of education the sum of $250,000 for the fiscal year ending June 30, 2023 which shall not lapse until June 30, 2025 for the purpose of expanding the Teacher of the Year program by providing promotional, training, professional development, and collaboration with other stakeholder’s opportunities.

63 Effective Date. Section 62 of this act shall take effect June 30, 2023.
64 Appropriation; Department of Natural and Cultural Resources; State Library. There is hereby appropriated to the department of natural and cultural resources the sum of $1,000,000 for the fiscal year ending June 30, 2023 to begin executing a process to assess the books and material currently in the state library and begin the removal and safe storage of the books and materials. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

65 Effective Date. Section 64 of this act shall take effect June 30, 2023.

66 Board of Tax and Land Appeals. Amend RSA 71-B:1 to read as follows:

71-B:1 Board Established. There is hereby established a board of tax and land appeals, hereinafter referred to as the board, which shall be composed of 3 members who shall be learned and experienced in questions of taxation or of real estate valuation and appraisal or of both. **At least one member of the board shall be an attorney admitted to practice in New Hampshire.** The members of the board shall be full-time employees and shall not engage in any other employment during their terms that is in conflict with their duties as members of the board.

67 New Paragraph; Definition; Vested. Amend RSA 100-A:1 by inserting after paragraph XXXVII the following new paragraph:

XXXVIII. “Vested” means that a member is qualified for a benefit upon 10 years of service. The calculations of earnable compensation under RSA 100-A:1, XVII and average final compensation under RSA 100-A:1, XVIII cannot be reduced after 3 years of service.

68 Definition of Earnable Compensation; Group II. Amend RSA 100-A:1, XVII to read as follows:

XVII. "Earnable compensation" shall mean:

(a) For **group I** members who have attained vested status prior to January 1, 2012 the full base rate of compensation paid, as determined by the employer, plus any overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living bonus, annual attendance stipend or bonus, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system, and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except cash incentives paid by an employer to encourage members to retire, supplemental pay paid by the employer while the member is receiving workers' compensation, and teacher development pay that is not part of the contracted annual salary. **[Compensation for extra and special duty, as reported by the employer, shall be included but limited during the highest 3 years of creditable service as provided in paragraph XVIII].** However, earnable compensation in the final 12 months of creditable service prior to termination of employment shall be limited to 1-1/2 times the higher of the earnable compensation in the 12-month period preceding the final 12 months
or the highest compensation year as determined for the purpose of calculating average final compensation, but excluding the final 12 months. Any compensation received in the final 12 months of employment in excess of such limit shall not be subject to member or employer contributions to the retirement system and shall not be considered in the computation of average final compensation. Provided that, the annual compensation limit for members of governmental defined benefit pension plans under section 401(a)(17) of the United States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all employees[... and teachers,[ permanent firemen, and permanent policemen] who first become eligible for membership in the system on or after July 1, 1996. Earnable compensation shall not include compensation in any form paid later than 120 days after the member's termination of employment from a retirement eligible position, with the limited exceptions of disability related severance pay paid to a member or retiree no later than 120 days after a decision by the board of trustees granting the member or retiree disability retirement benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be paid within 120 days after termination but which, without the consent of the member and not through any fault of the member, was paid more than 120 days after the member's termination. The member shall have the burden of proving to the board of trustees that any severance payment paid later than 120 days after the member's termination of employment is earnable compensation and meets the requirements of an asserted exception to the 120-day post-termination payment requirement.

(b)(1) For group I members who have not attained vested status prior to January 1, 2012, the full base rate of compensation paid, as determined by the employer, plus compensation over base pay. Compensation over base pay shall include as applicable, subject to subparagraphs (2)[(3), and (4)] and (3), any overtime pay, cost of living bonus, annual attendance stipend or bonus, annual longevity pay, additional pay for extracurricular and instructional activities for full-time teachers and full-time employees who are employed in paraprofessional or support position, additional pay for instructional activities of full-time faculty of the community college system[, compensation for extra and special duty,] and any military differential pay, plus the fair market value of non-cash compensation paid to, or on behalf of, the member for meals or living quarters if subject to federal income tax, but excluding other compensation except supplemental pay paid by the employer while the member is receiving workers' compensation and teacher development pay that is not part of the contracted annual salary.

(2) [Compensation over base pay shall be limited during the highest 5 years of creditable service as provided in paragraph XVIII.

(3)] Earnable compensation shall not include compensation for extra and special duty for members who commence service on and after July 1, 2011.

[4)] (3) Earnable compensation shall not include incentives to encourage members to retire, severance pay or end-of-career additional longevity payments, and pay for unused sick or vacation time. Earnable compensation in the final 12 months of creditable service prior to
termination of employment shall be limited to 1 1/2 times the higher of the earnable compensation in
the 12-month period preceding the final 12 months or the highest compensation year as determined
for the purpose of calculating average final compensation, but excluding the final 12 months. Any
compensation received in the final 12 months of employment in excess of such limit shall not be
subject to member or employer contributions to the retirement system and shall not be considered in
the computation of average final compensation. Provided that, the annual compensation limit for
members of governmental defined benefit pension plans under section 401(a)(17) of the United
States Internal Revenue Code of 1986, as amended, shall apply to earnable compensation for all
employees[1] and teachers[2], permanent firemen, and permanent policemen who first become eligible
for membership in the system on or after July 1, 1996. Earnable compensation shall not include
compensation in any form paid later than 120 days after the member's termination of employment
from a retirement eligible position.

(c) For group II members who have attained vested status prior to January 1,
2013, the full base rate of compensation paid, as determined by the employer, plus any
overtime pay, holiday and vacation pay, sick pay, longevity or severance pay, cost of living
bonus, annual attendance stipend or bonus, additional pay for instructional activities,
and any military differential pay, plus the fair market value of non-cash compensation
paid to, or on behalf of, the member for meals or living quarters if subject to federal income
tax, but excluding other compensation except cash incentives paid by an employer to
encourage members to retire, supplemental pay paid by the employer while the member is
receiving workers' compensation. Compensation for extra and special duty, as reported by
the employer, shall be included but limited during the highest 3 years of creditable service
as provided in paragraph XVIII. However, earnable compensation in the final 12 months
of creditable service prior to termination of employment shall be limited to 1-1/2 times the
higher of the earnable compensation in the 12-month period preceding the final 12 months
or the highest compensation year as determined for the purpose of calculating average
final compensation, but excluding the final 12 months. Any compensation received in the
final 12 months of employment in excess of such limit shall not be subject to member or
employer contributions to the retirement system and shall not be considered in the
computation of average final compensation. Provided that, the annual compensation limit
for members of governmental defined benefit pension plans under section 401(a)(17) of the
United States Internal Revenue Code of 1986, as amended, shall apply to earnable
compensation for all permanent firemen and permanent policemen who first become
eligible for membership in the system on or after July 1, 1996. Earnable compensation
shall not include compensation in any form paid later than 120 days after the member's
termination of employment from a retirement eligible position, with the limited exceptions
of disability related severance pay paid to a member or retiree no later than 120 days after
a decision by the board of trustees granting the member or retiree disability retirement
benefits pursuant to RSA 100-A:6 and of severance pay which a member was entitled to be
paid within 120 days after termination but which, without the consent of the member and
not through any fault of the member, was paid more than 120 days after the member's
termination. The member shall have the burden of proving to the board of trustees that
any severance payment paid later than 120 days after the member's termination of
employment is earnable compensation and meets the requirements of an asserted exception
to the 120-day post-termination payment requirement.

(d)(1) For group II members who have not attained vested status prior to
January 1, 2013, the full base rate of compensation paid, as determined by the employer,
plus compensation over base pay. Compensation over base pay shall include as applicable,
subject to subparagraphs (2), and (3), any overtime pay, cost of living bonus, annual
attendance stipend or bonus, annual longevity pay, compensation for extra and special
duty, and any military differential pay, plus the fair market value of non-cash
compensation paid to, or on behalf of, the member for meals or living quarters if subject to
federal income tax, but excluding other compensation except supplemental pay paid by the
employer while the member is receiving workers' compensation that is not part of the
contracted annual salary.

(2) Earnable compensation shall not include compensation for extra and
special duty for members who commence service on and after July 1, 2011.

(3) Earnable compensation shall not include incentives to encourage
members to retire, severance pay or end-of-career additional longevity payments, and pay
for unused sick or vacation time. Earnable compensation in the final 12 months of
creditable service prior to termination of employment shall be limited to 1 1/2 times the
higher of the earnable compensation in the 12-month period preceding the final 12 months
or the highest compensation year as determined for the purpose of calculating average
final compensation, but excluding the final 12 months. Any compensation received in the
final 12 months of employment in excess of such limit shall not be subject to member or
employer contributions to the retirement system and shall not be considered in the
computation of average final compensation. Provided that, the annual compensation limit
for members of governmental defined benefit pension plans under section 401(a)(17) of the
United States Internal Revenue Code of 1986, as amended, shall apply to earnable
compensation for all permanent firemen and permanent policemen who first become
eligible for membership in the system on or after July 1, 1996. Earnable compensation
shall not include compensation in any form paid later than 120 days after the member's
termination of employment from a retirement eligible position.
XVIII. "Average final compensation" shall mean:

(a) For group I members who have attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. [For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 2 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.]

(b) For group II members who have attained vested status prior to January 1, 2013, the average annual earnable compensation of a member during his or her highest 3 years of creditable service, or during all of the years in his or her creditable service if less than 3 years. For purposes of this calculation, the inclusion of the average annual compensation for extra and special duty in the 3 years shall not exceed the average annual amount of compensation for extra and special duty paid to the member over the member's last 7 years of creditable service on or after July 1, 2009, as reported by the employer in accordance with RSA 100-A:16, VI, or over all of the years in his or her creditable service on or after July 1, 2009 if less than 7 years.

(c) For group I members who commenced service on or after July 1, 2011 or who have not attained vested status prior to January 1, 2012, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

(d)(1) For group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, 2013, the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2013.
(2) For group II members who commenced service on or after July 1, 2011 [and who have not attained vested status prior to January 1, 2012], the average annual earnable compensation of a member during his or her highest 5 years of creditable service, or during all of the years in his or her creditable service if less than 5 years. For purposes of inclusion in this calculation, the average percentage of compensation paid in excess of the full base rate of compensation in the highest 5 years shall not exceed the average percentage of compensation paid in excess of the full base rate of compensation over all the member's years of service on or after January 1, 2012, but excluding the highest 5 years.

70 Group II Service Retirement Benefits. Amend RSA 100-A:5, II to read as follows:

II. Group II Members.

(a) Any group II member in service, who is in vested status before January 1, [2012 2013], who has attained age 45 and completed 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 who has attained age 50 and completed 25 years of creditable service, and group II members who have not attained vested status prior to January 1, [2012 2013] as provided in the transition provisions in RSA 100-A:5, II(d), or any group II member in service who has attained age 60 regardless of the number of years of creditable service, may retire on a service retirement allowance upon written application to the board of trustees setting forth at what time not less than 30 days nor more than 90 days subsequent to the filing thereof the member desires to be retired, notwithstanding that during such period of notification the member may have separated from service. Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

(b) Upon service retirement, a group II member shall receive a service retirement allowance which shall consist of:

(1) A member annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of retirement; and

(2) For members who are in vested status before January 1, [2012 2013], a state annuity which, together with his or her member annuity, shall be equal to 2- 1/2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 40 years, or for members who commenced service on or after July 1, 2011, a state annuity which, together with his or her member annuity, shall be equal to 2 percent of his or her average final compensation multiplied by the number of years of his or her creditable service not in excess of 42.5 years, and group II members who have not attained vested status prior to January 1, [2012 2013].
2013 shall be as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of creditable service not in excess of 40.5 years.

(3) Provided, however, that a group II member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 52.5; but may receive a reduced allowance after age 50 if the member has at least 25 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 52.5 years of age, by 1/4 of one percent.

(c)(1) Notwithstanding any provision of RSA 100-A to the contrary, any group II member who is in vested status before January 1, 2013 and has retired on or after the effective date of this subparagraph after attaining the age of 45 with at least 20 years of creditable service, and any group II member who commenced service on or after July 1, 2011 and retires after the effective date of this subparagraph after attaining the age of 50 with at least 25 years of creditable service, and group II members who have not attained vested status prior to January 1, 2013 who qualify as provided in the transition provisions in RSA 100-A:5, II(d), shall receive a minimum annual service retirement allowance of $10,000. If such group II member has elected to convert the retirement allowance into an optional allowance for the surviving spouse under RSA 100-A:13, the surviving spouse shall be entitled to a proportional share of the $10,000.

(2) [Repealed.]

(3) [Repealed.]

(d) Active group II members who commenced service prior to July 1, 2011 and who have not attained vested status prior to January 1, 2013 shall be subject to the following transition provisions for years of service required for regular service retirement, the minimum age for regular service retirement, and the multiplier used to calculate the retirement annuity[...which shall be applicable on or after January 1, 2013] according to the following table:

<table>
<thead>
<tr>
<th>Creditable service on January 1, 2012</th>
<th>Minimum years of service</th>
<th>Minimum age attained</th>
<th>Multiplier</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Less than 4 years</td>
<td>24</td>
<td>age 49</td>
<td>2.1%</td>
</tr>
<tr>
<td>(2) At least 4 years but less than 6 years</td>
<td>23</td>
<td>age 48</td>
<td>2.2%</td>
</tr>
<tr>
<td>(3) At least 6 years but less than 8 years</td>
<td>22</td>
<td>age 47</td>
<td>2.3%</td>
</tr>
<tr>
<td>(4) At least 8 years but less than 10 years</td>
<td>21</td>
<td>age 46</td>
<td>2.4%</td>
</tr>
<tr>
<td>(1) Less than 1 year</td>
<td>24</td>
<td>age 49</td>
<td>2.1%</td>
</tr>
<tr>
<td>(2) At least 1 year but less than 2 years</td>
<td>24</td>
<td>age 49</td>
<td>2.1%</td>
</tr>
</tbody>
</table>
less than 3 years

(4) At least 3 years but less than 4 years

age 49 2.1%

(5) At least 4 years but less than 5 years

age 48 2.2%

(6) At least 5 years but less than 6 years

age 48 2.2%

(7) At least 6 years but less than 7 years

age 47 2.3%

(8) At least 7 years but less than 8 years

age 47 2.3%

(9) At least 8 years but less than 9 years

age 46 2.4%

(e) Notwithstanding the transition provisions of subparagraph (d), the member may replace the additional years of service required for minimum retirement age with the years of service that are purchased under RSA 100-A:4, IX. Therefore, allowing the member to retire between the age of 45 and 49 depending upon the years of service purchased. The purchased years under RSA 100-A:4, IX shall have an annual multiplier of 2.5 percent regardless of the percentage listed in subparagraph (d).

71 Retirement; Maximum Retirement Benefit. Amend RSA 100-A:6-a to read as follows:

100-A:6-a Maximum Retirement Benefit.

(a) Notwithstanding any other provision of this chapter to the contrary, for members who commenced service before [July 1, 2009] July 1, 2001, [or have attained vested status prior to January 1, 2012] a member's initial calculation of the retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed 100 percent of the member's highest year of earnable compensation.

(b) For members who commenced service on or after [July 1, 2009 and have not attained vested status prior to January 1, 2012] July 1, 2001 and before July 1, 2011, a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of [85] 100 percent of the member's average final compensation or [$125,000].

(c) For members who commenced service on or after July 1, 2011, a member's maximum retirement benefit granted under the provisions of RSA 100-A:5 or RSA 100-A:6 shall not exceed the lesser of 85 percent of the member's average final compensation or $125,000.
(d) Nothing in this section shall affect the ability of a member to receive disability benefits pursuant to RSA 100-A:6, II(b) and (c). This provision shall not limit the application of supplemental allowances.

72 Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2012" with the term "January 1, 2013": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d.

73 Subsequent Changes Effective January 1, 2025; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2013" with the term "January 1, 2014": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (9) from the table in RSA 100-A:5, II(d).

74 Subsequent Changes Effective January 1, 2026; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2014" with the term "January 1, 2015": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (8) from the table in RSA 100-A:5, II(d).

75 Subsequent Changes Effective January 1, 2027; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2015" with the term "January 1, 2016": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (7) from the table in RSA 100-A:5, II(d).

76 Subsequent Changes Effective January 1, 2028; Retirement System; Group II; Date Change for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the following RSA provisions by replacing the term "January 1, 2016" with the term "January 1, 2017": 21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1, XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a) and (c); 100-A:19-d; 100-A:5, II (d); and delete subparagraph (6) from the table in RSA 100-A:5, II(d).
77 Subsequent Changes Effective January 1, 2029; Retirement System; Group II; Date Change
for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
following RSA provisions by replacing the term "January 1, 2017" with the term "January 1, 2018":
21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d)-(except table
heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
and (c); 100-A:19-d; 100-A:5, II (d) and delete subparagraph (5) from the table in RSA 100-A:5, II(d).

78 Subsequent Changes Effective January 1, 2030; Retirement System; Group II; Date Change
for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
following RSA provisions by replacing the term "January 1, 2018" with the term "January 1, 2019":
21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table
heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
and (c); 100-A:19-d; 100-A:5, II (d) and delete subparagraph (4) from the table in RSA 100-A:5, II(d).

79 Subsequent Changes Effective January 1, 2031; Retirement System; Group II; Date Change
for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
following RSA provisions by replacing the term "January 1, 2019" with the term "January 1, 2020":
21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table
heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
and (c); 100-A:19-d; 100-A:5, II (d) and delete subparagraph (3) from the table in RSA 100-A:5, II(d).

80 Subsequent Changes Effective January 1, 2032; Retirement System; Group II; Date Change
for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
following RSA provisions by replacing the term "January 1, 2020" with the term "January 1, 2021":
21-I:30, VIII; 100-A:1, XVII(c); 100-A:1, XVII(d)(1); 100-A:1, XVIII(b); 100-A:1, XVIII(d)(1); 100-A:1,
XXXVII (b)(1) and (3); 100-A:5, II(a); 100-A:5, II(b)(2); 100-A:5, II(c)(1); 100-A:5, II(d) -(except table
heading); 100-A:6, II(b); 100-A:6, II(d)(1) and (3); 100-A:10, II(b); 100-A:16, I(aa); 100-A:19-b, II(a)
and (c); 100-A:19-d; 100-A:5, II (d) and delete subparagraph (2) from the table in RSA 100-A:5, II(d).

81 Subsequent Changes Effective January 1, 2033; Retirement System; Group II; Date Change
for Application of Retirement Provisions Adopted in 2011 to Members in Vested Status. Amend the
following RSA provisions as follows:
I. 21-I:30, VIII; remove “and group II members who have not attained vested status prior to
January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)”.
II. 100-A:1, XVII(c); replace “who have not attained vested status prior to January 1, 2021”
with “who commenced service prior to July 1, 2011”.
III. 100-A:1, XVII(d)(1); replace “who have not attained vested status prior to January 1,
2021” with “who commenced service on or after July 1, 2011”.

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IV. 100-A:1, XVIII(b); replace “who have not attained vested status prior to January 1, 2021” with “who commenced service prior to July 1, 2011”.

V. 100-A:1, XVIII(d)(1); delete subparagraph (1).

VI. 100-A:1, XXXVII (b)(1) and (3); in (1), replace “in vested status before January 1, 2021” with “who commenced service before July 1, 2011”, and delete subparagraph (3).

VII. 100-A:5, II(a); replace “who is in vested status before January 1, 2021” with “who commenced service prior to January 1, 2011”; delete “and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d)”,.

VIII. 100-A:5, II(b)(2); replace “who is in vested status before January 1, 2021” with “who commenced service prior to July 1, 2011”; delete “, and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d) with maximum number of years of credible service not in excess of 40.5 years”.

IX. 100-A:5, II(c)(1); replace “who is in vested status before January 1, 2021 and” with “who commenced service prior to January 1, 2011”; delete “and group II members who have not attained vested status prior to January 1, 2012 as provided in the transition provisions in RSA 100-A:5, II(d)”,.

X. 100-A:5, II(d), delete the subparagraph.

XI. 100-A:6, II(b); replace “in vested status before January 1, 2021” with “who commenced service before July 1, 2011”; delete “and group II members who have not attained vested status prior to January 1, 2021 as provided in the transition provisions in RSA 100-A:5, II(d) with the maximum number of years of credible service not in excess of 40.5 years”.

XII. 100-A:6, II(d)(1) and (3); in (1) replace “who are in vested status before January 1, 2021” with “who commenced service before July 1, 2011”, and delete subparagraph (3).

XIII. 100-A:10, II(b); replace “who are in vested status before January 1, 2021” with “who commenced service before July 1, 2011”. Delete “and group II members who have not attained vested status prior to January 1, 2021 shall be as provided in the transition provisions in RSA 100-A:5, II(d)”.

XIV. 100-A:16, I(aa); replace “who is in vested status before January 1, 2021” with “who commenced service prior to July 1, 2011”.

XV. 100-A:19-b, II(a) and (c); in (a)replace “who is in vested status before January 1, 2021” with “who commenced service prior to July 1, 2011”, and delete subparagraph (c).

XVI. 100-A:19-d; replace “for members who are in vested status with Group II service before January 1, 2012” with “for members who commenced service before July 1, 2011”.

82 Retirement System; Group II; Funding; Appropriations.
I. The sum of $25,000,000 per state fiscal year is hereby appropriated to the retirement system to fund the cost of benefits under this act. Such sums shall be transferred on July 1 each year, with the first payment starting July 1, 2023 and the last payment occurring on July 1, 2032.

II. In addition, the sum necessary for the biennium ending FY 2025 for the state to cover any costs incurred by political subdivisions in the implementation of the group II changes in this act is hereby appropriated.

III. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

83 Effective Date.

I. Section 73 of this act shall take effect January 1, 2025.

II. Section 74 of this act shall take effect January 1, 2026.

III. Section 75 of this act shall take effect January 1, 2027.

IV. Section 76 of this act shall take effect January 1, 2028.

V. Section 77 of this act shall take effect January 1, 2029.

VI. Section 78 of this act shall take effect January 1, 2030.

VII. Section 79 of this act shall take effect January 1, 2031.

VIII. Section 80 of this act shall take effect January 1, 2032.

IX. Section 81 of this act shall take effect January 1, 2033.

X. Sections 67-72 of this act shall take effect January 1, 2024.

84 Taxation of Incomes; Rate. Amend RSA 77:1 to read as follows:

77:1 Rate.

I. The annual tax upon incomes shall be levied at the rate of 5 percent for all taxable periods ending before December 31, 2023.

II. The annual tax upon incomes shall be levied at the rate of 4 percent for all taxable periods ending on or after December 31, 2023.

III. The annual tax upon incomes shall be levied at the rate of 3 percent for all taxable periods ending on or after December 31, 2024.

[V. The annual tax upon incomes shall be levied at the rate of 2 percent for all taxable periods ending on or after December 31, 2025.]

V. The annual tax upon incomes shall be levied at the rate of 1 percent for all taxable periods ending on or after December 31, 2026.]

85 Returns for Interest and Dividends Taxes; 2027. Amend 2021, 91:100 to read as follows:

91:100 Returns for Interest and Dividends Taxes; [2027] 2025. All persons who are liable for a tax under RSA 77 as of December 31, [2026] 2024, who thereafter are no longer liable for a tax under RSA 77 because of the passage of this act shall make a return of such taxes due the commissioner of revenue administration in such manner and on such forms as the commissioner shall prescribe in rules adopted under RSA 541-A. The administrative provisions of RSA 77 shall remain in effect to
permit the audit and collection of taxes upon income taxable under RSA 77 which is received by
persons subject to taxation under that chapter through December 31, [2026] 2024, and to permit the
distribution of that revenue. Persons who are liable for a tax under RSA 77 who do not report the
payment of federal income taxes on a calendar year basis are entitled to such proportion of the
exemptions allowed in RSA 77 as the reporting period bears to their taxable year.

86 Application; Repeal of RSA 77. Amend 2021, 91:101 to read as follows:

91:101 Application; Repeal of RSA 77. Paragraph II of section 99 shall apply to taxable periods
beginning after December 31, [2026] 2024.

87 Amend Effective Date; Amend Repeal of Interest and Dividends Tax from 2027 to 2025.

Amend 2021, 91:102, II to read as follows:

II. Sections 90-100 of this act shall take effect January 1, [2027] 2025.

88 Labor Commissioner; Civil Penalties. Amend RSA 273:11-a, I to read as follows:

I. In addition to any criminal penalty provided under this title, the commissioner may, after
hearing, impose a civil penalty not to exceed $2,500, as determined by the commissioner, for any
violation of the provisions of, or any rule adopted pursuant to, this title, except RSA 273-A, RSA 273-
C, and RSA 282-A. All moneys collected under this section shall be deposited [in the general fund]
into the department of labor restricted fund established in RSA 273:1-b.

89 Workers’ Compensation; Liability of Employer Failing to Comply. Amend RSA 281-A:7, I(b)
to read as follows:

(b) An insurance carrier which insures an employer and fails to file with the
commissioner a notice of coverage within a reasonable period of time as prescribed by rule shall be
assessed a civil penalty of up to $50 for each day of noncompliance. The commissioner shall deposit
all moneys collected under this subparagraph [with the state treasurer for deposit into the general
fund] into the department of labor restricted fund established in RSA 273:1-b.

90 Occupational Health and Safety Administration Certification. Amend RSA 277:5-a, III to
read as follows:

III. The labor commissioner shall adopt rules under RSA 541-A relative to implementation
and enforcement of this section. The commissioner may also assess a civil penalty of up to $2,500; in
addition, such an employer shall be assessed a civil penalty of $100 per employee for each day of
noncompliance. All funds collected under this section shall be deposited into the [general fund]
department of labor restricted fund established in RSA 273:1-b. The labor commissioner shall
appoint as many individuals as necessary to carry out the department’s responsibilities under this
section.

91 Penalty Appeal Board. Amend RSA 273:11-b to read as follows:

273:11-b Penalty Appeal Board.

I. There is hereby created a penalty appeal board which shall hear appeals from penalties
imposed by the commissioner.

II. The board shall be composed of 3 members, as follows:
(a) One person representing the interests of management, to be appointed by the
governor and council;

(b) One person representing the interests of labor, to be appointed by the governor and
council; and

(c) One person to serve as chairman, who shall be an attorney and who shall be familiar
with the labor laws of this state. The chairman shall be [chosen and] appointed [jointly] by the
governor and council [the other 2 members of the board]; provided, however, that, if such members
are unable to agree on the appointment of the chairman within 30 days after the later of their
appointments, the governor and council shall appoint the chairman.

III. At the time of making appointments pursuant to paragraph II, the governor and council
[or 2 appointing members of the board, as applicable] shall also appoint an alternate member
representing the interests of management, an alternate member representing the interests of labor
and an alternate chairman, who shall serve whenever the corresponding member of the board is
unable, because of a conflict of interest or otherwise, to participate in the determination of a matter
before the board.

IV. Members and alternate members shall be appointed for terms of 3 years and shall serve
until their successors are appointed and qualified. Vacancies shall be filled for the unexpired terms.
[Members and alternate members shall serve without compensation but shall receive mileage at the
same rate paid to state employees.]

V. The attorney member of the board shall receive $400 per diem and all other
members of the board shall each receive $250 per diem for each day devoted to the work of
the board and shall be reimbursed for necessary travel expenses. Said per diems shall be
prorated to an hourly basis using 7.5 hours per day for other related work performed by
board members.

92 Family and Medical Leave Insurance. Amend RSA 275:37-d to read as follows:

275:37-d Family and Medical Leave Insurance. If an employer has 50 or more employees and
sponsors family and medical leave insurance pursuant to RSA 21-I:99, then any employee of that
employer who takes family or medical leave and accesses wage replacement benefits under such
family and medical leave insurance coverage shall be restored to the position she or he held prior to
such leave or to an equivalent position by her or his employer consistent with the job restoration
provisions of the federal Family and Medical Leave Act of 1993, Public Law 103-3, 29 U.S.C. section
2601 et seq. Such employers shall continue to provide health insurance to employees during the
leave. However, employees shall remain responsible for any employee-shared costs associated with
the health insurance benefits. Such employers shall not discriminate or retaliate against any
employee for accessing family or medical leave wage replacement benefits. Employers of employees
participating in the granite state paid family leave plan may require that paid leave taken under
this program be taken concurrently or otherwise coordinated with leave allowed under the terms of a
collective bargaining agreement or other established employer policy or the Family and Medical Leave Act, as applicable. In addition, the commissioner may adopt rules under RSA 541-A to facilitate administration and enforcement of this section.

93 Boiler and Pressure Vessels; Exceptions. Amend RSA 157-A:6, III(e) to read as follows:

(e) Pressure vessels that do not exceed (1) 5 cubic feet in volume or 250 psig, (2) 1
1/2 cubic feet in volume or an inside diameter of 6 inches, and 3,000 psig.

94 Workers' Compensation; Appeals Board. Amend RSA 281-A:42-a, I to read as follows:

I. There is established a compensation appeals board. Until January 1, 2024, the board shall consist of a pool of 33 members, of which 11 members shall represent labor, 11 members shall represent employers or workers' compensation insurers and 11 members shall be attorneys who shall be neutral. On January 1, 2024, the commissioner shall identify 2 seats from each of the 3 sectors that are vacant or of an expired term, and eliminate those seats, reducing the entire pool to 27 members in total. Members of the board shall be appointed by the governor and council from a list of nominees submitted by the commissioner. The commissioner shall submit at least 2 nominees for each vacancy to be filled. Any person appointed by the governor and council who is not qualified or who ceases to be qualified in the capacity in which such person is serving on the appeals board shall be replaced by the governor and council. Terms of board members shall be 3 years, except the initial appointments shall be staggered so that no more than 1/3 of the members' terms shall expire in the same year. Members of the board shall have at least 5 years' experience in the area of workers' compensation or human resources or administrative law. As a condition to maintaining eligibility to hear appeals, board members shall have at least 10 hours annually of training and briefing in the area of workers' compensation and relevant disciplines. The commissioner, or designee, with the assistance of the attorney general's staff shall supervise and approve the training. The commissioner shall have the authority to suspend the eligibility of any member of the board who is not in compliance with such annual training requirements, and to reinstate such member's eligibility upon compliance. The commissioner may suspend from active participation any board member who fails to render a decision or order within 30 days of the hearing as required by RSA 281-A:43, I(b). The commissioner may rescind the suspension once the board member is in compliance with RSA 281-A:43, I(b). Appeals from a decision of the commissioner or the commissioner's representative shall be heard de novo by a 3-member panel, composed of an attorney who shall serve as chair, one member representing labor and one member representing employers or workers' compensation insurers. At least 2 like votes shall be necessary for a decision by the panel. The board shall hear appeals, in accordance with RSA 281-A:43, I(b), from the decisions of the commissioner made pursuant to RSA 281-A:43. No person who is an interested party or an employee of an interested party shall participate as a member of the panel. The board shall conduct its proceedings in such a manner as to ensure a fair and impartial hearing.

95 Department of Transportation; Appeals Board. Amend RSA 21-L:14, I to read as follows:
I. There is established an appeals board consisting of 3 members. One member shall be a registered professional engineer, one member shall be a person admitted to the practice of law in this state, and one member shall be a person skilled in the field of public works and construction who shall represent the general public. There shall be 2 alternate board members, who shall meet at least one of the qualification categories set forth for board members. Each board member and alternate board member shall be appointed by the governor with the consent of the council to a term of 3 years, provided that of the initial members appointed under this section one member shall be appointed to a term of one year, one member to a term of 2 years, and one member to a term of 3 years. Vacancies shall be filled in a like manner for the unexpired term or until a successor is appointed and qualified, whichever is later. The governor shall designate one member to serve as board chairman, and the board shall elect one member to serve as vice-chairman. In the event of illness or disqualification of a member as set forth in RSA 673:14, the chairman shall designate an alternate member to act in his place.

96 Appeals Board; Powers and Duties. Amend RSA 21-L:15, I to read as follows:

I. The board shall hear and decide appeals from decisions of the commissioner relative to contract interpretation or other decisions affecting persons not employed by the department, municipalities, or private property, except condemnations of property for public uses, and the assessment of damages therefor. Decisions of division directors shall be appealed to the commissioner. Decisions of the commissioner may be appealed to the appeals board, except decisions relative to aeronautical matters, which may be appealed to the aviation users advisory board established under RSA 21-L:8[, and decisions relative to common carriers by rail, which may be appealed to the railroad appeals board established under RSA 21-L:16].

97 Repeal. RSA 21-L:16, relative to the railroad appeals board, is repealed.

98 New Paragraph; Weight; Permit Fees. Amend RSA 266:22 by inserting after paragraph V the following new paragraph:

VI. There is hereby established an over-length, over-width, over-height, and over-weight revolving fund from revenue received under this section. All revenue received by the department of transportation for permit fees shall be credited to the fund and are hereby appropriated to the department of transportation. Funds shall be nonlapsing and continually appropriated for the operation and administration of the permit section at the department.

99 New Subparagraph; Application of Receipts; Over-length, Over-width, Over-height, and Over-weight Revolving Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the over-length, over-width, over-height, and over-weight revolving fund under RSA 266:22.

100 Highway Surveillance Prohibited. Amend RSA 236:130, III(f) to read as follows:
(f) Is undertaken for the security of the following bridges and approach structures: I-95 Piscataqua River Bridge, Sarah Mildred Long Bridge, and the Memorial Bridge, all in Portsmouth, as well as the Little Bay Bridges in Dover and Newington.

101 Local Option; Prime Wetlands. Amend RSA 482-A:15, I-b to read as follows:

I-b. **For the purposes of this chapter, existing state highway rights-of-way, including associated permanent easements, shall not include prime wetlands or their adjacent buffers.**

I-c. The commissioner shall adopt rules under RSA 541-A relative to the form, criteria, and methods that shall be used to designate, map, and document prime wetlands, determine boundaries in the field, and amend maps and designations once filed and accepted by the department under paragraph II.

102 Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. Amend RSA 228:31-a to read as follows:

228:31-a Agreements for Telecommunications-Related Uses of the State Highway System and State-Owned Railroad Rights-of-Way. The commissioner may, with the approval of the governor and council, execute contracts, leases, licenses, and other agreements relating to the use or occupation of state-owned rights-of-way, whether easement or fee-owned, for purposes of allowing the installation and maintenance of commercial mobile radio service devices. Such agreements, which shall be for commercially reasonable value, shall not extend for a period of more than 10 years. Any leases executed pursuant to this section shall be subject to the requirements of RSA 72:23 with regard to properly assessed real estate taxes and subject to local zoning and planning requirements. Said devices shall take into consideration the scenic beauty of the landscape. There shall be no advertising signs on these devices. The provisions of RSA 4:39-c and RSA 4:40 shall not apply to this section.

103 State Highways; Notice of Finding. Amend RSA 230:55 to read as follows:

230:55 Notice of Finding. Whenever the commissioner of transportation shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion to use such portion for class I or class II highway purposes for property acquired by the state in 1945 or earlier, the commissioner shall post notice of such finding in 2 public places in the town in which land is situate and give notice in writing to the selectmen of such town. Notwithstanding any provision of law to the contrary, the commissioner may discontinue any right-of-way, or portion thereof, that was laid out by the state and declare property acquired after 1945 as surplus and dispose of it in accordance with RSA [4:39] 4:39-c.

104 New Paragraph; New Hampshire Aeronautics Act; Revenue; Fees. Amend RSA 422:31 by inserting after paragraph IX the following new paragraph:
X. A credit card use convenience fee may be charged in addition to the required aircraft operating fee for each transaction, which the department is authorized to use towards the credit card fees incurred.

105 Turnpike System; Toll Criteria. Amend RSA 237:11, V to read as follows:

V. Notwithstanding any other provision of law to the contrary, the discount on the established tolls on any of the New Hampshire turnpikes in the system for vehicles listed on a funded New Hampshire E-Z Pass account and using the regional electronic toll collection system with a working and properly mounted New Hampshire E-Z Pass transponder shall be 30 percent for passenger vehicles, including motorcycles, and 10 percent for commercial vehicles.

106 Statewide Transportation Improvement Program. Amend RSA 228:99 to read as follows:

228:99 Statewide Transportation Improvement Program (STIP). The governor shall develop a statewide transportation improvement program as required by 23 U.S.C. sections 134 and 135, as amended. The governor shall revise and update the program every 2 years. Adoption of the STIP and revised STIP shall be as follows:

I. Each metropolitan planning organization and rural regional planning commission shall reach agreement with the department of transportation relative to funding unified planning work programs consistent with 23 U.S.C. sections 134 and 135 no later than December 1 of each even-numbered year. Each metropolitan planning organization and rural regional planning commission shall provide a regional transportation improvement program (TIP) priorities to the department of transportation no later than April 1 of each odd-numbered year. Such plans shall include [a] public involvement [plan] and education [initiative] to ensure early and adequate input from residents, municipalities and any other interested parties in New Hampshire.

II. The commissioner shall submit the tentative STIP in accordance with the state planning process as required in 23 U.S.C. section 135 to the governor's advisory commission on intermodal transportation no later than [July] September 1 of each odd-numbered year.

III. The governor's advisory commission on intermodal transportation shall conduct at least one public hearing in each executive council district to present the tentative STIP to the public and to receive the public's comments and recommendations regarding the program. The governor's advisory commission on intermodal transportation shall submit such program along with the commission's recommendations to the governor no later than December 1 of each odd-numbered year. Each metropolitan planning organization and rural regional planning commission should conduct an informational meeting after the commission submits its recommendations to receive the public's final comments and recommendations regarding the proposed programs before adoption by the governor.

IV. The governor shall submit the STIP to the general court to be acted on no later than January 15 of each even-numbered year. [After an enactment] The STIP shall be enacted by the general court [of the STIP or] by June 1 of each even-numbered year, whichever is earlier, each
metropolitan planning organization and rural regional planning commission should continue its public involvement program by conducting at least one informational meeting concerning the STIP).

V. Each metropolitan planning organization and the department of transportation shall continue its public involvement program by conducting public comment periods and public hearings as required by 23 U.S.C. sections 134 and 135, as amended for the regional TIP and statewide STIP.

VI. Each metropolitan planning organization shall approve the regional TIP and the department of transportation shall incorporate the TIPs into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

VII. Three times per year, the STIP and TIPs shall be amended to make adjustments to projects whose scopes, schedules or budgets need to be adjusted. The department of transportation will prepare and release STIP/TIP amendments to the metropolitan planning organizations and rural regional planning commissions.

VIII. The metropolitan planning organizations shall have 60 days from the receipt of each amendment to prepare, receive public comments, approve and transmit the updated TIPs to the department of transportation. The department of transportation shall incorporate the TIP amendments into the STIP in whole, and submit the STIP for federal approval as required by 23 U.S.C. sections 134 and 135, as amended.

107 Unclaimed and Abandoned Property; Subsequent Claims. Amend RSA 471-C:31-a to read as follows:

471-C:31-a Subsequent Claims. For periods after January 1, 1985, any owner who comes forward to make a claim for assets which have escheated to the state or counties may petition [the governor and council] for payment of those assets. Upon [providing] receiving sufficient proof of the validity of such owner claim [and receiving the approval of governor and council], the administrator shall pay such claim to the owner in accordance with the provisions of this chapter. In the event subsequent claims exceed amounts appropriated in the operating budget, the administrator shall request, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding. For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

108 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2025.

109 Electric Utility Restructuring; Implementation. Amend RSA 374-F:4, VIII(f) to read as follows:

(f) The [department of environmental services and the] department of energy shall submit a report to the house science, technology, and energy committee, and the senate energy and
natural resources committee by October 1 of each year. The report shall concern the results and
effectiveness of the system benefits charge.

110 Disclosure of Electric Service Energy Sources and Environmental Characteristics. Amend
RSA 378:49, II(c) to read as follows:

(c) Provide such information to electric customers at least annually in conjunction with
billing, whether distributed through the mail or online, or other mailed or online communication to
customers, as approved by the [commission] department, including the [commission's]
department's estimated cost on a per kilowatt-hour basis for compliance with the electric renewable
portfolio standard under RSA 362-F for the prior compliance year. The estimated cost for the
compliance year shall be calculated once per year and provided in the customer's December bill,
whether distributed through the mail or online. Each customer's bill shall identify the cost as an
estimate and provide a link to information about the electric renewable portfolio standard, including
its benefits, at the [public utilities commission's] department's website. The costs for a utility to
provide this information shall be recovered from electric customers through the distribution rates of
the respective electric distribution utility.

111 Electric Renewable Portfolio Standard; Renewable Energy Fund. Amend RSA 362-F:10, I to
read as follows:

I. There is hereby established a renewable energy fund. This nonlapsing special fund shall
be continually appropriated to the department of energy to be expended in accordance with this
section; provided that at the start of the period in which there is no adopted state operating budget,
the department of energy shall in a timely manner seek the approval of the fiscal committee of the
general court to continue using moneys from the renewable energy fund to support renewable energy
rebate and grant programs in order to ensure there are no interruptions to the programs. The state
treasurer shall invest the moneys deposited therein as provided by law. Income received on
investments made by the state treasurer shall also be credited to the fund. All payments to be made
under this section shall be deposited in the fund. Any remaining moneys paid into the fund under
paragraph II of this section, excluding class II moneys, shall be used by the department of energy to
support thermal and electrical renewable energy initiatives and offshore wind initiatives, including the office of offshore wind industry development. Class II moneys shall primarily be
used to support solar energy technologies in New Hampshire. All initiatives supported out of these
funds shall be subject to audit by the department of energy as deemed necessary. All fund moneys
including those from class II may be used to administer this chapter, but all new employee positions
shall be approved by the fiscal committee of the general court. No new employees shall be hired by
the department of energy due to the inclusion of useful thermal energy in class I production.

112 Information Collection. Amend RSA 362-F:8, I to read as follows:

I. [By July 1] No earlier than July 1 and no later than July 15 of each year, each
provider of electricity shall submit a report to the department of energy, in a form approved by the
department of energy, documenting its compliance with the requirements of this chapter for the
prior year. The department of energy may investigate compliance and collect any information
necessary to verify and audit the information provided to the department of energy by providers of
electricity.

113 Phase-In for Existing Supply Contract Load. Amend RSA 362-F:14 to read as follows:

362-F:14 Phase-In for Existing Supply Contract Load. The increases in the annual purchase
percentages in RSA 362-F:3 as compared to those in effect as of January 1, 2012 shall apply to the
electrical load under any electrical power supply contracts for a term of years entered into by
providers of electricity prior to or on July 1, 2012, upon the expiration of the term of any such
contract. Providers of electricity shall inform the department of energy [by July 1] no earlier than
July 1 and no later than July 15 of each year of all such contracts and their terms, including but
not limited to the execution date and expiration date of the contract and the annual volume of
electrical energy supplied.

114 Duties of Commissioner; Department of Energy. Amend RSA 12-P:5, VI to read as follows:

VI. Collect and account for all fees, funds, taxes, or assessments levied upon any person
subject to the jurisdiction of the department of energy and the public utilities commission.
Notwithstanding any other provision of law, if the expenditure of additional funds over
budget estimates is necessary for the proper functioning of the department of energy, the
governor and council, with the prior approval of the fiscal committee of the general court,
upon request from the department of energy, may authorize an additional assessment
pursuant to RSA 363-A for such purpose.

115 Public Utilities Commission; Office of the Consumer Advocate. Amend RSA 363:28, (d) to
read as follows:

(d) [Two] Three additional staff people appointed by the consumer advocate. When
filling these positions, the consumer advocate should consider appointing rate analysts or
economists.

116 New Paragraph; Public Utilities Commission; Office of the Consumer Advocate. Amend
RSA 363:28 by inserting after paragraph VI the following new paragraph:

VII. Notwithstanding any other provision of law, if the expenditure of additional funds over
budget estimates is necessary for the proper functioning of the office of the consumer advocate, the
governor and council, with the prior approval of the fiscal committee of the general court, upon
request from the consumer advocate, may authorize an additional assessment pursuant to RSA 363-
A for such purpose.

117 Office of the Consumer Advocate; Transfer Authority. The following expenditure classes
within the Office of the Consumer Advocates shall be exempt from the transfer restrictions in RSA
9:17-a and 9:17-c; and class 10- personal services-perm classified and class 60-benefits. The Office of
the Consumer Advocate is authorized to transfer funding attributable to vacant positions from these
classes into class 046 consultants and class 233 litigation provided that any such transfers shall be limited to $75,000 in each fiscal year. The provisions in this paragraph shall remain in effect for the biennium ending June 30, 2025.

118 Public Utilities; Assessment. Amend the introductory paragraph of RSA 363-A:2, I to read as follows:

I. The expenses thus ascertained shall be assessed against the public utilities and other entities described in this section in the manner provided in this chapter. The assessment shall be calculated by using the following revenue percentages, based on the prior calendar year:

119 Public Utilities; Certification of Assessment. Amend RSA 363-A:3 to read as follows:

363-A:3 Certification of Assessment. It shall be the duty of the department of energy to calculate the amount to be assessed against each such public utility and each other entity subject to assessment in accordance with RSA 363-A:1 and RSA 363-A:2. At the beginning of each fiscal year, the department of energy shall estimate the total expenses for the fiscal year, and then, based on such estimate, shall calculate the amount to be assessed quarterly on [August 10, October 15, January 15, September 15, November 15, February 15, and April 15 of that fiscal year[. Against each such public utility and other assessed entity in accordance with RSA 363-A:1 and RSA 363-A:2], for entities with assessments less than $10,000, the department may bill those entities the entire amount on September 15 of that fiscal year. The department of energy shall then make a list showing the amount [due on August 10, October 15, January 15] assessed September 15, November 15, February 15, and April 15 of that fiscal year [from to] each of the several public utilities and other entities assessed under the provisions hereof, and, together with a statement of the full name and mailing address of each such public utility and other assessed entity, shall certify the same. After the close of each fiscal year, the department of energy shall ascertain the actual total expenses in accordance with RSA 363-A:1 and RSA 363-A:2, and then shall adjust the assessment for the first [quarterly or only] payment of the new fiscal year for each such public utility or other assessed entity for any underpayment or overpayment by such public utility or other assessed entity for the prior fiscal year.

120 Expenses of Public Utilities Commission; Collections. Amend RSA 363-A:4 to read as follows:

363-A:4 Collection. Upon the completion of each such list, [on or before August 10, October 10, January 10, and April 10] within 10 business days of September 15, November 15, February 15, and April 15 of each fiscal year, the department of energy shall bill each public utility and each other entity subject to assessment [for the quarterly amount assessed against it within 10 working days]. Such bill shall be sent [registered first-class or electronic mail, and shall constitute notice of assessment and demand for payment. Payment shall be made to the department of energy [within 30 days after the receipt of the bill. After the expiration of 30 days from the receipt of an original bill] by the due date stated on the bill, which shall be set no sooner than 30 days after the
date the bill is sent. If payment is not made by the due date, the department of energy may
add to the assessment a late penalty fee and may commence an action at law for the recovery of the
assessment. Within 30 days of the date that the bill assessment for the first [quarterly] or only
payment is sent, each public utility or other assessed entity which has any objection to the amount
assessed against it for the prior fiscal year shall file with the department its objection in writing,
setting out in detail the grounds upon which it is claimed that said assessment is excessive,
erroneous, unlawful, or invalid. If such objections are filed, the department, after reasonable notice
to the objecting public utility or other assessed entity, shall hold a hearing on such objections, and if
the department finds that said assessment or any part thereof is excessive, erroneous, unlawful, or
invalid, the department shall reassess the amount to be paid by such public utility or other assessed
entity, and shall order that an amended bill be sent to such public utility or other assessed entity in
accordance with such reassessment. The department of energy shall not commence an action at law
for recovery of any assessment for the first [quarterly] or only payment until any such objection has
been resolved.

121 Expenses of Public Utilities Commission; Exemption from Assessment. Amend RSA 363-
A:5 to read as follows:
363-A:5 Exemption From Assessment. Any public utility or other assessed entity that is not an
entity to which RSA 363-A:2, I(c) or (d) applies, and that earned less than $10,000 in gross revenue
during the preceding [fiscal] calendar year shall not be liable for any assessment pursuant to this
chapter.

122 Appropriation; Department of Energy; Establishment of the Regional Energy Advocacy
Fund. There is hereby appropriated to the department of energy the sum of $250,000 for the fiscal
year ending June 30, 2023 to be placed in a regional energy advocacy fund. This fund shall be
nonlapsing and continually appropriated to the department to be expended to hire consultants and
attorneys and related expenses to support the regional advocacy issues specified in RSA 374-F:8.
The governor is authorized to draw a warrant for said sum out of any money in the treasury not
otherwise appropriated.

123 Effective Date. Section 122 of this act shall take effect June 30, 2023.

124 Department of Energy; Commissioner; Deputy Commissioner; Directors; General Counsel.
Amend RSA 12-P:4 to read as follows:
12-P:4 Commissioner; Deputy Commissioner; Directors; General Counsel.

I. The commissioner of the department of energy shall be appointed by the governor, with
the consent of the council, and shall serve for a term of 4 years. The commissioner shall be qualified
to hold that position by reason of education and experience. Directors of departmental divisions and
the general counsel shall be subject to the supervisory authority of the commissioner, which
authority shall include power to establish department and divisional policy as well as to control the
actual operations of the department and all divisions therein. The commissioner is authorized to
establish any advisory committees and programs which the commissioner may deem necessary to carry out the mission and operations of the department.

II. The commissioner of energy shall nominate a deputy commissioner of energy for appointment by the governor and council. The deputy commissioner shall hold office for 4 years and until a successor has been appointed and qualified. The deputy commissioner shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall perform such duties as the commissioner may assign. The deputy commissioner shall perform the duties of the commissioner if for any reason the commissioner is unable to do so.

III. Division directors shall be appointed to initial terms as stated below, and then subsequently to terms of 4 years. Terms notwithstanding, each division director shall serve until a successor has been appointed and qualified.

III-a. The commissioner shall appoint a general counsel, who shall serve at the pleasure of the commissioner. The general counsel shall perform such duties and exercise such powers as the commission may authorize.

(a) The commissioner shall nominate for appointment by the governor and council a director of the division of policy and programs for an initial term of one year. All subsequent terms shall be 4 years. The director of the division of policy and programs shall be qualified to hold that position by reason of education and experience.

(b) The commissioner shall nominate for appointment by the governor and council a director of the division of administration for an initial term of 2 years. All subsequent terms shall be 4 years. The director of the division of administration shall be qualified to hold that position by reason of education and experience.

(c) The commissioner shall nominate for appointment by the governor and council a director of the division of enforcement for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of enforcement shall be qualified to hold that position by reason of education and experience.

(d) The commissioner shall nominate for appointment by the governor and council a director of the division of regulatory support for an initial term of 3 years. All subsequent terms shall be 4 years. The director of the division of regulatory support shall be qualified to hold that position by reason of education and experience.

IV. The salaries of the commissioner, the deputy commissioner, and each division director shall be as specified in RSA 94:1-a.

125 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15 to read as follows:


I. The department may issue a certified copy of any certificate of registration, or of any license to drive motor vehicles which may have been lost or mutilated, upon the written request of
the person entitled thereto and the payment of the prescribed fee, and such certified copy shall have
the same force and effect as the original.

II. The department may issue a copy of any motor vehicle record upon the request of an
insurance company or any other authorized agent, and notwithstanding RSA 91-A shall require
payment by the insurance company or authorized agent of a fee [of $13 for email or other computer-
generated requests where payment is debited against an account established with the department,
or $15] for all [other] requests, which shall be deposited in the fire standards and training and
emergency medical services fund established in RSA 21-P:12-d.

III. The commissioner of the department of safety shall adopt rules pursuant to
RSA 541-A to establish fees and to implement this section.

126 New Paragraph; Motor Vehicles; Provision for Federal Identification Database Prohibited.
Amend RSA 260:14-a by inserting after paragraph VII the following new paragraph:

VIII. Notwithstanding any law to the contrary, the department may provide driver history
records to a federal entity for uses authorized in RSA 260:14, IV, RSA 260:14, IV-a, and RSA 260:14,
V.

127 Department of Safety; Appropriation; Position Created. There is hereby established in the
department of safety, division of fire safety, one full-time classified program assistant II position.
The sum of $72,000 for the fiscal year ending June 30, 2024 and $74,000 for the fiscal year ending
June 30, 2025 is hereby appropriated to the division of fire safety. The governor is authorized to
draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

128 Department of Safety; Unfunded Positions; Authorization. Notwithstanding any other
provision of law to the contrary, the department of safety may fill unfunded positions during the
biennium ending June 30, 2025, provided that the total expenditure for such positions shall not
exceed the amount appropriated for personal services.

129 Department of Safety; Transfer Funds and Establish Positions; Authorization.
Notwithstanding any other provision of law to the contrary, the department of safety may create
full-time temporary positions for any positions on military deployment and transfer funds from class
010 into class 059 with approval from the department of administrative services.

130 Department of Safety; Substance Abuse Enforcement Program; Appropriations.

I. The sum of $408,297 for the fiscal year ending June 30, 2024 is hereby appropriated to the
department of safety. This sum shall be expended as follows:

(a) $119,217 shall be expended for the purpose of funding overtime at the state forensic
laboratory as a result of increased caseloads attributable to narcotics related enforcement and
investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the
biennium ending June 30, 2025.
(b) $289,080 shall be expended for the purpose of funding overtime at the state police for narcotics related enforcement and investigations, with no more than 50 percent of the appropriation expended in each fiscal year of the biennium ending June 30, 2025.

II. The sum of $833,684 for the fiscal year ending June 30, 2024 and $833,684 for the fiscal year ending June 30, 2025 is hereby appropriated to the department of safety to disburse grants to county and local law enforcement agencies for the purpose of funding overtime costs for county and local law enforcement officers performing law enforcement activities attributable to the substance abuse enforcement program established in RSA 21-P:66.

III. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

IV. No appropriation made in this section shall lapse until June 30, 2025.

131 Public Safety and Welfare; Definitions; Emergency Medical Care Provider. Amend RSA 153-A:2, V to read as follows:

V. "Emergency medical care provider" means an employee or volunteer member of a public or private organization having responsibility for the delivery of health services to individuals experiencing illness or injury at a location other than a hospital or other medical facility. The term shall not include lifeguards at swimming facilities or members of ski patrols, or New Hampshire fish and game department conservation officers, or those individuals administering Naloxone unless said individuals are performing invasive patient care procedures.

132 Public Safety and Welfare; Licensure of Emergency Medical Care Providers. Amend RSA 153-A:11, I to read as follows:

I. Except for automated external defibrillation pursuant to RSA 153-A:28-31, or the administration of Naloxone, a person shall not provide emergency medical services as a paid or volunteer member of a public or private emergency medical services unit in this state, or as a paid or volunteer member of any police or fire department who, as a condition of employment, may be expected to routinely provide emergency medical services in the line of duty, without being licensed by the commissioner.

133 Public Safety and Welfare; Critical Incident Intervention and Management. Amend RSA 153-A:17-a, to read as follows:

153-A:17-a Critical Incident Intervention and Management.

I. In this section:

(a) "Critical incident" means an event or events that result in acute or cumulative psychological stress or trauma to an emergency service provider as a result of response to the incident.

(b) "Critical incident stress" means an unusually strong emotional, cognitive, or physical reaction that has the potential to interfere with normal functioning and that results from the response to a critical incident or long-term occupational exposure to a series of critical incident
responses over a period of time that are believed to be causing debilitating stress that is affecting an
emergency service provider and his or her work performance or family situation. This may include,
but is not limited to, physical and emotional illness, failure of usual coping mechanisms, loss of
interest in the job, personality changes, or loss of ability to function.

(c) "Critical incident stress management" means a process of crisis intervention designed
to assist emergency service providers in coping with the psychological trauma resulting from
response to a critical incident.

(d) "Critical incident stress management and crisis intervention services" means
consultation, counseling, debriefing, defusing, intervention services, management, prevention, and
referral provided by a critical incident stress management team member.

(e) "Critical incident stress management team" or "team" means the group of one or
more trained volunteers, including members of peer support groups organized by a unit of state,
local, or county government, or employee organization who offer critical incident stress
management, crisis intervention, peer support services following a critical incident or long
term or continued, debilitating stress being experienced by emergency services providers and
affecting them or their family situation.

(f)(1) "Critical incident stress management team member" or "team member" means an
emergency services provider, including any law enforcement officer, sheriff or deputy sheriff, state
police officer, civilian law enforcement employee, firefighter, civilian fire department employee,
emergency medical personnel, telecommunicators, and local dispatchers specially trained to provide
critical incident stress management and crisis intervention or peer support services as a member of
an organized and registered team.

(2) In this subparagraph:

(A) "Telecommunicator" means an employee of the department of safety, division
of emergency services and communications who is responsible for receiving at the public safety
answering point telephone calls made to E911 and transferring or relaying such calls to public or
private safety agencies.

(B) "Local dispatcher" means a person who determines the location, status, and
assistance required by callers and walk-in customers for public safety services and dispatches the
appropriate police, fire, ambulance, or other units to provide needed emergency services at the state,
city, town, or private emergency services level.

(g) "Peer support group" means the group of one or more trained volunteers,
organized by a unit of state, local, county government or employee organization that can
recognize common behavioral health issues, provide support services, and serve as a bridge
to community resources or behavioral health treatment when indicated.

II.(a) Team members shall undergo and sustain certification standards set forth in
guidelines established by the International Critical Incident Stress Foundation (ICISF) approved by
the commissioner of the department of safety, or a similar organization for which the commissioner
shall not unreasonably withhold approval. The team shall be registered with ICISF, or a similar
organization, and maintain training standards to date as required.

(b) All critical incident stress management team members or peer support group
members, sworn or civilian, shall be designated by the police chief, sheriff, director of the division of
state police, fire chief, or director of the division of emergency services and communications, or head
of an employee organization.

III. (a) Any information divulged to the team, a team member, or peer support group
member, during the provision of critical incident stress management, and crisis intervention
services, or peer support services shall be kept confidential and shall not be disclosed to a third
party or in a criminal, civil, or administrative proceeding. Records kept by critical incident stress
management team members or peer support group are not subject to subpoena, discovery, or
introduction into evidence in a criminal, civil, or administrative action. Except as provided in
subparagraph (c), no person, whether critical incident stress management team member, team
leader, or peer support group member providing or receiving critical incident stress management,
crisis intervention, or peer support services, shall be required to testify or divulge any
information obtained solely through such crisis intervention.

(b) The purpose of this section is to provide a consistent framework for the operation of
critical incident stress management teams, peer support groups and their members. In any
civil action against any individual, agency, or government entity, including the state of New
Hampshire, arising out of the conduct of a member of such team, this section is not intended and
shall not be admissible to establish negligence in any instance where requirements herein are higher
than the standard of care that would otherwise have been applicable in such action under state law.

(c) A communication shall not be deemed confidential pursuant to this section if:

(1) The communication indicates the existence of a danger to the individual who
receives critical incident stress management and crisis intervention services or to any other person
or persons.

(2) The communication indicates the existence of past child abuse or neglect of the
individual, abuse of an adult as defined by law, or family violence as defined by law.

(3) The communication indicates the existence of past or present acts constituting an
intentional tort or crime, provided the applicable statute of limitation has not expired on the act
indicated.

134 Department of Safety; Appropriation; State and Local Cybersecurity Grant Program. The
sum of $1,255,500 for the fiscal year ending June 30, 2024 and the sum of $1,614,215 for the fiscal
year ending June 30, 2025 are hereby appropriated to the commissioner of the department of safety
for the state and local cybersecurity grant program. Such funds shall be nonlapsing and continually
appropriated to the commissioner of the department. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

135 Department of Safety; Appropriation. There is hereby appropriated to the department of safety the sum of $3,510,000 for the fiscal year ending June 30, 2023 for the purpose of purchasing 52 state police cruisers. This appropriation shall not lapse until June 30, 2025, provided that any unexpended amount following the purchases shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

136 Effective Date. Section 135 of this act shall take effect June 30, 2023.

137 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.

138 Education Trust Fund. The introductory paragraph of RSA 198:39, I is repealed and reenacted to read as follows:

I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than:

(a) To distribute adequate education grants to municipalities' school districts pursuant to RSA 198:42.

(b) To distribute grants to municipalities' school districts and to approved chartered public schools pursuant to RSA 194-B:11.

(c) To distribute kindergarten grants to municipalities' and school districts pursuant to RSA 198:48-c.

(d) To provide low and moderate income homeowners property tax relief under RSA 198:56-198:61.

(e) To distribute funds to scholarship organizations approved under RSA 77-G, that administer and implement RSA 194-F.

(f) To distribute phase-out grants to school districts under RSA 194-F:10.

(g) To fund costs necessary to provide the statewide assessment program required under RSA 193-C.

(h) To fund department of education operating costs for a state student data collection and reporting system, within budgeted appropriations.

(i) To fund department of education costs for administering programs funded by the education trust fund, within budgeted appropriations, plus any additional funding authorized pursuant to paragraph III.

II. The state treasurer shall deposit into the education trust fund immediately upon receipt:
(a) Funds certified to the state treasurer by the commissioner of revenue administration pursuant to RSA 77-A:20-a, relative to business profits taxes.

(b) Funds certified to the state treasurer by the commissioner of revenue administration pursuant to RSA 77-E:14, relative to business enterprise tax.

(c) Funds collected and paid over to the state treasurer by the commissioner of revenue administration pursuant to RSA 78-A:26, II, relative to the tax on motor vehicle rentals.

(d) Funds collected and paid over to the state treasurer by the department of revenue administration pursuant to RSA 78:24, relative to tobacco taxes.

(e) Funds certified to the state treasurer by the commissioner of revenue administration pursuant to RSA 78-B:13, relative to real estate transfer taxes.

(f) Funds collected and paid over to the state treasurer by the department of revenue administration pursuant to RSA 83-F:7, I, relative to the utility property tax.

(g) All moneys due the fund in accordance with RSA 284:21-j, relative to sweepstakes and the lottery.

(h) Tobacco settlement funds in the amount of $40,000,000 or, for any year in which the total tobacco settlement funds received by the state is less than $40,000,000, the total amount of tobacco settlement funds received by the state.

(i) The school portion of any revenue sharing funds distributed pursuant to RSA 31-A:4 which were apportioned to school districts in the property tax rate calculations in 1998.

(j) Funds collected and paid over to the state treasurer by the lottery commission pursuant to RSA 284:44, RSA 284:47, and RSA 287-I.

(k) Any other moneys appropriated from the general fund.

III. If required expenditures to administer programs funded by the education trust fund, pursuant to paragraph I, exceed amounts appropriated, the commissioner of education may request the fiscal committee of the general court authorize additional funding. Amounts requested under this paragraph shall be a charge to the education trust fund. For funds requested and approved, the governor is authorized to draw a warrant from any money in the treasury not otherwise appropriated.

IV. The education trust fund shall be nonlapsing. The state treasurer shall invest that part of the fund which is not needed for immediate distribution in short-term interest-bearing investments. The income from these investments shall be returned to the fund.

139 New Paragraph; Education of Children Placed in Homes for Children, Health Care Facilities, or State Institutions; Episode of Treatment. Amend RSA 193:27 by inserting after paragraph VI the following new paragraph:

VII. "Episode of treatment" means when a child needs to be placed by the department of health and human services (DHHS) in a DHHS-contracted and/or certified program to receive more
intensive treatment and supports and has the objective of helping children in crisis avoid or reduce
the use of psychiatric hospitals or emergency rooms.

140 Court Ordered Placements; Purpose and Application of Chapter. Amend RSA 169-F:1 to
read as follows:
169-F:1 Purpose and Application of Chapter. This chapter shall apply to any court ordered
placement or placement for an episode of treatment as defined in RSA 193:27, VII, of any
minor pursuant to RSA 169-B or any child pursuant to RSA 169-C or RSA 169-D, for the purposes of
the effective implementation of any such placement.

141 Special Education; State Aid. Amend RSA 186-C:18, III(a) to read as follows:

III.(a) The state board of education through the commissioner, department of education,
shall distribute aid available under this paragraph as entitlement to such school districts as have a
special education pupil for whose costs they are responsible, for whom the costs of special education
in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school
year preceding the year of distribution. If in any year, the amount appropriated for distribution as
special education aid in accordance with this section is insufficient therefor, the appropriation shall
be prorated proportionally based on entitlement among the districts entitled to a grant. If there are
unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall
be distributed for court-ordered placements and episodes of treatment under RSA 186-C:19-b.
The state may designate up to $250,000 of the funds which are appropriated as required by this
paragraph, for each fiscal year, to assist those school districts which, under guidelines established by
rules of the state board of education, may qualify for emergency assistance to mitigate the impact of
special education costs. The state may designate up to an additional $250,000 of the funds which are
appropriated under this paragraph for each fiscal year for any community of 1,000 or fewer residents
to mitigate the impact of special education costs when emergency assistance is necessary to prevent
significant financial harm to such district or community. Upon application to the commissioner of
education, and approval by the commissioner, such funds may be accepted and expended by school
districts in accordance with this chapter; provided, however, that if a school district has received
emergency assistance funds for certain children with disabilities, it shall not receive special
education aid for those same children with disabilities. If any of the funds designated for emergency
assistance under this paragraph are not used for such emergency assistance purposes, the funds
shall be used to assist school districts in meeting special education cost increases in their special
education programs as provided by this paragraph.

142 New Paragraph; Special Education; State Aid; Rulemaking by State Board of Education.
Amend RSA 186-C:18,V by inserting after subparagraph (f) the following new subparagraph:

(g) Administering and distributing payment for episode of treatment costs as defined in
RSA 193:27, VII.
Liability for Children with Disabilities in Certain Court Ordered Placements. Amend RSA 186-C:19-b to read as follows:

I. (a) As used in this section "children in placement for which the department of health and human services has financial responsibility" means all children receiving special education or special education and related services whose placements were made pursuant to RSA 169-B, 169-C, or 169-D, except children at the youth development center and children placed at the youth services center maintained by the department of health and human services while awaiting disposition of the court following arraignment pursuant to RSA 169-B:13.

(b) In the case of an out-of-district placement or placement for an episode of treatment, the appropriate court shall notify the department of education on the date that the court order is signed, or the need for an episode of treatment is determined, stating the initial length of time for which such placement is made. This subparagraph shall apply to the original order or determination and all subsequent modifications of that order or determination.

II. The school district liability for expenses for special education or for special education and related services for a child with a disability in placement for which the department of health and human services has financial responsibility shall be limited to 3 times the estimated state average expenditure per pupil, for the school year preceding the year of distribution. The liability of a school district under this section shall be prorated if the placement is for less than a full school year and the district shall be liable for only the prorated amount. This section shall not limit a school district's financial liability for children who receive special education or special education and related services in a public school or program identified in RSA 186-C:10.

(a) Any costs of special education or special education and related services in excess of 3 times the estimated state average expenditure per pupil for the school year preceding the year of distribution shall be the liability of the department of education. Costs for which the department of education is liable under this section shall be paid to education service providers by the department of education. The department of education shall develop a mechanism for allocating the funds appropriated for the purposes of this section. Any costs of special education or special education and related services related to an episode of treatment and the determination of placement by the department of health and human services shall be covered in full for students with disabilities by the department of education.

(b) The department of health and human services shall be liable for all court-ordered and episode of treatment costs pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 other than for special education or special education and related services.

(c) The department of education shall distribute special education payments under subparagraph II(a) within 60 days of receipt of invoice from the school district. School districts shall submit education service providers costs to the department within 30 days of receipt of such costs.
The department shall then verify the cost and distribute the appropriate amounts to the education service provider.

III. The department of education shall by rules adopted under RSA 541-A establish the rates charged by education service providers to the department of education or to school districts for children with disabilities in placement for which the department of health and human services has financial responsibility.

IV. The department of education is authorized to receive and take appropriate action on complaints regarding the failure to provide necessary special education or special education and related services to children with disabilities in placement for which the department of health and human services has financial responsibility.

V. [All appropriations made for the purposes of funding court ordered placements shall be nonlapsing.] If the total amount required for court ordered placements or placements for an episode of treatment exceeds the amount appropriated to the department for such payments, the governor is authorized to draw a warrant from the general fund for such sum to satisfy the state's obligation under this section.

144 Education; Funding for Renovation and Expansion; CTE. Amend RSA 188-E:10 to read as follows:

188-E:10 Funding for Renovation and Expansion.

I. The department of education is responsible for maintaining a statewide system of regional career and technical education centers to provide and allow for a variety of career and technical education programs funded within state budget appropriations. The treasurer of the state of New Hampshire is hereby authorized to make funds available to the department of education for the construction, renovation, expansion, or replacement of qualified regional career and technical education centers or regional career and technical education programs authorized in the [capital] budget, provided that:

(a) The commissioner of the department of education shall ensure that all requests submitted are both educationally and financially appropriate within the state [capital project] authorization process;

(b) The commissioner of the department of education submits on a biennial basis in a [capital] budget request a priority list of facilities and programs eligible for construction, renovation, expansion, or replacement provided that priority shall be given to programs that have been certified by an approved standard or that need additional funds to become certified by an approved standard;

(c) Each request for funding follows the [capital] budget procedure [pursuant to RSA 9:3-a], provided that no qualified project funded in a state capital budget as required in this section shall have additional funds for the same project included in a subsequent proposal for [capital] appropriation [under RSA 9:3-a] unless directed by the priority list of the department of education;
(d) Each school district requesting funds from the department of education establishes and funds a construction, renovation, expansion, and replacement reserve fund, which shall be used by the school district to pay construction, renovation, expansion, and replacement costs not funded by the state, and which may include funding for the replacement of equipment; and

(e) The state shall fund not less than 50 percent nor more than 75 percent of the cost of a qualified project approved pursuant to this section.

(f) In this section, "qualified" means the project:

(1) Demonstrates need connected to the labor market.

(2) Demonstrates adequate numbers of students through enrollment figures based on 3-year averages.

(3) Demonstrates alignment with program competencies and academic competencies required by the department of education.

(4) Allows for matriculation into a postsecondary venue.

(5) Meets all industry and building standards.

(6) Meets the procedural requirements for requests under this section and any other requirements in rules of the department of education.

(7) Is a regional career and technical education center within a public school, or a public academy as defined in RSA 194:23, II, in the state of New Hampshire.

(8) Has the capacity to provide academic courses for students from the sending districts who are approved for full-time attendance at the center.

II. The renovation and expansion reserve funding required by subparagraph I(d) may be funded through local community funds, career and technical education tuition payments, gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, organizations, or institutions. School districts shall consider priority funding for programs certified or needing additional funds to become certified as set forth in subparagraph I(b).

III. Public academies receiving funds through the [capital] budget process shall comply with all contracts or agreements required by department of education rules adopted pursuant to RSA 541-A.145

146 Department of Education; Appropriation; CTE Renovation Projects. The department of education is appropriated $12,514,533 from the general fund for career and technical education renovation projects for the fiscal year ending June 30, 2024. Such funding shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Any unexpended funds after the completion of the project shall be returned to the general fund. Such funds shall be expended to renovate the Sugar River Valley Regional Technical Center in Newport.

146 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.
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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

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

(d) An additional [$1,015.86] $2,100 for each pupil in the ADMR who is receiving special
education services anytime during the determination year; plus

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

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

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

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

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

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

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

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

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

198:40-e Relief Funding.

I. In addition to the cost of an opportunity for an adequate education provided under RSA
198:40-a, each year the commissioner shall calculate relief funding for schools and provide that
amount of aid to a municipality’s school districts as follows:
(a) In a school district in which 48 percent or more of the ADMR is eligible to receive a free or reduced-priced meal, an additional $400 for each pupil in the ADMR who is eligible for a free or reduced-priced meal.

(b) In a school district in which at least 12 percent but less than 48 percent of the ADMR is eligible to receive a free or reduced-priced meal, an amount equal to $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.

(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.

148 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.]

II. In this section:

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

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

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

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

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

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

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

198:40-g Fiscal Capacity Disparity Aid.

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 fiscal capacity disparity aid for schools and provide that amount of aid to a municipality's school districts as follows:

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

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

(c) A municipality with an equalized valuation per ADMR of $1,600,000 or more shall receive no fiscal capacity disparity aid.
II. In this section:

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

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

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

(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.

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


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. 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. 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.

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

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

(d) III. For fiscal year 2024 and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus a percentage 85 percent of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the municipality; the percentage shall be 95 percent for fiscal year 2017, 92 percent for fiscal year 2018, 88 percent for fiscal year 2019, and 100 percent for fiscal year 2020 and each fiscal year thereafter.] No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax warrant pursuant to RSA 76:8 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which the municipality's ADMR is zero.

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

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

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

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

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.

151 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.

152 Repeal; Third Grade Reading Accountability. RSA 193-C:3, IV(i), relative to grade 3 statewide education improvement and assessment program data, is repealed.

153 State Maintenance of Equity; Biennium Ending June 30, 2023. Amend 2001, 91:58, III to read as follows:

III. Any state aid distributed under this section shall be an education grant in addition to the state grant calculated under RSA 198:41 and RSA 194-B:11 and shall be distributed to school districts and chartered public schools accordingly. Depending on how the United States Department of Education allows states to define "pupil" as it relates to determining state aid per pupil under Section 2004(b) of the American Rescue Plan Act of 2021, the department of education may experience delays in accurately collecting pupil data to meet the definition as defined by the United States Department of Education, thereby delaying the calculation of the grant award. If such delay occurs, the department of education may issue the grants described in this section up to 120 days after the end of the applicable fiscal year being assessed for compliance with federal law.

154 Budget and Appropriations; Transfers Authorized. Amend RSA 9:16-a, II-a(c) to read as follows:

(c) The appropriations budgeted in class 027-transfers to DoIT, class 028-transfers to general services, class 040-indirect costs, class 041-audit funds set aside, class 042-additional fringe benefits, class 049-transfers, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance, class 210-bond insurance, and class 211-property and casualty insurance, shall not be transferred or expended for any other purpose, except that agencies may transfer any portion of funds in class 027 transfers to OIT not related to IT shared services upon consultation with and approval from the CIO.

155 New Paragraph; Budget and Appropriations. Amend RSA 9:16-a, II-a by inserting after subparagraph (d) the following new subparagraph:

(e) The following classes shall not lapse in the first year of the operating budget: class 028-transfers to general services, class 040-indirect costs, class 041-audit funds set aside, class 042-additional fringe benefits, class 061-unemployment compensation, class 062-workers compensation, class 064-retiree pension benefit-health insurance, class 210 bond insurance, and class 211 property casualty insurance.

156 Medical and Surgical Benefits. Amend RSA 21-I:30, XV to read as follows:

XV. Funds appropriated for the purposes of this section shall not be transferred or used for any other purpose and shall be nonlapsing.

157 Salary Adjustment Fund. Amend RSA 99:4 to read as follows:
99:4 Salary Adjustment Fund. Whereas the appropriations for personal services in state departments and institutions include an annual increment for each position, and whereas upon occasion due to vacancies and personnel turnover, salaries, increment increases and longevity as provided by the appropriations are not needed for said positions, each quarter the department of administrative services shall review accounts and transfer said amount, if needed, from the departmental or institutional appropriation to a special account to be known as the salary adjustment fund. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Under no circumstances will this fund be used for temporary positions or new positions. Upon the certification of the commissioner of the department of administrative services, subject to the approval of governor and council, the salary adjustment fund shall be available for transfer to departments and institutions in amounts that are necessary to pay any legally authorized salaries for employees in the classified system, followed by an annual informational report to the governor and council after fiscal year end.

158 Employee Benefit Adjustment Account. Amend RSA 9:17-c to read as follows:

9:17-c Employee Benefit Adjustment Account. Whereas the appropriations for employee benefits in state departments and institutions may upon occasion not be totally needed for each position due to vacancies and personnel turnover, the department of administrative services shall review accounts and transfer said amount, if needed, quarterly from the departmental or institutional appropriation to a special account to be known as the employee benefit adjustment account. This fund shall lapse at the end of each fiscal year and revert to the appropriate fund. Upon the certification of the commissioner of administrative services, subject to the approval of governor and council, the employee benefit account shall be available for transfer to departments and institutions in amounts that are deemed necessary to pay the state's required proportionate share of any legally authorized employee benefit, followed by an annual informational report to the governor and council after fiscal year end. Notwithstanding the provisions of RSA 9:17, no transfer shall be made from any appropriation for employee benefits to any other appropriation for any other use or purpose except as provided in this section.

159 Department of Administrative Services; State Budget Office. Amend the introductory paragraph of RSA 21-I:6 to read as follows:

21-I:6 Budget Office. There is hereby established within the office of the commissioner of administrative services a state budget office under the supervision of an unclassified budget officer who shall:

160 Department of Administrative Services; Planning and Design Costs. Amend RSA 21-I:85 to read as follows:

21-I:85 Planning and Design Costs. The division of public works design and construction shall not perform any design and planning work for any non-general fund state agency unless the division
The department of administrative services shall bill state agencies for any design, planning, project management, and/or inspection work for all capital construction projects administered through the department, and for any operating projects that are funded in full or in part with federal funds, agency income, or funding sources other than general funds.

161 Appropriation; Department of Administrative Services; Technology Upgrades. There is hereby appropriated to the department of administrative services the sum of $7,800,000 for the fiscal year ending June 30, 2023, for the purpose of technology upgrades to ensure the sustainability of the state’s financial, payroll and budgeting system. The sum appropriated shall be nonlapsing, provided that any unexpended amount following completion of the project shall lapse to the general fund. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

162 Effective Date. Section 161 of this act shall take effect June 30, 2023.

163 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph III the following new paragraph:

III-a. The commission shall elect a chairperson, vice-chairperson, and a recorder.

164 State Commission on Aging. Amend RSA 19-P:1, IV to read as follows:

IV. The members appointed pursuant to subparagraph II(j) shall serve 2-year terms; provided that initially such members shall serve staggered terms and no such member shall serve more than 2 consecutive terms, with the exception of the chairperson, vice-chairperson, and recorder, who may serve an additional term for a total of 3 terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission. The first named member of the house of representatives shall convene the organizational meeting of the commission on or before 45 days of passage of this chapter for the purpose of electing officers serving on the commission. [Thirteen] A majority of the members shall constitute a quorum. If any member is absent without previously being excused by the chairperson for 3 or more regular meetings, the member may be removed upon a majority vote of the commission.

165 State Commission on Aging. Amend RSA 19-P:1, V to read as follows:

V. The commission shall be authorized to select and hire select an executive director by a vote of a majority of the members. The executive director shall be in the classified service of the state and shall perform such duties as the commission may require. [The governor is authorized to draw a warrant for the amount necessary to pay for the executive director position and related office expenditures authorized in this paragraph out of any money in the treasury not otherwise appropriated.] The commission shall hold no fewer than 9 regular meetings per year.
166 New Paragraph; State Commission on Aging. Amend RSA 19-P:1 by inserting after paragraph V the following new paragraph:

VI. The commission on aging shall be an independent agency, administratively attached to the department of administrative services pursuant to RSA 21-G:10.

167 New Paragraph; Duties of the State Commission on Aging. Amend RSA 19-P:2 by inserting after paragraph XIV the following new paragraph:

XV. Accepting and utilizing for its purposes, functions, and duties as set forth in this chapter public and private grants, gifts, donations, and contributions of money and other assets and properties, real and personal, of all types and kinds, without limitations.

168 Corrections Officers' Salaries.

I. Effective July 14, 2023, part-time corrections officers and corrections officer corporals shall be compensated in accordance with the salary schedule applicable to full-time corrections officers and corrections officer corporals.

II. Effective July 14, 2023, corrections officer majors shall be compensated in accordance with the salary schedule applicable to corrections officer lieutenants, sergeants, and captains.

169 Parking; Concord. The department of administrative services is authorized to spend such funding as appropriated for additional parking for full-time and part-time employees who are assigned to the downtown Concord area and who are not provided a state-provided parking space for their personal vehicle.

170 Compensation for Certain State Officers; Unclassified State Employees; July 14, 2023. 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>
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- Page 63 -

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171  Salary Wages for Councilors and Commissioners; July 14, 2023. 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 July 14, 2023:

Governor's councilors $19,734
Racing and charitable gaming commissioners $15,301
Sweepstakes commission, chairman $22,251
Sweepstakes commission, members $12,527

172  Compensation for Certain State Officers; Unclassified State Employees; July 12, 2024. 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>
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173  Salary Wages for Councilors and Commissioners; July 12, 2024. 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 July 12, 2024:
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1
2 Governor's councilors $20,129
3 Racing and charitable gaming commissioners $15,608
4 Sweepstakes commission, chairman $22,697
5 Sweepstakes commission, members $12,778
6
7 174 Department of Justice; Attorney Salaries; July 14, 2023. RSA 94:1-a, I(c) is repealed and
8 reenacted to read as follows:
9     I.(c) For attorney positions in the department of justice, except for the attorney general and
10 deputy attorney general, the following shall apply commencing on July 14, 2023:
11
12 Minimum Market anchor Maximum
13 $60,778 $73,264 $140,802
14
15 175 Legislative Employees; July 14, 2023. Legislative employees shall receive 10 percent salary
16 increases effective July 14, 2023, if such increases are approved by the appointing authority.
17
18 176 Legislative Employees; July 12, 2024. Legislative employees shall receive 2 percent salary
19 increases effective July 12, 2024 if such increases are approved by the appointing authority.
20
21 177 Judicial Salaries; July 14, 2023. RSA 491-A:1 is repealed and reenacted to read as follows:
22
23 491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:
24
25 Chief justice, supreme court $204,076
26 Associate justices, supreme court $197,937
27 Chief justice, superior court and administrative judges
28 appointed pursuant to supreme court rule 54 $197,937
29 Associate justices, superior court $185,638
30 District court justices prohibited from practice
31 pursuant to RSA 502-A:21 $185,638
32 Probate judges prohibited from practice
33 pursuant to RSA 547:2-a $185,368
34
35 178 Judicial Salaries; July 12, 2024. RSA 491-A:1 is repealed and reenacted to read as follows:
36
37 491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:
38
39 Chief justice, supreme court $208,157
40 Associate justices, supreme court $201,895
41 Chief justice, superior court and administrative judges
42 appointed pursuant to supreme court rule 54 $201,895
43 Associate justices, superior court $189,350
District court justices prohibited from practice pursuant to RSA 502-A:21 $189,350
Probate judges prohibited from practice pursuant to RSA 547:2-a $189,350

Judicial Employees; July 14, 2023. All unrepresented judicial employees shall receive 10 percent salary increases effective July 14, 2023.

Judicial Employees; July 12, 2024. All unrepresented judicial employees shall receive 2 percent salary increases effective July 12, 2024.

Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 10 percent salary increases effective July 14, 2023.

Salary Adjustment for Recruitment or Retention. All employees listed in RSA 94:3-b II, shall receive a 2 percent salary increases effective July 12, 2024.

Appropriations.

I. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2024:

<table>
<thead>
<tr>
<th>FY 2024</th>
<th>All General Liquor Federal Highway Turnpike Fish and Other Game</th>
</tr>
</thead>
<tbody>
<tr>
<td>$101,554,000</td>
<td>$44,900,000 $3,394,000 $16,702,000 $9,262,000 $1,826,000 $875,000 $24,595,000</td>
</tr>
</tbody>
</table>

II. The following sums are appropriated from the following sources for the purposes of salary and compensation adjustments in this act for the fiscal year ending June 30, 2025:

<table>
<thead>
<tr>
<th>FY 2025</th>
<th>All General Liquor Federal Highway Turnpike Fish and Other Game</th>
</tr>
</thead>
<tbody>
<tr>
<td>$123,896,000</td>
<td>$54,778,000 $4,140,000 $20,377,000 $11,300,000 $2,228,000 $1,067,000 $30,006,000</td>
</tr>
</tbody>
</table>

III. The department of administrative services is authorized to make any 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).

IV. The governor is authorized to draw a warrant to the general fund portion of said sums out of any money in the treasury not otherwise appropriated.

Effective Date.

I. Sections 170, 171, 174, and 177 of this act shall take effect July 14, 2023.

II. Sections 172, 173, and 178 of this act shall take effect July 12, 2024.

Business Profits Tax; Distribution to Education Trust Fund. Amend RSA 77-A:20-a to read as follows:

77-A:20-a Distribution of Funds.

I. The commissioner shall determine [the additional amounts] 22.5 percent of the revenue
produced by [an increase of 1.5 percent in the rate of] the tax imposed by RSA 77-A:2 for each fiscal
year and shall certify such amounts to the state treasurer by October 1 of that year for deposit in the
education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [additional] revenues
that will be produced [by the increase in tax rate] for the next fiscal year and shall certify such
amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39.
Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

186 Business Enterprise Tax; Distribution to Education Trust Fund. Amend RSA 77-E:14 to
read as follows:

77-E:14 Distribution of Funds.

I. The commissioner shall determine [the additional amounts of] 22.5 percent of the
revenue produced by [an increase of .50 percent in the rate of] the tax imposed by RSA 77-E:2 for
each fiscal year and shall certify such amounts to the state treasurer by October 1 of that year for
deposit in the education trust fund established by RSA 198:39.

II. The commissioner shall make quarterly estimates of the amount of [additional] revenues
that will be produced [by the increase in tax rate] for the next fiscal year and shall certify such
amounts to the state treasurer for deposit in the education trust fund established by RSA 198:39.
Such estimates shall be certified on June 1, September 1, December 1, and March 1 of each year.

187 Department of Health and Human Services, Division of Public Health Services, Choose
Love Program. There is hereby appropriated to department of health and human services, division
of public health services the sums of $250,000 for the fiscal year ending June 30, 2024, and $250,000
for the fiscal year ending June 30, 2025, for the purpose of operating the choose love program and
funding 2 classified positions as determined by the director of public health services. The governor is
authorized to draw a warrant for said sums out of any money in the treasury not otherwise
appropriated.

188 New Paragraph; Department of Health and Human Services; Authorization to Fill
Unfunded Positions. Amend RSA 126-A:4 by inserting after paragraph VI the following new
paragraph:

VII. The department of health and human services shall have the authority to fill unfunded
positions, provided that the total expenditure for such positions shall not exceed the amount
appropriated to the department for personal services.

189 Department of Health and Human Services; Foster Grandparent Program. The
reimbursements to the foster grandparent program through the senior volunteer grant program,
established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2025.

190 Department of Health and Human Services; Bureau of Adult and Elderly Services;
Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver
pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the
biennium ending June 30, 2025.

191 Department of Health and Human Services; Social Services Block Grant Cost of Living
Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending
June 30, 2025, the department of health and human services shall raise the income eligibility for
elderly and adult clients under the social services block grant program each January, by the
percentage amount of the cost of living increase in social security benefits on a yearly basis, provided
such amount is consistent with federal law and regulations relative to the social services block grant
income eligibility.

192 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as
amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I, as
amended by 2019, 346:61, I, as amended by 2021, 91:404 to read as follows:

I. Section 5 of this act shall take effect July 1, [2023] 2025.

193 Graduate Medical Education Payments Suspended. The commissioner of the department of
health and human services shall submit a Title XIX Medicaid state plan amendment to the federal
Centers for Medicare and Medicaid Services to suspend the provision of direct and indirect graduate
medical education payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium
ending June 30, 2025. Upon approval of the state plan amendment, and as of the effective date of
the state plan amendment, any obligations for payment of direct and indirect graduate medical
education shall be suspended for the biennium ending June 30, 2025.

194 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The
commissioner of the department of health and human services shall submit a Title XIX Medicaid
state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all
catastrophic aid payments to hospitals effective for the biennium ending June 30, 2025.

195 Medicaid to Schools Program; Fiscal Committee Approval of Supplemental Funding. For
the biennium ending June 30, 2025, in the event funds appropriated in accounting unit 05-95-47-
0010-7207 Medicaid to schools, are insufficient, the department of health and human services may
accept and expend additional federal funds with the prior approval of the fiscal committee of the
general court. Any request to the fiscal committee shall include a detailed explanation of the types
of assistance the department is providing to school districts to ensure eligibility for reimbursement
under the Medicaid to schools program.

196 Department of Health and Human Services; Division of Medicaid Services. Any funds
appropriated to activity 05-95-47-470010, division of Medicaid services, for the biennium ending
June 30, 2023 shall not lapse until June 30, 2025, and shall be treated as restricted revenue for the
purpose of funding expenditures in account 05-95-47-470010-7948, Medicaid care management. The
department of health and human services is authorized to accept and expend any matching federal
funds for the purposes of this section without prior approval of the fiscal committee of the general court.

197 Department of Health and Human Services; Preventative Health Care Benefits; Medicaid Program. The commissioner of the department of health and human services shall, if necessary, submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to establish and provide preventative health care benefits under the state Medicaid program, including but not limited to nicotine cessation, transitional care management, chronic care management, diabetes prevention program, and screening, brief intervention, and referral to treatment (SBIRT) services. In addition, the commissioner may adopt rules under RSA 541-A, relative to the preventative health care benefits described in this section.

198 Department of Health and Human Services; Transfer Between Certain Classes. Notwithstanding any other provision of law, the department of health and human services is hereby authorized to transfer funds between classes 072, 074, 102, and 103, and create new class lines for classes 072, 074, 102, and 103, in order to comply with federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200).

199 Health Facility Licensing; Inspection. Amend RSA RSA 151:6, II to read as follows:

II. The department of health and human services may require by rule that any licensee or prospective applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit plans and specifications therefor to the [department of health and human services] department of safety, division of fire safety for preliminary inspection and approval or recommendations.

200 Health Care Facility Workplace Violence Prevention Program and Commission; Suspension of State Participation for Biennium. The following aspects of state agency participation in the health care facility workplace violence prevention program, established in RSA 151:53, and the New Hampshire health care workplace safety commission, established in RSA 151-J, are hereby suspended for the biennium ending June 30, 2025:

I. RSA 151:53, IV, relative to incident reporting by the department of health and human services.

II. RSA 151:53, VII, relative to website database design and implementation.

III. RSA 151-J:1, II(a)(2), (4),(5), and (6), relative to participation of the chief executive officer of New Hampshire hospital, the commissioner of the department of health and human services, the commissioner of the department of labor, and the attorney general on the New Hampshire health care workplace safety commission; provided that nothing in this section shall prevent voluntary participation of such individuals or their designees.

201 Residential Care and Health Facility Licensing; Workplace Violence Prevention Program. Amend RSA 151:53, V to read as follows:
V. Each health facility shall prepare and submit to the health care workplace safety commission established in RSA 151-J an annual report containing all workplace violence and hostile words incidents reported to the health facility directed at an employee by a patient, coworker, supervisor, manager, or other individuals who have a personal relationship with a patient. The chair of the health and human services oversight committee, established in RSA 126-A:13, with the advice of the health care workplace safety commission, may recommend updates to New Hampshire statutes or recommend updates to the rules adopted for the implementation of this section. The commissioner of health and human services, in consultation with the health care workplace safety commission and the health and human services oversight committee, [shall] may adopt rules pursuant to RSA 541-A deemed necessary for the implementation of this section in coordination with the department of health and human services, including a common reporting form.

202 New Hampshire Health Care Workplace Safety Commission; Administration. Amend RSA 151-J:6 to read as follows:

151-J:6 Administration. The commission may [delegate to] request that the department of health and human services assume the functions of collecting, analyzing, and disseminating workplace violence information, organizing and convening meetings of the commission, and other substantive and administrative tasks as may be incident to these activities or directed by the commission. The activities of the department of health and human services and its employees or agents shall be subject to the same confidentiality provisions and data privacy as those that apply to the commission.

203 New Hampshire Health Care Workplace Safety Commission; Rulemaking. Amend RSA 151-J:8 to read as follows:

151-J:8 Rulemaking. The commissioner of the department of health and human services, with the advice of members of the commission, [shall] may adopt rules pursuant to RSA 541-A, to assure de-identification of all individuals and facilities involved in the incidents received.

204 Department of Health and Human Services; Prospective Repeal Regarding the Exemption from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV, as amended by 2019, 346:64 and 2021, 91:27 to read as follows:

IV. Section 10 of this act shall take effect June 30, [2023] 2025.

205 Effective Date. Section 204 of this act shall take effect June 30, 2023.

206 Department of Health and Human Services; Unclassified Positions Established.

I. The following unclassified positions are established in the department of health and human services:

(a) Medicaid pharmacy director.

(b) Pharmaceutical service specialist.
II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner: #30278; #12433.

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the unclassified positions established in paragraph I.

207 Department of Health and Human Services; Unclassified Positions Established; Appropriation.

I. The following unclassified positions are established in the department of health and human services:

(a) Twenty four staff attorney positions.

(b) Five supervisory staff attorney positions.

(c) Three supervising attorney positions.

II. The salary of the unclassified positions established in paragraph I shall be determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I, for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

III. The following classified positions are abolished upon completion of the salary and letter appointment for the unclassified positions as required by paragraph II, or June 30, 2025, whichever is sooner:

(a) Attorney II:

#11677 #15803 #16212 #16248 #19145
#40083 #40084 #40085 #40086 #40087
#40088 #40089 #40090 #40091 #40092
#40093 #40095 #40096 #40396 #43485
#44216 #44217 #44355 #44380 #44539
#44560 #44561 #TMPPT5726 #TMPPT5779

(b) Attorney III:

#15402 #19766 #44562

IV. The incumbents in the classified positions abolished in paragraph III shall be offered the opportunity to transfer into the newly established unclassified positions.

V. There is hereby appropriated to the department of health and human services the sums of $141,000 for the fiscal year ending June 30, 2024, and $140,000 for the fiscal year ending June 30, 2025, for the purpose of compensating the newly established unclassified positions in this section. The sum appropriated shall be nonlapsing. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.
208 Department of Health and Human Services; Developmental Services, Acquired Brain Disorder Services, and In-home Support Waiver. Pursuant to RSA 171-A:8-b, the department of health and human services shall be authorized to carry forward funds from state fiscal year 2023 in the developmental services fund, acquired brain disorder services fund, and in-home support waiver fund for the purpose of carrying out the provisions of RSA 171-A for the biennium ending June 30, 2025. Funds unexpended from the following accounts in the biennium ending June 30, 2023 shall be carried forward and treated as restricted revenue for the purpose of funding expenditures from those accounts in the biennium ending June 30, 2025: 05-95-93-930010-7100, Developmental Services; 05-95-93-930010-7016, Acquired Brain Disorder Services; and 05-95-93-930010-7110, Children’s In-Home Support Services.

209 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to read as follows:

(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years [2022-2023] 2024-2025:

(2) State fiscal year [2023] 2025, [131,849,659] $131,849,659;

210 Appropriation; Department of Health and Human Services; Choices for Independence. The sums of $4,750,000 in the fiscal year 2024 and $10,350,000 in the fiscal year 2025 are hereby appropriated to the department of health and human services for the purpose of funding Choices for Independence, a Medicaid-funded program that provides a wide range of service choices that enable eligible adults to stay in their own homes and communities. The funds shall be nonlapsing until June 30, 2025. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

211 Appropriation; Department of Health and Human Services; Medicaid Management Information System. Of funds appropriated to the department of health and human services for the biennium ending June 30, 2023, the sum of $20,531,625 shall not lapse until June 30, 2025 and shall be treated as restricted revenue for the purpose of funding expenditures in account 05-95-47-470010-8009, Medicaid management information system.

212 Effective Date. Section 211 of this act shall take effect June 30, 2023.

213 Appropriation; Department of Health and Human Services. There is hereby appropriated to the department of health and human services the sum of $16,358,878 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of funding the elevated enrollment unwinding related to the end of continuous enrollment in accordance with the Centers for Medicare and Medicaid Services guidance. The department may accept and expend matching federal funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
214 Effective Date. Section 213 of this act shall take effect June 30, 2023.

215 Appropriation; Department of Health and Human Services; Moving One District Office. There is hereby appropriated the sum of $533,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services for the purpose of moving one district office. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

216 Effective Date. Section 215 of this act shall take effect June 30, 2023.

217 Appropriation; Department of Health and Human Services; Vehicles and Equipment at New Hampshire Hospital. There is hereby appropriated the sum of $200,000 to the department of health and human services for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing vehicles and clinical equipment at New Hampshire hospital. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

218 Effective Date. Section 217 of this act shall take effect June 30, 2023.

219 Appropriation; Department of Health and Human Services; IT Consultants; Analysis. The sum of $1,500,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to manage projects and perform analysis to support IT building automated solutions to streamline business processes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

220 Effective Date. Section 219 of this act shall take effect June 30, 2023.

221 Appropriation; Department of Health and Human Services; IT Consultants; Automated Solutions. The sum of $1,950,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of hiring IT consultants to develop and implement automated solutions to streamline business processes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

222 Effective Date. Section 221 of this act shall take effect June 30, 2023.

223 Appropriation; Department of Health and Human Services; Food Stamp Eligibility. There is hereby appropriated the sum of $125,000 for the fiscal year ending June 30, 2023, which shall be nonlapsing until June 30, 2025, to the department of health and human services, for the purpose of replacing a legacy database used for pulling quality samples for food stamp eligibility reviews. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

224 Effective Date. Section 223 of this act shall take effect June 30, 2023.

225 Appropriation; Department of Health and Human Services; DHHS Offices. There is hereby appropriated the sum of $410,100 to the department of health and human services for the fiscal year
ending June 30, 2023, which shall be nonlapsing until June 30, 2025, for the purpose of replacing
aging switches, routers, and wireless access point at DHHS offices. The department may accept and
expend matching federal funds without prior approval of the fiscal committee. The governor is
authorized to draw a warrant for said sum out of any money in the treasury not otherwise
appropriated.

226 Effective Date. Section 225 of this act shall take effect June 30, 2023.

227 Appropriation; Department of Health and Human Services; Temporary Assistance For
Needy Families; Maintenance of Effort. There is hereby appropriated to the department of health
and human services the sums of $2,500,000 for the fiscal year ending June 30, 2024, and $2,500,000
for the fiscal year ending June 30, 2025, to ensure maintenance of effort funding is sufficient to meet
the federal temporary assistance for needy families maintenance of effort levels. The governor is
authorized to draw a warrant for said sums out of any money in the treasury not otherwise
appropriated.

228 Appropriation; Department of Health and Human Services; Nutrition and Transportation
Services. There is hereby appropriated to the department of health and human services the sums of
$3,404,991 for the fiscal year ending June 30, 2024, and $3,404,991 for the fiscal year ending June
30, 2025, for the purpose of funding Title XX service rates for nutrition and transportation service
rates. The governor is authorized to draw a warrant for said sums out of any money in the treasury
not otherwise appropriated.

229 Appropriation; Department of Health and Human Services; Foster Care Rates. There is
hereby appropriated to the department of health and human services the sums of $870,481 for the
fiscal year ending June 30, 2024, and $957,529 for the fiscal year ending June 30, 2025, for the
purpose of increasing foster care rates. The department may accept and expend matching federal
funds without prior approval of the fiscal committee. The governor is authorized to draw a warrant
for said sums out of any money in the treasury not otherwise appropriated.

230 Appropriation; Department of Health and Human Services; Medicaid Provider Rate
Increases. There is hereby appropriated to the department of health and human services the sums of
$12,000,000 for the fiscal year ending June 30, 2024, and $12,000,000 for the fiscal year ending
June 30, 2025, for the purpose of increasing Medicaid provider rates, excluding rates for hospital
inpatient and hospital outpatient services. The department shall utilize such funds to increase rates
pursuant to section 1902 (a)(30)(A) of the Social Security Act, to promote efficiency, economy, and
quality of care within New Hampshire’s Medicaid program. The department may accept and expend
any federal funds available for the purposes of this section without the prior approval of the fiscal
committee of the general court. The governor is authorized to draw a warrant for said sums out of
any money in the treasury not otherwise appropriated.

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

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

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

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

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

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

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

VII. $169,658 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 for section 1915(c) waiver case management
services.

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

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

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:

<table>
<thead>
<tr>
<th>Ambulance Codes</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>A0425</td>
<td>13.00</td>
</tr>
<tr>
<td>A0427</td>
<td>700</td>
</tr>
<tr>
<td>A0428</td>
<td>325</td>
</tr>
<tr>
<td>A0429</td>
<td>450</td>
</tr>
</tbody>
</table>

If the department determines that the appropriations contained in this paragraph are insufficient to set rates at the specified levels, it may delay implementation until such time as the rate increases can be provided.
XX. $1,500,000 in the fiscal year ending June 30, 2024 and $3,000,000 in the fiscal year ending June 30, 2025 for the purpose of increasing rates for state plan personal care assistant services.

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

232 Department of Health and Human Services; Adult Medical Day Services. The department of health and human services shall reimburse all adult medical day services at the same payment rate irrespective of whether the service is covered under the Choices for Independence waiver or the Medicaid state plan.

233 Repeals; Department of Business and Economic Affairs. The following are hereby repealed:

I. RSA 12-O:46 through 12-O:50, relative to the New Hampshire college graduate retention incentive partnership (NH GRIP).

II. RSA 12-O:64, relative to the COVID-19 micro enterprise relief fund.

III. RSA 6:12,I(b)(365), relative to the COVID-19 micro enterprise relief fund.

IV. RSA 12-O:19, relative to the package plan program.

234 Department of Business and Economic Affairs; Bureaus. Amend RSA 12-O:2, I to read as follows:

I. There shall be a department of business and economic affairs under the executive direction of a commissioner of business and economic affairs, consisting of but not limited to a division of economic development [which shall include but not be limited to a bureau of workforce development] and a division of travel and tourism [development which shall include but not be limited to a bureau of visitor services]. The department's purpose shall be to ensure the efficient coordinated function of the department, economic development policies of the state of New Hampshire and the collaborative participation of all related state departments, agencies, and authorities.

235 Workforce Development. Amend RSA 12-O:42 to read as follows:

12-O:42 Workforce Development. The commissioner of business and economic affairs shall work with the [workforce development] director of the office of workforce opportunity to plan, develop, and administer workforce investment activities, programs, and grants under the federal Workforce Innovation and Opportunity Act of 2014 [Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq.], as such may be amended, reauthorized, and in effect from time to time, and shall discharge the day-to-day operational responsibilities and obligations of the State Workforce Innovation Board established under RSA 12-O:44. The commissioner shall coordinate with the State Workforce Innovation Board to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by
participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and facilitate the productivity and competitiveness of the nation.

236 Workforce Development Director. Amend RSA 12-O:43 to read as follows:

12-O:43 Workforce Development Director. There is established within the [bureau office of workforce development opportunity] the position of [workforce development coordinator director], which shall be an administrator [H] IV position, classified at labor grade [29] 33. The [workforce development] director shall lead the office of workforce opportunity [workforce development bureau]. The [workforce development] director shall perform all duties which the commissioner may assign.

237 State Workforce Innovation Board; Duties Removed. RSA 12-O:44 is repealed and reenacted to read as follows:

12-O:44 State Workforce Innovation Board.

I. There is established a State Workforce Innovation Board within the Office of Workforce Opportunity.

II. Membership of the board shall be as set forth in the Workforce Innovation and Opportunity Act of 2014 as such may be amended, reauthorized, and in effect from time to time. Members of the board shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the board from among the members of the board.

III. The board shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the Workforce Innovation and Opportunity Act of 2014.

238 Broadband Infrastructure Bonds. Amend RSA 33:3-g, IV to read as follows:

IV. The [office of planning and development] department of business and economic affairs shall maintain a list by town of all providers interested in receiving requests for information. The list shall include physical and electronic address information for interested providers and shall be updated as needed, but at least annually. For purposes of issuing requests for information pursuant to paragraph III, a municipality, county, or communications district shall reference the interested provider list maintained by the [office of planning and development] department and shall issue requests for information to all interested providers in that municipality, county, or communications district, both electronically and by United States mail.

239 Tax on Meals and Rooms; Population Figures. Amend RSA 78-A:25, III to read as follows:

III. On or before April 30 of each year, the office of planning and development shall notify the chief administrative officer in each community of all the data components which will be used as the basis for the estimate of population. Municipalities believing that such data components are incorrect shall file their specific objections and evidence in support thereof with the office of planning and development on or before May 30 of the same year. After due consideration of such evidence, the
director of [energy and planning] the office of planning and development shall determine the final components and resulting estimates.

240 Reference Deleted. Amend RSA 126-A:4, V(b)(1) to read as follows:

(1) May request and shall receive the assistance of all other state agencies, including [the office of planning and development, and] the departments of transportation, administrative services, and business and economic affairs.

241 Agricultural Advisory Board. Amend RSA 425:23 to read as follows:

425:23 Advisory Board; Duties. The board shall consult with and advise the commissioner of agriculture, markets, and food with respect to the policies, programs, and operations of the department on a continuing basis and for such purposes shall meet with the commissioner not less than semi-annually at the call of the chairperson or 3 board members. [The board shall designate and advertise at least one meeting annually as a public hearing] At each semi-annual meeting the board shall allow for public comment at which interested persons may appear and be heard regarding matters affecting agriculture, markets, and food and related laws. The board shall review and make biennial recommendations relative to administrative, legal, and regulatory factors affecting the viability of the agricultural economy. The board shall promote close coordination of the activities of the department with activities of the United States Department of Agriculture, Environmental Protection Agency and other federal agencies; the University of New Hampshire, including cooperative extension work; other state agencies; and farm organizations of the state. Upon expiration of the term of office of the commissioner of agriculture, markets, and food, or upon the occurrence of a vacancy in such office, it shall be the duty of the board to submit advisory recommendations to the governor and council concerning such new appointment or the filling of such vacancy.

242 Assistant Deputy Medical Examiners. Amend RSA 611-B:5 to read as follows:

611-B:5 Assistant Deputy Medical Examiners. The chief medical examiner shall [appoint] employ assistant deputy medical examiners to perform the duties of medical examiner under this chapter. Assistant deputy medical examiners shall serve without geographic restriction. An assistant deputy medical examiner shall be a person educated in the science of medicine and shall serve under the direction and supervision of the chief medical examiner. An assistant deputy medical examiner shall possess all the powers granted to medical examiners under this chapter and be sworn in the same manner. Assistant deputy medical examiners shall be appointed by the attorney general pursuant to RSA 21-M:3, XIV and shall serve at the pleasure of the chief medical examiner.

243 Department of Justice; Assistant Deputy Medical Examiners Established. There is established within the department of justice unclassified positions of assistant deputy medical examiners. The assistant deputy medical examiners shall be qualified to hold the position by reason of education and experience and shall be appointed to serve at the pleasure of the chief medical
examiner pursuant to RSA 611-B:5. The salary of the assistant deputy medical examiners shall be
determined after assessment and review of the appropriate letter grade allocation in RSA 94:1-a, I
for positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be
appropriated from expenditure class 014 within accounting unit 02-20-20-202010-1037.

244 New Paragraphs; Department of Justice; Permanent Assistant Deputy Medical Examiners;
Deputy Chief Forensic Investigator. Amend RSA 21-M:3 by inserting, after paragraph XIII, the
following new paragraphs:

XIV. The attorney general, subject to the approval of the governor and council, may appoint
permanent assistant deputy medical examiners within the limits of the appropriation made for the
appointment, each of whom shall serve at the pleasure of the chief medical examiner pursuant to
RSA 611-B:5.

XV. The attorney general, subject to the approval of the governor and council, may appoint a
permanent chief forensic investigator and/or a deputy chief forensic investigator, within the limits of
the appropriation made for the appointment, who shall hold office for a term of 5 years. Any vacancy
in such position may be filled for the unexpired term. The chief forensic investigator and deputy
chief forensic investigator may be removed only as provided by RSA 4:1.

245 Department of Justice; Planning Analyst/Data Systems; Reclassified and Established;
Deputy Chief Forensic Investigator. The planning analyst/data systems position number 9T3175,
within the department of justice shall be designated as an unclassified position. There is established
within the department of justice an unclassified position of deputy chief forensic investigator. The
deputy chief forensic investigator shall be qualified to hold the position by reason of education and
experience and shall be appointed to serve for a term of 5 years. The salary of the deputy chief
forensic investigator shall be determined after assessment and review of the appropriate letter grade
allocation in RSA 94:1-a, I for positions which shall be conducted pursuant to RSA 94:1-d and RSA
14:14-c. Funding shall be appropriated from expenditure class 014 within accounting unit 02-20-20-
202010-1033. Upon completion of this action and appointments to the unclassified position,
classified position number 9T3175 shall be abolished to allow for the transition of the available
appropriations to the unclassified position. Funding shall be transferred into the proper unclassified
expenditure class in the chief medical examiner general accounting unit. The incumbent in the
abolished classified position shall be offered the opportunity to seek the attorney general’s
nomination for the unclassified deputy chief forensic investigator position.

246 Chief Medical Examiner; Reference Deleted. Amend RSA 611-B:10 to read as follows:

611-B:10 Administrative and Technical Assistance. The chief medical examiner may employ
adequate administrative, clerical, and technical assistants to carry out the purposes of this chapter,[
all of whom shall be in the classified service of the state].

247 Office of the Solicitor General. Amend RSA 21-M:12-a, I to read as follows:
I. There is established within the department an office of the solicitor general. The office shall be supervised by the solicitor general who shall be a senior assistant attorney general appointed by the attorney general in accordance with the provisions of RSA 21-M:3, and who shall carry out the duties imposed by the section under the supervision of the attorney general and perform such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of RSA 21-M:3 and such support staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the department.

248 Division of Legal Counsel. Amend RSA 21-M:7, II to read as follows:

II. The division of legal counsel shall consist of the following units:

(a) A bureau of civil law.

(b) A [transportation and construction] public safety and infrastructure bureau.

(c) An office of the solicitor general.

249 Department of Justice; Name Change; Public Safety and Infrastructure Bureau. Amend the section heading of RSA 21-M:12 and RSA 21-M:12, I to read as follows:


I. There is established in the division of legal counsel a bureau of [transportation and construction] public safety and infrastructure. The bureau shall be supervised by a senior assistant attorney general who shall be appointed by the attorney general in accordance with the provisions of RSA 21-M:3 and who shall carry out the duties imposed by this section under the supervision of the attorney general and do such other work as the attorney general may assign. The attorney general shall appoint such other assistant attorneys general pursuant to the provisions of RSA 21-M:3 and such additional clerical, stenographic, and other staff as may be necessary to carry out the provisions of this section within the limits of the appropriations made for the bureau.

250 Department of Justice; Positions Transferred. The attorney general shall transfer national violent death reporting system positions 9T2789 and 9T2644 to the department of health and human services effective July 1, 2023. The department of justice appropriation 02-20-20-20-201510-59390000, national violent death reporting system, shall be repealed effective September 30, 2023.

251 New Section; Charitable Trusts. Amend RSA 7 by inserting after section 28-f the following new section:

7-28-g Handling Charges. If the attorney general collects a fee electronically for any registration, any annual report, any notice, any document, or any other purpose related to the duties of the director of charitable trusts, the attorney general shall collect a handling charge for each fee paid electronically. The amount of the handling charge shall be equal to the amount charged to the attorney general for processing the fee by credit card, electronic check, or other electronic means.

252 Charitable Trusts; Investigations. Amend RSA 7:24 to read as follows:
7:24 Investigation. The attorney general may investigate at any time charitable trusts, charitable solicitations, and charitable sales promotions for the purpose of determining and ascertaining whether they are administered in accordance with law and with the terms and purposes thereof. For the purposes of such investigation the attorney general may require any person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency administering a trust, charitable solicitation, or charitable sales promotion or having an interest therein, or knowledge thereof, to appear [at the state house] at such time and place as the attorney general may designate then and there under oath to produce for the use of the attorney general any and all books, memoranda, papers of whatever kind, documents of title or other evidence of assets or liabilities which may be in the ownership or possession or control of such person, agent, trustee, fiduciary, beneficiary, institution, association, corporation, or political agency and to furnish such other available information relating to said trust, charitable solicitation, or charitable sales promotion as the attorney general may require.

253 Victim Assistance Programs. Amend RSA 21-M:8-i, IV to read as follows:

IV. No more than [45] 30 percent of the money in the victims' assistance fund shall be used by the attorney general for the costs of administration of the victims' assistance fund and the administrative costs of the victims' assistance commission.

254 New Hampshire Retirement System. Administration of Benefit Payments to Existing Beneficiaries; Appropriation.

I. For each person receiving an annual allowance under the former RSA 100-A:19 as of the effective date of this section, the retirement system shall continue to pay the annual allowance to each such person as had been provided under RSA 100-A:19 prior to its repeal in 2014.

II. There hereby is appropriated the amount of $40,000 to fund the benefit for the remaining surviving beneficiaries. The governor is hereby authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Such amount shall be transferred from the state's general fund to the New Hampshire retirement system, which shall maintain such funds in a segregated account exclusively for payment of the call firefighter benefits.

III. The New Hampshire retirement system shall be reimbursed from available funds a reasonable annual fee for administration of the benefit until payments under paragraph I have terminated.

IV. Funds shall be nonlapsing until termination of all benefit payments under paragraph I and any remaining funds held by the New Hampshire retirement system in this segregated account at that time, shall be returned to the state's general fund.

255 Business Finance Authority; Unified Contingent Credit Limit Increased. Amend RSA 162-A:22 to read as follows:

RSA 162-I:9-b shall not exceed in the aggregate at any time $50,000,000 plus interest, provided that such amount shall be increased to $80,000,000 plus interest on January 1, 1993, to $95,000,000 plus interest on January 1, 1994, and to $115,000,000 plus interest on May 1, 2015, and to $200,000,000 plus interest on June 1, 2023.

256 Assessing Certification Board; Rulemaking and Implementation. To reduce workforce barriers and provide state supervision over regulatory bodies comprised of active market participants, the responsibility for implementation of RSA 310-C, relative to assessing standards, shall be transferred to the executive director of the office of professional licensure and certification effective September 1, 2023. The executive director shall consult with the assessing certification advisory board when implementing RSA 310-C. Rules in effect upon the effective date of this section shall remain in effect until repealed by the executive director of the office of professional licensure and certification or until the rules expire, whichever occurs first.

257 Assessing Certification Board; Advisory Board Established. RSA 310-C:1 is repealed and reenacted to read as follows:

310-C:1 Assessing Certification Advisory Board.

I. There is established an assessing certification advisory board (“board”) within the office of professional licensure and certification, that shall advise the executive director of the office of professional licensure and certification on the implementation of this chapter.

II. The board shall be composed of the following members:

(a) The commissioner of the department of revenue or designee;

(b) One certified assessor supervisor appointed by the executive director of the office of professional licensure and certification; and

(c) One member who shall be a municipal governing body official who shall not be an assessor, and who is appointed by the executive director of the office of professional licensure and certification.

III. The members shall be appointed for 3-year terms and shall not serve more than 2 full terms.

258 Assessing Certification Board; Rulemaking Authority. Amend the introductory paragraph of RSA 310-C:17, I to read as follows:

I. The executive director in consultation with the advisory board shall adopt rules pursuant to RSA 541-A, relative to:

259 Assessing Certification Board Repeal. The following are repealed:

I. RSA 310-C:9, relative to the term of certification.

II. RSA 310-C:12, I, relative to the assessing certificate.

III. RSA 310-C:13, relative to disciplinary proceedings.

IV. RSA 310-C:14, relative to hearings and investigations.

V. RSA 310-C:16, relative to summons and oaths.
Repeal. RSA 332-J, relative to athlete agents, is repealed.

Repeal. RSA 311-B:2, III and IV, relative to the members of the state board of auctioneers, is repealed.

262 Auctioneers; State Board of Auctioneers; Transfer. To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for administration of the state board of auctioneers shall be transferred to the office of professional licensure and certification effective September 1, 2023.

Auctioneers; Rulemaking Authority. RSA 311-B:3 is repealed and reenacted to read as follows:

311-B:3 Rulemaking Authority.

I. The board, with the approval of the executive director of the office of professional licensure and certification, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) The qualifications of applicants for initial, renewal, and reinstatement licensure in addition to those requirements set by statute, and the means to be used by applicants to demonstrate good professional character;

(b) Ethical and professional standards required to be met by each holder of a license under this chapter;

(c) How disciplinary actions by the board shall be implemented for violations of these standards and for misconduct by licensees; and

(d) Establishing eligibility for certificates of authorization issued under RSA 311-B:4, III.

II. The board may adopt rules, pursuant to RSA 541-A, relative to:

(a) Required maintenance of competence including requirements for continuing education;

(b) Board approval of auctioneering educational programs; and

(c) Standards governing auctioneering apprenticeships.

264 Auctioneers; Qualifications; Application. Amend RSA 311-B:5 to read as follows:

311-B:5 Qualifications; Application. The board's executive director shall grant licensure to any applicant who:

I. Shall have attained the age of 18 years by the date the board receives the application;

II. Submits professional references or recommendations that comply with other standards specified by rule, certifying that the applicant is trustworthy and competent to auction real, personal, and mixed property in such a manner as to safeguard the interests of the public. Each such recommendation shall set forth the writer's name, address, and occupation, the extent of the writer's acquaintance with the applicant, the writer's familiarity with the applicant's past business experience and dealings, and any additional knowledge of the applicant's background upon which the writer bases the recommendation;
III. Pays the initial licensure fee;

IV. [Repealed.]

V. Has good professional character;

VI. Meets the eligibility standards established by the board through rulemaking;

VII. Pays the examination fee \[specified by the board through rulemaking\] if the examination is one developed or administered by the board; and

VIII. Passes an examination \[administered by the board or an examination\] administered by another entity and approved by the board through rulemaking.

265 Auctioneers; Repeals. The following are repealed:

I. RSA 311-B:4-a, relative to cease and desist orders for auctioneering without a license.

II. RSA 311-B:6, relative to nonresidents.

III. RSA 311-B:10, relative to renewals and reinstatement.

IV. RSA 311-B:11, relative to disciplinary action.

V. RSA 311-B:11-a, relative to hearings.

266 Auctioneers; Disposition of Revenue. Amend RSA 311-B:14 to read as follows:

311-B:14 Disposition of Revenue. All moneys collected under this chapter shall be paid into the [general fund and are appropriated therefrom to the secretary of state for the purpose of carrying out the provisions of this chapter] office of professional licensure and certification fund.

267 Allied Health Professionals; Governing Boards Established. Amend RSA 328-F:3 as follows:

328-F:3 Governing Boards Established[; Board of Directors; Office of Licensed Allied Health Professionals].

[L] There shall be established governing boards of athletic trainers, occupational therapists, physical therapists, speech-language pathologists and hearing care providers, and genetic counselors. In order to eliminate a redundant regulatory framework and promote efficiency and economy, and as set forth in RSA 310, the responsibility for administration of the governing boards shall be with the office of professional licensure and certification, and the authority of the board of directors of allied health professionals is repealed.

[II] The governing boards’ chairpersons or their appointees shall make up the board of directors of the office of licensed allied health professionals. The board of directors shall have the authority to delegate to the person in the supervisory position matters of administrative and personnel management.

III. There shall be an office of licensed allied health professionals established in Concord within the office of professional licensure and certification.]

268 Allied Health Professionals; Completion of Survey; Rulemaking. Amend RSA 328-F:11-a as follows:

328-F:11-a Completion of Survey; Rulemaking. The governing board shall adopt rules, pursuant to RSA 541-A, requiring, as part of the license renewal process, completion by licensees of a
survey or opt-out form provided by the office of rural health, department of health and human
services, for the purpose of collecting data regarding the New Hampshire primary care workforce,
pursuant to the commission established in RSA 126-T. Any rules adopted under this section shall
provide the licensee with written notice of his or her opportunity to opt-out from participation in the
survey.

269 Allied Health Professionals; Criminal History Record Checks. Amend RSA 328-F:18-a as
follows:

328-F:18-a Criminal History Record Checks.

I. The [board of directors] governing boards shall require [one of the following types of
criminal background checks] from applicants for initial licensure or certification, reinstatement of
licensure or certification, or conditional licensure or certification:

(a) An original criminal offender record report issued by each state where the applicant
has resided or been licensed within the past 6 years; or

(b) a criminal history record release form, as provided by the New Hampshire
division of state police which authorizes the release of his or her criminal history record, if any, to
the office of [licensed allied health professionals] professional licensure and certification.

   (1) The applicant shall submit with the release form a complete set of
fingerprints taken by a qualified law enforcement agency or an authorized employee of the
department of safety. In the event that the first set of fingerprints is invalid due to insufficient
pattern, a second set of fingerprints shall be necessary in order to complete the criminal history
records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the
office of [licensed allied health professionals] professional licensure and certification may, in
lieu of the criminal history records check, accept police clearances [described in subparagraph (a)].

   (2) The office of [licensed allied health professionals] professional licensure
and certification shall submit the criminal history records release form and fingerprint form to the
division of state police which shall conduct a criminal history records check through its records and
through the Federal Bureau of Investigation. Upon completion of the records check, the division of
state police shall release copies of the criminal history records to the office of [licensed allied health
professionals] professional licensure and certification.

II. The office of [licensed allied health professionals] professional licensure and
certification shall review the criminal record information prior to the respective governing board
making a decision on licensure or certification and shall maintain the confidentiality of all criminal
history records received pursuant to this section.

III. The applicant shall bear the cost of all criminal history record checks.

IV. The [board] office of professional licensure and certification shall consider military
security clearance for an individual actively serving in any component of the Department of Defense
in lieu of criminal background checks.
V. Pending the results of a criminal history record check, an applicant for licensure may be employed in a profession of the allied health field on a conditional basis for up to 90 calendar days before the office of professional licensure and certification receives the results of a criminal history record check required for licensure, if the conditional employee:

(a) Is under the direct supervision of a licensee;
(b) Has provided a written attestation to the employer and the office of professional licensure and certification that no disqualifying criminal history exists; and
(c) The governing board is not a member of an interstate licensure compact.

270 Recreational Therapists; Eligibility for Licensure. Amend RSA 326-J:5, II to read as follows:

II. The executive director may, upon notice and opportunity for a hearing, deny an application for reinstatement of a license or reinstate the license with conditions. Conditions imposed may include a requirement for continuing education, practice under the supervision of a licensed recreational therapist or any other conditions set forth in RSA 328-F:18, III.

271 Repeals; Allied Health. The following are repealed:

I. RSA 328-F:1, relative to allied health professionals purpose.
II. RSA 328-F:2, relative to allied health professionals definitions.
III. RSA 328-F:5, I-V, relative to allied health professionals governing board authority.
IV. RSA 328-F:7, relative to allied health professionals removal of members and vacancies.
V. RSA 328-F:8, relative to allied health professionals organization and meetings.
VI. RSA 328-F:9, relative to allied health professionals records of the boards.
VII. RSA 328-F:10, relative to allied health professionals records of disciplinary history.
VIII. RSA 328-F:11-b, relative to allied health professionals telemedicine.
IX. RSA 328-F:12, relative to allied health professionals the board of directors.
X. RSA 328-F:13, relative to allied health professionals board of directors’ rulemaking authority.
XI. RSA 328-F:15, relative to allied health professionals fees.
XII. RSA 328-F:18, relative to allied health professionals issuance of licenses.
XIII. RSA 328-F:19, relative to allied health professionals renewal.
XIV. RSA 328-F:20, relative to allied health professionals reinstatement of lapsed licenses.
XV. RSA 328-F:21, II, relative to allied health professionals notification of stolen licenses.
XVI. RSA 328-F:23, relative to allied health professionals disciplinary action and hearings.
XVII. RSA 328-F:24, relative to allied health professionals investigations.
XVIII. RSA 328-F:25, relative to allied health professionals obligation to report.
XIX. RSA 328-F:26, relative to allied health professionals temporary suspension.
XX. RSA 328-F:27, relative to allied health professionals unauthorized practice.

XXI. RSA 328-F:29, relative to allied health professionals revocation of licensure.

272 Boxing and Wrestling Commission; Transfer. To promote efficiency and economy, reduce administrative costs, and facilitate customer service, the responsibility for administration of the boxing and wrestling commission shall be transferred to the office of professional licensure and certification effective September 1, 2023.

273 Boxing and Wrestling Commission; Members; Removal; Conflicts of Interest. Amend RSA 285:3, I as follows:

I. The commission shall consist of [3] 5 members appointed by the governor and council. Members appointed by the governor and council shall have had some experience in the fighting sports and shall be residents of the state. Members shall have no financial interest, direct or indirect, in professional fighting sports regulated by the commission.

274 Boxing and Wrestling Commission; Establishment of Commission. Amend RSA 285:7 as follows:

285:7 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

I. The conduct of amateur and professional fighting sports competitions;

II. Requirements and qualifications for licenses, permits and amateur cards for persons involved in fighting sports competitions;

III. The grounds for revocation or suspension of a license or permit, and the reinstatement of suspended licenses and permits;

[IV. A fee schedule for permits and amateur cards and for the renewal of amateur cards;]

[V] IV. Promoters’ bonds; and

[VI] V. Insurance coverage required by the commission.

275 Office of Professional Licensure and Certification; Boxing and Wrestling Commission; Cooperation With Amateur Local Boxing Committee Required. Amend RSA 285:9-a, VI as follows:

VI. The [commission] office of professional licensure and certification shall collect 5 percent of the gross receipts of paid admissions to all amateur bouts, as mandated by RSA 285:14.

276 Boxing and Wrestling Commission; Licenses Required. Amend RSA 285:11 as follows:

285:11 Licenses Required. No person shall participate in a professional fighting sports competition as a contestant, manager, referee, judge, second or timekeeper without a license from the commission. [The fee for all licenses issued by the commission shall be $20. Licenses granted by the commission shall be valid for one year from the date of issue unless revoked or suspended by the commission. The commission shall, upon application, renew any license unless good cause is shown that the license should not be renewed. The fee for all license renewals issued by the commission shall be $20.]

277 Boxing and Wrestling Commission; Suspension or Revocation; Appeals. Amend RSA 285:12 as follows:
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285:12 Suspension or Revocation; Appeals.

   [L] The commission may revoke or suspend any permit or license for cause.

   [H] Rehearings and appeals from any decision of the commission shall be in accordance with
   RSA 541.]

278 Office of Professional Licensure and Certification; Boxing and Wrestling Commission;
Permit and License Fees; Amateur Cards. Amend RSA 285:14, II as follows:

   II. The promoter also shall, at the same time, pay to the [commission] office of
   professional licensure and certification by certified check a tax of 5 percent of the gross receipts
   of paid admissions after deduction of any federal taxes. Payments made pursuant to this section
   shall be deposited into a dedicated fund, which shall lapse annually at the close of each
   fiscal year to the general fund.

279 Boxing and Wrestling Commission; Deputy Inspectors. Amend RSA 285:19 as follows:

   285:19 Deputy Inspectors. A member of the commission is not required to be present at all
   fighting sports competitions. If a member of the commission is not present at a fighting sports
   competition held under this chapter, the commission shall appoint a deputy inspector who shall, for
   the duration of the contest, have the full duties and powers of a member of the commission. Deputy
   inspectors shall be entitled to compensation as the commission, with the approval of the
   executive director, may deem proper.

280 Repeals; Boxing and Wrestling Commission. The following are repealed:

   I. RSA 285:5, relative to boxing and wrestling commission chairperson, treasurer, and
   quorum.

   II. RSA 285:6, relative to boxing and wrestling commission compensation.

   III. RSA 285:8, relative to boxing and wrestling commission report.

281 Electricians; Definitions. Amend RSA 319-C:2, IV as follows:

   IV. "Journeyman electrician" means a person doing work of installing electrical wires,
   conduits, apparatus, fixtures and other electrical equipment. A journeyman electrician shall be
   employed by a master electrician[ except as provided in RSA 319-C:10]. Each journeyman
   electrician shall work under the direction and supervision of a master electrician.

282 Electricians; Inspectors. Amend RSA 319-C:5, I as follows:

   I. The [board] office of professional licensure and certification shall be empowered to
   appoint such inspectors as may be necessary to carry out the purposes of this chapter. Any person so
   employed shall be under the administration and supervisory direction of the [board] office of
   professional licensure and certification.

283 Electricians; Licensing Requirements. Amend RSA 319-C:7, II, as follows:

   II. [After June 30, 1976.] The board shall issue a license as a master or journeyman
   electrician to any person who files an application and meets the following qualifications:

   (a) Completion of 8,000 hours of service as an apprentice electrician. The board may
give credit toward such service for the satisfactory completion of a course of instruction in the field or experience in the field received in military service, in accordance with rules adopted by RSA 541-A; and
(b) Satisfactory passing of an examination conducted approved by said board as provided in RSA 319-C:8 to determine the person's fitness to receive such license.

284 Repeals. The following are repealed:
I. RSA 319-C:6-a, VI, relative to electricians rulemaking for investigations.
II. RSA 319-C:6-a, VII, relative to electricians procedural rules for hearings.
III. RSA 319-C:6-b, relative to electricians fees.
IV. RSA 319-C:9, relative to electricians renewal of licenses.
V. RSA 319-C:10, relative to electricians corporations and partnerships.
VI. RSA 319-C:12, relative to electricians disciplinary action.
VII. RSA 319-C:12-a, relative to electricians hearings.
VIII. RSA 319-C:12-b, relative to electricians appeals.
IX. RSA 319-C:14, relative to electricians nonresidents.

285 Genetic Counselors; Provisional License. Amend RSA 326-K:4 to read as follows:
I. A provisional license may be issued by the board office to an applicant who meets all of the requirements for licensure except for the certification component and has been granted active candidate status by ABGC.
   (a) Issuance of a full license;
   (b) Thirty days after the applicant fails to pass the certification examination; or
   (c) Two years from the issuance of a provisional license.
III. A provisional license may only be extended upon approval of the board office for good cause shown.
IV. A provisional licensed genetic counselor shall work under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the provisional licensed genetic counselor performs genetic counseling. An application for extension of the provisional license shall be signed by the supervising licensed genetic counselor or supervising licensed physician.
V. The board office is authorized to issue conditional provisional licenses in accordance with governing board rules adopted pursuant to RSA 541-A.

286 Genetic Counselors; Prohibition on Unlicensed Practice. Amend RSA 326-K:5, I to read as follows:
I. No person shall practice or represent himself or herself as a genetic counselor in this state
without first applying for and receiving a license or provisional license from the [board] office to
practice as a licensed genetic counselor.

287 Genetic Counselors; Privileged Communications. Amend RSA 326-K:8, II to read as follows:

II. Information and results may be made available to the board or the office for use in an
investigation or disciplinary proceeding under RSA 328-F concerning a licensed genetic counselor
only if the results are coded to maintain confidentiality of the client.

288 Repeal; Genetic Counselors. RSA 326-K:6, relative to reciprocity is repealed.

289 Hawkers and Peddlers; Repeal. RSA 320, relative to hawkers and peddlers, is repealed.

290 Itinerant Vendors; Repeal. RSA 321, relative to itinerant vendors, is repealed.

291 Board of Manufactured Housing; Repeals. The following are repealed:

I. RSA 205-A:25, relative to board establishment.

II. RSA 205-A:26, relative to quorum.

III. RSA 205-A:27, relative to jurisdiction.

IV. RSA 205-A:28, relative to decisions.

V. RSA 205-A:29, relative to meetings and records.

VI. RSA 205-A:29-a, relative to administrative and business processing functions.

VII. RSA 205-A:30, relative to notification and cooperation.

VIII. RSA 205-A:31, relative to rulemaking.

292 State Board of Fire Control; Mechanical Licensing Board. Amend RSA 153:27-a to read as
follows:

153:27-a Mechanical Licensing Board. There is hereby established as a unit within the office of
professional licensure and certification. The term of office for the members appointed to the board
shall be 3 years and until a successor is appointed. The initial appointed members of the board shall
serve staggered terms. Vacancies shall be filled in the same manner and for the unexpired terms.

No member of the board shall be appointed to more than 2 consecutive terms. [A member of the
board shall serve as the board secretary.]

I.(a) No member of the board may be associated with the formal education for licensing,
and/or be provider or an employee of a provider for continuing education for any profession or trade
licensed under this subdivision.

(b) A public member of the board shall be a person who is not, and never was, a member
of the fuel gas fitting or plumbing trade or the spouse of any such person, and who does not have,
and never has had, a material financial interest in either the provision of plumbing and/or fuel gas
services or an activity directly related to plumbing and/or fuel gas, including the representation of
the board or trade for a fee at any time during the 5 years preceding appointment.

II. The board shall:

(a) Adopt rules as provided for in this subdivision.

(b) Implement the licensing program under this subdivision.
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(3) Review and approve educational programs and providers.

(4) Conduct hearings for disciplinary actions.

(6) Review and recommend adoptions, exceptions, or omissions to technical standards as adopted under RSA 153:28.

(6) Develop and recommend for the legislature future changes to this subdivision.

III. The members of the board shall be appointed by the governor and council as follows:

(a) Two licensed journeymen or master plumbers, who are actively working in the trade as plumbers.

(b) Two licensed fuel gas fitter, both of whom are actively working in the trade as fuel gas fitters, and one of whom shall represent the propane fuel industry.

(c) One certified heating equipment installer or heating equipment service person under RSA 153:16-b.

(d) One licensed master plumber who is also a licensed fuel gas fitter and a certified heating equipment installer or servicer, actively working in the trade.

(e) One public member who is not, and never was, a member of the plumbing trade or the spouse of any such person, and who does not have, and never has had, a material financial interest in either the provision of plumbing services or an activity directly related to plumbing, including the representation of the board or trade for a fee at any time during the 5 years preceding appointment.

(f) One certified water treatment technician, who shall be a nonvoting member of the board.

IV. The board shall hold at least 8 regular meetings each year, and may hold special meetings at such times as the business of the board may require. Notice of all meetings shall be given in such a manner as rules adopted by the board may provide and in accordance with New Hampshire state law. A quorum of the board shall consist of 4 members.

V. The board shall annually elect a chairman and a vice-chairman from among its members.

VI. The secretary of the board shall receive at least monthly an accounting from the department of all moneys derived under the provisions of this subdivision.

293 State Board of Fire Control; Mechanical Licensing Board; Repeals. The following are repealed:

I. RSA 153:28, II, relative to rulemaking regarding fees.

II. RSA 153:30, relative to expiration and renewal of licensure.

III. RSA 153:32, relative to disciplinary action.

IV. RSA 153:33, relative to appeals from board decisions.

V. RSA 153:37, relative to penalties.

VI. RSA 153:38, relative to voluntary certification of water treatment technicians.
294 Pharmacy; Board. Amend RSA 318:2 to read as follows:

318:2 Board. There shall be a pharmacy board consisting of [7] 5 members; including [6] 4 practicing pharmacists, at least one of whom shall be a full-time hospital pharmacist, and one public member, each to be appointed by the governor, with the approval of the council, to a term of 5 years. No member shall be appointed to more than 2 consecutive terms and no member shall serve for more than 10 consecutive years. Only board members provided for in this section shall have the authority to vote in board determinations.

295 Pharmacy; Rulemaking Authority. Amend RSA 318:5-a, IX to read as follows:

IX. [Procedures] Standards for the inspection of licensees;

296 Repeal; Pharmacy Rulemaking. The following are repealed:

I. RSA 318:5-a, VIII, relative to procedures for the conduct of hearings consistent with the requirements of due process.

II. RSA 318:5-a, X(e), relative to the establishment of the effective period of registration or certification for pharmacy technicians.

III. RSA 318:5-a, XI-a(e), relative to the establishment of the effective period of registration or certification for pharmacy interns.

IV. RSA 318:5-a, XI-c(e), relative to the establishment of the effective period of registration or certification for advanced pharmacy technicians.

297 Pharmacy Inspectional Services. Amend RSA 318:9-a to read as follows:

318:9-a Inspectional Services. The [pharmacy board through the] office of professional licensure and certification shall provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, the board of nursing, and the naturopathic board of examiners. Pharmacy board inspections shall be provided by pharmacists or pharmacy technicians licensed by the New Hampshire board of pharmacy who have training and experience regarding pharmacy statutes and rules.

298 Pharmacy; Pharmacy Interns. Amend RSA 318:15-b to read as follows:

318:15-b Pharmacy Interns. No person shall perform the functions or duties of a pharmacy intern unless such person is registered by the [board] office of professional licensure and certification to perform certain functions, and does so under standards of supervision established by rules of the board adopted pursuant to RSA 541-A.

299 Pharmacy Examinations and Licenses; Pharmacists. Amend RSA 318:18, I(b)(3) to read as follows:

(3) File proof satisfactory to the [board] office of professional licensure and certification, substantiated by proper affidavits, of a minimum of one year (1,500 hours) internship activity in a community or institutional pharmacy in the United States or Canada or an equivalent program which has been approved by the board of pharmacy; and shall pass the national
examination administered by the National Association of Boards of Pharmacy (NABP) to establish
his or her fitness to practice the profession of pharmacy. The internship required in this section
shall be service and experience in a community or institutional pharmacy under the supervision of a
licensed pharmacist and shall be predominantly related to the selling of drugs and medical supplies;
interpreting, compounding, preparing and dispensing of prescriptions; preparing of pharmaceutical
products; keeping records and making reports required under federal and state statutes; and
otherwise practicing pharmacy under the immediate supervision and direction of a licensed
pharmacist.

300 Pharmacists; Examinations and Licenses; Pharmacists. Amend RSA 318:18, II to read as
follows:

II. The [board] office of professional licensure and certification may deny licensure as
a pharmacist for grounds which include, but which shall not be limited to, prior conviction of a
felony; or of a misdemeanor resulting from a violation of a federal, state or local drug or pharmacy-
related law, rule, or regulation.

301 Pharmacy; Change in Name, Employment, or Residence. Amend RSA 318:26-a to read as
follows:

318:26-a Change in Name, Employment, or Residence. Any pharmacist, licensed advanced
pharmacy technician, or pharmacy technician who changes his or her name, place or status of
employment, or residence shall notify the [board] office of professional licensure and
certification in writing within 15 days. For failure to report such a change within 15 days, the
board may suspend the pharmacist's license, the advanced pharmacy technician's license, or the
pharmacy technician's registration. Reinstatement shall be made only upon payment of a
reasonable fee as established by the board.

302 Pharmacy; Impaired Pharmacist Program. Amend RSA 318:29-a to read as follows:

318:29-a Impaired Pharmacist Program.

I. Any pharmaceutical peer review committee may report relevant facts to the board or
office of professional licensure and certification relating to the acts of any pharmacist in this
state if they have knowledge relating to the pharmacist which, in the opinion of the peer review
committee, might provide grounds for disciplinary action as specified in RSA 318:29, II.

II. Any committee of a professional society comprised primarily of pharmacists, its staff, or
any district or local intervenor participating in a program established to aid pharmacists impaired
by substance abuse or mental or physical illness may report in writing to the board or office of
professional licensure and certification the name of the impaired pharmacist together with the
pertinent information relating to his impairment. The board or office of professional licensure
and certification may report to any committee of such professional society or the society's
designated staff information which it may receive with regard to any pharmacist who may be
impaired by substance abuse or mental or physical illness.
III. [Upon a determination by the board that a report submitted by a peer review committee or professional society committee is without merit, the report shall be expunged from the pharmacist's individual record in the board's office. A pharmacist or his authorized representative shall be entitled on request to examine the pharmacist's peer review or the pharmaceutical organization committee report submitted to the board and to place into the record a statement of reasonable length of the pharmacist's view with respect to any information existing in the report.

IV.] Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board, compiled in conjunction with an impaired pharmacist peer review committee, shall be confidential and are not to be considered open records unless the affected pharmacist so requests; provided, however, the board may disclose this confidential information only:

(a) In a disciplinary hearing before the board or in a subsequent trial or appeal of a board action or order;

(b) To the pharmacist licensing or disciplinary authorities of other jurisdictions; or

(c) Pursuant to an order of a court of competent jurisdiction.

IV.(a) No employee or member of the board, peer review committee member, pharmaceutical organization committee member, pharmaceutical organization district or local intervenor furnishing in good faith information, data, reports, or records for the purpose of aiding the impaired pharmacist shall by reason of furnishing such information be liable for damages to any person.

(b) No employee or member of the board or such committee, staff, or intervenor program shall be liable for damages to any person for any action taken or recommendations made by such board, committee, or staff unless he is found to have acted recklessly or wantonly.

V. The [board] office of professional licensure and certification may contract with other organizations to operate the impaired pharmacist program for pharmacists who are impaired by drug or alcohol abuse or mental or physical illness. This program shall include, but is not limited to, education, intervention and post-treatment monitoring.

(b) The board may allocate an amount determined by the board from each pharmacist biennial license renewal fee it collects to provide funding for the impaired pharmacist program as set forth in subparagraph VI.(a).]
registered in New Hampshire and a permit has been issued by the New Hampshire pharmacy board.

(b) To obtain a permit, a mail-order pharmacy shall comply with each of the following:

(1) Maintain a license in good standing from the state in which the mail-order pharmacy is located;

(2) Submit to the New Hampshire pharmacy board office of professional licensure and certification an application for registration as provided by the office of professional licensure and certification;

(3) Pay all appropriate registration fees;

(4) Submit to the New Hampshire pharmacy board office of professional licensure and certification a copy of the state pharmacy license from the state in which the mail-order pharmacy is located;

(5) Submit to the New Hampshire pharmacy board office of professional licensure and certification a copy of the state and federal controlled substance registrations from the state in which it is located, if controlled substances are to be shipped into this state.

(c) When requested to do so by the New Hampshire pharmacy board, each mail-order pharmacy shall supply the New Hampshire pharmacy board with any inspection reports, warning notices, disciplinary actions, notice of deficiency reports, or any other related reports from the state in which it is located concerning the operation of a mail-order pharmacy for review of compliance with state and federal drug laws.

(d) Except in emergencies that constitute an immediate threat to the public health and require expedited action by the board, the New Hampshire pharmacy board shall file a complaint with the licensing board of the state in which the mail-order pharmacy is located when known or suspected violations of the laws of the state in which the pharmacy is located are uncovered. If the licensing board in the state in which the mail-order pharmacy is located initiates disciplinary action, the New Hampshire pharmacy board may request the appropriate documents involved in the action for consideration of discipline against the pharmacy registration of the mail-order pharmacy. If no action is taken against the mail-order pharmacy by the licensing board of the state in which it is located, the New Hampshire pharmacy board may request copies of any investigation reports available from that state.

(e) The New Hampshire pharmacy board shall extend reciprocal cooperation to any state that licenses and regulates mail-order pharmacies for the purpose of investigating complaints against pharmacies located in New Hampshire or the sharing of information and investigative reports, as long as the other state shall extend the same reciprocal cooperation to the New Hampshire pharmacy board.

304 Pharmacy; Licensing of Limited Retail Drug Distributors Required. Amend RSA 318:51-b, I to read as follows:

I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-
a, without first having obtained a license to do so from the [board. Such license shall expire biennially on June 30 of each odd numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by midnight June 15 of every odd numbered year.]

office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.

305 Pharmacy; Licensing of Outsourcing Facilities Identified as Section 503B Facilities by the United States Food and Drug Administration. Amend RSA 318:51-c, I-II to read as follows:

I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1, VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without first having obtained a license from the [board. Such license shall expire biennially on June 30 of each odd numbered year. An application together with a fee established by the board shall be filed biennially by June 15 of every odd numbered year] office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.

II. No license shall be issued under this section unless the applicant has furnished proof [satisfactory to the pharmacy board]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient land, buildings, and security equipment as to properly carry on the business described in the application.

306 Pharmacy; Licensure of Research Organizations. Amend RSA 318:51-f, I-II to read as follows:

I. No research organization shall procure or conduct research operations with prescription drugs by researchers without first having obtained a license from the [board. Such license shall expire biennially on June 30 of each odd numbered year. An application together with a reasonable fee as established by the board shall be filed biennially by June 15 of every odd numbered year] office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.

II. No license shall be issued under this section unless the applicant has furnished proof [satisfactory to the board of pharmacy]:

(a) That the applicant is of good moral character or, if that applicant is an association or corporation, that the managing officers are of good moral character.

(b) That the applicant has sufficient space and security equipment as to properly carry on the research operations described in the application.

307 Pharmacy; Licensure of Drug or Device Distribution Agents. Amend RSA 318:51-g, I to read as follows:

I. No person shall act as a prescription drug or device distribution agent, which includes
controlled drugs as the term is defined in RSA 318-B:1, VI, without first having obtained a license to do so from the office of professional licensure and certification according to the eligibility requirements set forth in rule by the pharmacy board.

308 Repeal; Pharmacists. The following are repealed:

I. RSA 318:5, relative to officers and duties.
II. RSA 318:6-a, relative to fees.
III. RSA 318:16-e, relative to telemedicine.
IV. RSA 318:21, relative to applicants from out of state.
V. RSA 318:23, relative to application fee.
VI. RSA 318:25, relative to renewal of license.
VII. RSA 318:26, relative to neglect to renew.
VIII. RSA 318:29, relative to disciplinary action.
IX. RSA 318:29-b, relative to denial of a license.
X. RSA 318:29-c, relative to immunity.
XI. RSA 318:30, relative to investigatory powers of the board.
XII. RSA 318:30-a, relative to temporary suspension.
XIII. RSA 318:31, relative to hearings.
XIV. RSA 318:33, relative to attendance.
XV. RSA 318:35, relative to association.
XVI. RSA 318:36, relative to information.
XVII. RSA 318:38, relative to permits and fees.
XVIII. RSA 318:55, relative to fines.
XIX. RSA 318:56, relative to unused prescription program.
XX. RSA 318:57, relative to definitions.
XXI. RSA 318:58, relative to donating unused drugs.
XXII. RSA 318:59, relative to rulemaking.
XXIII. RSA 318:60, relative to limited immunity.

309 Physical Therapy; Powers and Duties. RSA 328-A:3 is repealed and reenacted to read as follows:

328-A:3 Powers and Duties of the Board. The board shall:

I. Provide for the examinations for physical therapists and physical therapist assistants and adopt passing scores for these examinations.
II. Regulate the practice of physical therapy by interpreting and enforcing this chapter.
III. Elect officers from its members necessary for the operations and obligations of the board.

Terms of office shall be one year.

310 Physical Therapy; Rulemaking. Amend RSA 328-A:4, VIII to read as follows:

VIII. Regarding the establishment, criteria, [fees] and renewal of, and disciplinary
proceedings for certified animal physical therapists under RSA 328-A:15-b.

311 Physical Therapy; Examination. Amend RSA 328-A:7, I to read as follows:

I. The [board] office shall conduct, through a third party, examinations within the state at least quarterly [at a time and place prescribed by the board]. The passing score shall be determined by the board.

312 Repeals; Physical Therapy. The following are repealed:

I. RSA 328-A:15, II, relative to physical therapy, rights of consumers to privacy.

II. RSA 328-A:12, relative to unlawful practice of physical therapy.

III. RSA 328-A:13, relative to reporting violations.

313 State Licensed or Certified Real Estate Appraisers; Real Estate Appraiser Board. Amend RSA 310-B:4 as follows:

310-B:4 Real Estate Appraiser Board.

I. There is established [an independent] a real estate appraiser board [which shall be administratively attached to the office of state] within the office of professional licensure and certification. The board shall be composed of the following [7] 5 members, appointed by the governor with the consent of council:

(a) Three real estate appraisers with a minimum of 5 years' experience, consisting of one New Hampshire certified residential appraiser, one New Hampshire certified general appraiser, and one New Hampshire certified appraiser who is a broker licensed under RSA 331-A; provided that no 2 appraiser members shall be members of the same private appraisal organization.

(b) One representative from a New Hampshire lending institution.

(c) [The banking executive director or designee.] One member of the general public not associated directly or indirectly with banking, brokerage, real estate appraisal, insurance, or any other affected industry.

(d) Two members. One member of the general public not associated directly or indirectly with banking, brokerage, real estate appraisal, insurance, or any other affected industry.

II. All appointments shall be made within 90 days after the effective date of this chapter.

III. On or before July 1, 1991, each real estate appraiser member of the board shall be certified or licensed are a real estate appraiser under this chapter. One such member shall hold the residential license and one such member shall hold a general appraiser certificate.

IV. The term of each member shall be 3 years, except that, of the members first appointed, 3 shall serve for 3 years, 2 shall serve for 2 years, and 2 shall serve for one year.

V. Upon expiration of their terms, members of the board shall continue to hold office until the appointment and qualification of their successors. No person[except the executive director or designee.] shall serve as a member of the board for more than 2 consecutive terms. The appointing authority may remove a member for cause.

VI. The board shall meet at least once each calendar quarter to conduct its business and more often on call of the chair, or when the chair is requested to do so by 4 or more members of the board. The action of the majority of the members of the board present and voting shall be deemed
the action of the board, and at least 4 members shall be present and voting on every vote of the board. Places of future meetings shall be decided by the vote of members at meetings or, in the event of a special meeting, by the chair. Written notice shall be given by the chair to each member of the time and place of each meeting of the board at least 10 days in advance.)

VII. The chairman of the board shall be elected from the board's members. [Neither the banking executive director nor his designee shall serve as chairman.

VIII. No board member shall be entitled to a per diem allowance. Board members shall be reimbursed for actual travel in the performance of official duties at the usual state employee rate.

IX. The members of the board shall be immune from any civil action or criminal prosecution for actions taken in their capacity as members of the board, provided that such action is taken in good faith and in the reasonable belief that the action was taken pursuant to the powers and duties of the board under this chapter.

X. All administrative, clerical, and business processing functions of the board shall be transferred to the office of professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.]

314 State Licensed or Certified Real Estate Appraisers; Licensure or Certification Process. Amend RSA 310-B:5 as follows:

310-B:5 Licensure or Certification Process.

I. Applications for original license or certification, renewal license or certification and examinations shall be made in writing [to the board on forms approved by the board].

II. Appropriate fees, [as fixed by the board under rules established pursuant to RSA 541-A], shall accompany all applications for original license, certification, renewal license, renewal certification, reciprocal license, and reciprocal certification. An annual federal registration fee shall be collected by the [board] office for transmittal to the federal government under Title XI.

III. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in this chapter and state that he understands the types of misconduct for which disciplinary proceedings may be initiated against a certified or licensed real estate appraiser, as set forth in this chapter.

315 State Licensed or Certified Real Estate Appraisers; Prohibited Conduct. Amend RSA 310-B:5-a as follows:

310-B:5-a Prohibited Conduct. A person licensed or certified [by the board] under this chapter, shall, after a hearing, be subject to disciplinary action as provided in RSA 310-B:18 for being convicted in a court of competent jurisdiction of this or any other state, or federal court, of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud, sexual crimes, drug distribution, arson, physical violence, or any similar offense or offenses; provided that, for the purposes of this section being convicted shall include all instances in which a plea of guilty or nolo contendere is the basis for the conviction, and all proceedings in which the
sentence has been deferred or suspended.

316 State Licensed or Certified Real Estate Appraisers; Criminal History Records Checks.

Amend RSA 310-B:6-a as follows:

310-B:6-a Criminal History Record Checks.

I. Every applicant for initial licensure shall submit to the [board] office a criminal history record release form, as provided by the New Hampshire division of state police, office of safety, which authorizes the release of his or her criminal history record, if any, to the [board] office.

II. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the office of safety. The [board] office shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the [board] office may, in lieu of the criminal history records check, conduct the national background check based on personal information.

III. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the [board] office. The [board] office shall maintain the confidentiality of all criminal history records information received pursuant to this section.

IV. The applicant shall bear the cost of a criminal history record check.

317 State Licensed or Certified Real Estate Appraisers; Examination Prerequisites. Amend RSA 310-B:8 as follows:

310-B:8 Examination Prerequisites.

I. As prerequisites to taking the examination for certification as a certified general real estate appraiser, an applicant shall present evidence[317a, satisfactory to the board,] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board, in accordance with rules adopted by the board pursuant to RSA 541-A.

II. As prerequisites to taking the examination for certification as a certified residential real estate appraiser, an applicant shall present evidence[317a, satisfactory to the board,] of having completed the required classroom hours in subjects related to real estate appraisal, including instruction related to the Uniform Standards of Professional Appraisal Practice, from an educational source approved by the board, in accordance with rules adopted by the board pursuant to RSA 541-A.

III. As prerequisites to taking the examination for licensure as a licensed residential real estate appraiser, an applicant shall present evidence[317a, satisfactory to the board,] of having completed
the required classroom hours in subjects related to real estate appraisal, including instruction
related to the Uniform Standards of Professional Appraisal Practice, from an educational source
approved by the board, \textit{in accordance with rules adopted by the board pursuant to RSA 541-
A.}

318 State Licensed or Certified Real Estate Appraisers; Experience Requirements. Amend RSA
310-B:9, II as follows:

II. Each applicant for license or certification shall furnish a signed, detailed listing of the
real estate appraisal reports or file memoranda for each year for which experience is claimed by the
applicant. Upon request, the applicant shall make available to the board \textit{or office} for examination a
sample of appraisal reports which the applicant has prepared in the course of his or her appraisal
practice.

319 State Licensed or Certified Real Estate Appraisers; Registration of Appraisal Management
Companies. Amend RSA 310-B:12-b, I as follows:

I. It is unlawful for a person to directly or indirectly engage in or attempt to engage in
business as an appraisal management company or to advertise or hold itself out as engaging in or
conducting business as an appraisal management company in this state without first obtaining a
registration issued by the \textit{board office} under the provisions of this chapter.

(a) An applicant for registration as an appraisal management company in this state
shall submit to the \textit{board office} an application using the method prescribed and furnished by the
office of professional licensure and certification.

(b) In the event a registration process is unavailable upon the effective date of this
chapter, an appraisal management company already conducting business in this state may continue
to conduct business in accordance with this chapter until the 120th day after a registration process
becomes available.

320 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company
Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, I to read as follows:

I. An appraisal management company that applies to the \textit{board office} for a registration to
do business in this state as an appraisal management company shall not:

321 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company
Appraiser Credentials. Amend the introductory paragraph of RSA 310-B:12-h, III to read as follows:

III. Each appraisal management company seeking to be registered in this state shall certify
to the \textit{board office} on an annual basis on a form prescribed by the \textit{board office} that the appraisal
management company has systems in place to verify that:

322 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company;
Appraisal Review. Amend RSA 310-B:12-i as follows:

310-B:12-i Appraisal Management Company; Appraisal Review. Any employee of, or
independent contractor to, an appraisal management company that performs a USPAP Standard 3
review of an appraisal report on property located in this state shall be an appraiser with the proper
level of licensure issued by the [board] office. Quality control examinations are exempt from this
requirement as they are not considered a Standard 3 review.

323 State Licensed or Certified Real Estate Appraisers; Appraisal Management Company;
Registration Number. Amend RSA 310-B:12-m as follows:

310-B:12-m Appraisal Management Company; Registration Number.

I. The [board] office shall issue a unique registration number to each appraisal
management company registered in this state pursuant to this chapter.

II. The [board] office shall maintain a list of the appraisal management companies
registered in this state and the registration numbers assigned to such persons.

III. An appraisal management company registered in this state shall disclose the
registration number provided to it by the [board] office on the engagement documents presented to
an appraiser.

324 State Licensed or Certified Real Estate Appraisers; License or Certificate. Amend RSA 310-
B:16, I as follows:

I. A license or certificate issued under authority of this chapter shall bear a license or
certificate number assigned by the [board] office.

325 State Licensed or Certified Real Estate Appraisers; Repeals. The following provisions of
RSA chapter 310-B are hereby repealed:

I. RSA 310-B:3-a, relative to penalty.
II. RSA 310-B:10, relative to term of licensure.
III. RSA 310-B:12, relative to nonresident licensure.
IV. RSA 310-B:12-a, relative to temporary practice.
V. RSA 310-B:12-e, relative to appraisal management company fee.
VI. RSA 310-B:13, relative to renewal.
VII. RSA 310-B:13-a, relative to lapse.
VIII. RSA 310-B:14, I relative to continuing education.
IX. RSA 310-B:18, relative to disciplinary proceedings.
X. RSA 310-B:18-b, relative to reissuance of license.
XI. RSA 310-B:19, relative to hearings.
XII. RSA 310-B:20, relative to fees.
XIII. RSA 310-B:21, relative to receipts.
XIV. RSA 310-B:23-a, relative to summons.
XV. RSA 310-B:24, VII, relative to rulemaking authority.
XVI. RSA 310-B:24, IX, relative to the requirements for public information requests.

326 New Hampshire Real Estate Practice Act; Repeals. The following provisions of RSA chapter
331-A are hereby repealed:
I. RSA 331-A:7, II relative to fees.
II. RSA 331-A:7, IV, relative to fees.
III. RSA 331-A:7, V, relative to orders.
IV. RSA 331-A:12-a, relative to inactive license status.
V. RSA 331-A:15, relative to issuance of licenses.
VI. RSA 331-A:17, relative to license amendments.
VII. RSA 331-A:18, relative to lapse of license.
VIII. RSA 331-A:19, relative to renewal of license.
IX. RSA 331-A:24, relative to fees.
X. RSA 331-A:25, IV, relative to rulemaking regarding fees.
XI. RSA 331-A:25, VII, relative to license certificates.
XII. RSA 331-A:25, X, relative to procedures.
XIII. RSA 331-A:25, XI, relative to conduct of hearings.
XIV. RSA 331-A:25, XIII, relative to procedures for renewal licenses.
XV. RSA 331-A:28, relative to disciplinary actions.
XVI. RSA 331-A:29, relative to disciplinary procedures.
XVII. RSA 331-A:30, relative to hearing procedures.
XVIII. RSA 331-A:31, relative to payment by the state.
XIX. RSA 331-A:33, relative to immunity.
XX. RSA 331-A:34, relative to unlawful practice.
XXI. RSA 331-A:35, relative to prosecution.

327 Professional Bondsmen; Approval and Registration. Amend RSA 598-A:1, as follows:

598-A:1 Approval and Registration. To promote efficiency and economy, eliminate redundancies in licensure requirements, reduce administrative costs, and facilitate customer service, the responsibility for registration of professional bondsmen shall be transferred to the office of professional licensure and certification effective July 1, 2023. No person proposing to become bail or surety in a criminal case for hire or reward, either received or to be received, shall be accepted as such unless [he] the person shall have been approved and registered as a professional bondsman by the [secretary of state or his designee] executive director of the office of professional licensure and certification; provided, however, no person proposing to become bail or surety in a criminal case in any calendar year after having become bail or surety in criminal cases on 5 separate occasions in said year shall be accepted thereafter during that year as bail or surety unless [he] the person shall have been approved and registered as a professional bondsman as provided in this section.

328 Professional Bondsmen; Fees. Amend RSA 598-A:1-a to read as follows:

598-A:1-a Fees.

[ ] A person proposing to become bail or surety and registered as a professional bondsman
shall pay to the [secretary of state or his designee] executive director of the office of professional licensure and certification an initial application fee. [of $400:] The fee shall be deposited in the [general fund by the state treasurer as unrestricted revenue] office of professional licensure and certification fund.

[II. Thereafter, an annual renewal fee of $100 for the registration in each county of the state where a professional bondsman seeks to post bail shall be due and payable to the secretary of state or his designee on December 30 for the ensuing year. The fee shall be deposited in the general fund by the state treasurer as unrestricted revenue.]

329 Professional Bondsmen; Revocation. Amend RSA 598-A:2 as follows:

598-A:2 Revocation. A person who has been accepted as bail or surety, contrary to the provisions of this chapter, shall nevertheless be liable on his obligation as such bail or surety. Approval and registration under this chapter may be revoked at any time by the [secretary of state or his designee] executive director of the office of professional licensure and certification and shall be revoked in case such a bondsman fails for 30 days after demand to satisfy in full a judgment recovered under RSA 597:33. The county attorney or prosecuting officer obtaining any such judgment which is not satisfied in full within 30 days after demand shall immediately notify the [secretary of state or his designee] executive director of the office of professional licensure and certification or [his] designee in writing.

330 Professional Bondsmen; List of Professional Bondsmen. Amend RSA 598-A:3, as follows:

598-A:3 List of Professional Bondsmen. The [secretary of state or his designee] executive director of the office of professional licensure and certification shall furnish all superior court clerks, all district courts having authority to accept bail, all jails, and all police stations with a list of the names of all persons registered as professional bondsmen and shall notify such clerks, courts, jails, and police stations of any change in a bondsman's status. The [secretary of state or his designee] executive director of the office of professional licensure and certification shall update the list as necessary, but not less than once per year. The list shall include the following statement in bold type: "You are encouraged to contact more than one bail bondsman because not all bail bondsmen charge the same fees or provide the same services." The unaltered list shall be displayed prominently and visibly to defendants in all courts, jails, and police stations. No other list shall be displayed, furnished, or provided.

331 Professional Bondsmen; Rules. Amend RSA 598-A:4 as follows:

598-A:4 Rules of the [Secretary of State or His Designee] Executive Director. All professional bondsmen shall be governed by rules which shall be adopted under RSA 541-A by the [secretary of state or his designee] executive director of the office of professional licensure and certification.
Refund of Fees; Repealed License Requirements. Any holder of an active license for a profession whose license requirement is repealed by this act shall be refunded their license fee for their current active license.

Effective Date. Sections 256-331 of this act shall take effect September 1, 2023.

Appropriation; New Hampshire Retirement System; Unfunded Accrued Liability. The sum of $50,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the New Hampshire retirement system. Said appropriation shall be used by the New Hampshire retirement system to pay down the unfunded accrued liability and shall not be used for any other purposes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

New Section; Retirement System; Supplemental Allowance; Certain Group II Members. Amend RSA 100-A by inserting after section 41-e the following new section:

100-A:41-f Supplemental Allowance; Group II.

I. (a) Any retired group II member of the New Hampshire retirement system or any of its predecessor systems, who has been retired for at least 120 months, but not more than 239 months prior to or on July 1, 2023, or any beneficiary of such member who is receiving an allowance, shall be entitled to receive a supplemental allowance. The amount of such supplemental allowance shall be the result of the calculation of $200 times the number of years since the member's retirement date minus $900, provided that such supplemental allowance shall be reduced so that the total annual benefit of the member or beneficiary shall not exceed $100,000. A member or beneficiary whose annual retirement benefit is $100,000 or greater shall not receive any supplemental allowance.

(b) Any retired group II member of the New Hampshire retirement system or any of its predecessor systems, who has been retired for at least 240 months, prior to or on July 1, 2023 or any beneficiary of such member who is receiving an allowance, shall be entitled to receive a supplemental allowance. The amount of the supplemental allowance shall be $3,000, provided that such supplemental allowance shall be reduced so that the total annual benefit of the member or beneficiary shall not exceed $100,000. A member or beneficiary whose annual retirement benefit is $100,000 or greater shall not receive any supplemental allowance.

II. The total cost of the supplemental allowances under paragraph I, as determined by the actuary and certified by the board of trustees of the retirement system, shall be funded from the state general fund. The sum necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a warrant for said sum out of any money in the treasury for the fiscal year ending June 30, 2023 not otherwise appropriated.

III. The supplemental allowance shall not become a permanent addition to the beneficiary's base retirement allowance and shall be paid to the retired member, or to the member's beneficiary if the member is deceased and the beneficiary is receiving an allowance for group II under RSA 100-A:8, 100-A:9, 100-A:12, 100-A:13, or similar provisions of predecessor systems.
IV. The payment of the supplemental allowance under this section shall be made by the
retirement system as soon as administratively practicable after the effective date of this section, but
not later than November 1, 2023.

336 Effective Date. Section 335 of this act shall take effect June 30, 2023.

337 Budget Trailer Bill; Transmission to the Legislature; Changes to Statutory Law. Amend
RSA 9:2-a to read as follows:

9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15 of
the first year of each biennial legislative session, the governor shall transmit to the legislature a
document to be known as the trailer bill containing any changes to statutory law deemed necessary
for the ensuing biennium. This document shall be separate from the document known as the budget
as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II, article 18-a of
the New Hampshire constitution. This document shall be available in printed format and at least
one electronic computer file format in common use at the time and shall be publicly posted on the
department of administrative services’ website on the date of the transmittal.

338 Department of Administrative Services; General Fund Appropriation Lapse; Report. For
the biennium ending June 30, 2025, the department of administrative services shall provide a report
to the fiscal committee of the general court on the current estimated general fund appropriation
lapse for each fiscal year. Said reports shall be due on the 15th day of December, February, April,
and June of each fiscal year.

339 Administrative Services; Public Works Design and Construction; Definition of Project.
Amend RSA 21-I:78, IX to read as follows:

IX. "Project" means any construction, reconstruction, alteration, or maintenance in any
building, plant, fixture, or facility.

(a) The term shall include those projects relating to buildings, plants, fixture, or
facilities formerly administered through the department of transportation, division of public works.

(b) The term shall include projects relating to state trails, roads, bridges, and
related maintenance and use of facilities under fish and game provisions in title XVIII,
public recreation provisions in title XIX, and forestry provisions in title XIX-A. The
commissioner may waive requirements for approval by governor and council for short term
rentals of equipment contracted for or acquired for the purposes of projects under this
subparagraph, provided such projects are reported quarterly to the fiscal committee of the
general court.

(c) The term shall not include construction, reconstruction, alteration, or maintenance
of highways, bridges, or other items directly related to transportation, which matters shall be
managed by the department of transportation.

340 Revenue Information Management System Account. Amend RSA 21-J:1-b, I to read as
follows:
I. There is hereby established a nonlapsing revenue information management system account. The state treasurer shall credit the additional revenue from existing taxes collected by the department attributable to implementation of the department's revenue information management system (RIMS), as calculated by the commissioner of the department of revenue administration, to the revenue information management system account from which the treasurer shall pay principal and interest on bonds and notes issued to fund the RIMS project. If the revenue information management systems account revenue is not sufficient to cover the principal and interest on the bonds and notes to fund the RIMS project, the governor is authorized to draw a warrant from funds not otherwise appropriated. Said funds shall not be used for any other purpose.

341 New Section; Electronic Licensing, Certification, and Registration System; Department of Agriculture, Markets, and Food. Amend RSA 425 by inserting after section 12 the following new section:

425:12-a Electronic Licensing, Certification, and Registration System. The department of agriculture, markets, and food shall design, establish, and contract with a third party for the implementation and operation of an electronic system to facilitate the handling of all departmental licensing, certification, and registration duties. Such system shall be capable of receiving electronically transmitted product registrations, license applications, certificate applications, and related materials. Authorized users shall be capable of working in offline mode when an Internet connection is not available. The commissioner shall adopt rules under RSA 541-A to govern methods of obtaining, compiling, and maintaining such information it deems necessary to manage such database. The commissioner shall also ensure that the database is secure from unauthorized access or use.

342 Appropriation; Department of Agriculture, Markets, and Food; Electronic Licensing, Certification, and Registration System. For the purpose of developing an electronic licensing, certification, and registration system under RSA 425:12-a, there is hereby appropriated the sum of $360,000, for the fiscal year ending June 30, 2024, to the commissioner of the department of agriculture, markets, and food. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

343 Refuse Reduction; Disposal Prohibited. Amend the section heading of RSA 149-M:27 to read as follows:


344 New Paragraph; Food Waste Disposal. Amend RSA 149-M:27 by inserting after paragraph IV the following new paragraph:

V.(a) Beginning February 1, 2025, any person generating one ton of food waste per week or greater shall not dispose of such waste in a landfill or incinerator provided that:
(1) An alternative facility authorized to manage food waste consistent with the provisions of subparagraph (b) is located within 20 miles of the point of generation; and

(2) The alternative facility has adequate capacity to accept the food waste.

(b) Food waste prohibited from disposal under subparagraph (a) shall be separated from other types of solid waste and managed in accordance with one or more of the following methods, in order of preference:

(1) Reduction of the amount generated at the source;
(2) Consumption by humans;
(3) Consumption by animals;
(4) Composting, digestion, or land application as appropriate; and
(5) Energy recovery not involving combustion.

345 Definitions; Food Waste. Amend RSA 149-M:4, IX-a to read as follows:

IX-a. "Food waste" means the organic residues generated by the handling, preparation, storage, sale, and serving of foods and beverages. "Food waste" includes pre-consumer and post-consumer organic residues, food scraps, and non-petroleum oil used for food preparation provided it does not contain sanitary wastewater.

IX-b. "General permit" means a permit which contains terms and conditions applicable to a specific category of facility, which applies to any facility in that category which has submitted the required information and agreed to abide by the stated terms and conditions.

346 Solid Waste; Definitions; Source Reduction. RSA 149-M:4, XXIV is repealed and reenacted to read as follows:

XXIV. “Source reduction” means the practice of reducing the quantity or toxicity of waste generated at the source, before recycling, processing, disposal or treatment, by changing the processes that first generated the waste. Source reduction includes waste reduction.

347 Department of Environmental Services; New Position; Waste Management Specialist III. There is established the position of Waste Management Specialist III to administer the provisions of RSA 149-M:27, V.

348 Appropriation; FY 2025; Department of Environmental Services. The sum of $98,000 for the fiscal year ending June 30, 2025 is hereby appropriated to the department of environmental services for the position established in this act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

349 Effective Date. Sections 343-348 of this act shall take effect January 1, 2024.

350 Definitions; PFAS Fund and Programs. Amend RSA 485-H:2, IV to read as follows:


351 Implementation of Drinking Water Protection Program; PFAS Response Fund. Amend RSA 485-H:3, III-IV to read as follows:
III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made and will make reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [loan response] fund or receiving a grant, and that any money received from a liable or potentially liable third party after the loan is provided is applied to early repayment of such loan to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent the negligence of the applicant caused the contamination that resulted in the exceedance of a PFAS drinking water standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness or grant. Any money recovered by the department from such third party shall be deposited in the PFAS [loan response] fund.

352 Implementation of Groundwater, Surface Water and Aquatic Life Protection; PFAS Response Fund. Amend RSA 485-H:4, III-IV to read as follows:

III. The department shall adopt rules, and include conditions in loan and grant documents, to ensure that the applicant has made reasonable efforts to obtain and use funds from any liable or potentially liable third party prior to and after taking a loan from the PFAS [loan response] fund or receiving a grant, and that any money received from a liable or potentially liable third party at a later time is applied to early repayment of the loan from the PFAS [loan response] fund to the extent reasonable. In addition, the department shall adopt rules establishing criteria to ensure that an applicant shall not be eligible for loans or grants for any project or portion of a project to the extent the negligence of the applicant caused the contamination that resulted in the exceedance of an applicable PFAS standard.

IV. If the department forgives any part of a loan or provides a grant related to costs for a project for which a third party might otherwise be liable, the right to recover payment from such third party shall be subrogated to the department to the extent of such forgiveness. Any money recovered by the department from such third party shall be deposited in the PFAS [loan response] fund.

353 New Subparagraph; Duties of the Department; PFAS Response. Amend RSA 485-H:8, I by inserting after subparagraph (d) the following new subparagraphs:

(e) Investigating, testing, and monitoring PFAS in soil, groundwater, surface water, wastewater, air, biota, and other media.

(f) Conducting scientific investigation to support development of appropriate regulatory standards for PFAS, and development and implementation of treatment and remediation methods for PFAS in air, water, soil and other media.
354 PFAS Response Fund Established. Amend RSA 485-H:10 to read as follows:

485-H:10 PFAS [Remediation Loan] Response Fund Established. There is hereby established in the department the PFAS [remediation loan] response fund which shall be maintained [by the state treasurer in] as distinct and separate [custody] from all other funds [notwithstanding RSA 6:12]. The state treasurer may invest the PFAS [remediation loan] response fund shall be invested in accordance with RSA 6:8. Any earnings on PFAS [remediation loan] response fund moneys shall be added to the PFAS [remediation loan] response fund. All moneys in the PFAS [remediation loan] response fund shall be non-lapsing and shall be continually appropriated to the department. The PFAS [remediation loan] response fund shall be used to fund departmental duties as outlined in RSA 485-H:8, including loans, grants, and reimbursements in accordance with this chapter. Funds from any bond proceeds, grants, loan repayments, legislative appropriations, donations, and other funds related to the PFAS [remediation loan] response fund shall be credited to the PFAS [remediation loan] response fund.

355 Application of Receipts; PFAS Response Fund. Amend RSA 6:12, I(b)(361) to read as follows:


356 PFAS Response fund. Amend 2022, 326:10 to read as follows:

326:10 Appropriation; PFAS [Remediation Loan] Response Fund. The sum of $25,000,000 for the fiscal year ending June 30, 2022 is hereby appropriated to the PFAS [remediation loan] response fund established under RSA 485-H:10 to fund grants and reimbursements in accordance with RSA 485-H:11. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated. Up to 10 percent of the moneys appropriated under this section may be used to fund the duties of the department outlined in RSA 485-H:8, I.

357 Effective Date. Sections 361 -367 of this act shall take effect upon its passage.

358 Purpose and Use; Solid Waste Management Fund. Amend RSA 149-R:4, III to read as follows:

III. The department is authorized to solicit funds from [the United States Environmental Protection Agency or other agencies that are targeted for making grants consistent with this section] any source, including the United States Environmental Protection Agency and other federal agencies, gifts, donations of money, grants, legislative appropriations, or any matching funds and incentives. [Such funds, when received, may be deposited into the fund, and shall be used for the purposes described in this chapter.] Notwithstanding RSA 4:8 and RSA 14:30, VI, the commissioner may accept and deposit such funds directly into the solid waste management fund to be used for the purpose described in RSA 149-R:4.

359 Appropriation; Solid Waste Management Fund. The sum of $2,000,000 for the fiscal year ending June 30, 2023, is hereby appropriated to the solid waste management fund established under
RSA 149-R:3. Of this appropriation, 50 percent shall be used to give priority to projects associated with the reduction and diversion of food, food waste, and other organic wastes until June 30, 2027. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

360 Effective Date. Section 359 of this act shall take effect June 30, 2023.

361 State Liquor Stores; Closing of State Stores. Amend RSA 177:2 to read as follows:

177:2 Closing of State Stores.

I. The commission may close any state liquor store to improve profitability and efficiency. In determining net operating profit or loss, the commission shall adhere to generally accepted accounting principles for both revenues and expenses and shall include an allocation for indirect costs. All information regarding a decision to close any state liquor store shall be made available, by the commission, to the public upon request. The commission shall provide public notice 30 days prior to closing any state liquor store. The commission shall submit a report of state liquor store closings to the fiscal committee of the general court when store closings occur.

II. In order to properly reflect the operating expenses of each state store, the commission shall prepare annually an indirect cost allocation plan for all indirect operating expenses of the commission. All such expenses of the commission, with the exception of the enforcement and licensing division operating expenses, shall be included in the plan and allocated to all state stores on a consistent, rational basis. No later than [30 days following] 3 months prior to the closure of any state liquor store, the commission shall submit a revised indirect cost allocation plan to the fiscal committee of the general court and the governor and council for approval.

362 New Section; Superior Court; Land Use Review Docket. Amend RSA 491 by inserting after section 7-a the following new section:

491:7-b Land Use Review Docket.

I. Without limiting the jurisdiction vested in any court in the state, and subject to the appointment of a presiding justice by the governor with the consent of the executive council as provided in this section, the supreme court may establish by court order not inconsistent with this section, a land use review docket in the superior court which shall have jurisdiction to hear appeals from decisions of local land use boards, including, but not limited to decisions of municipal planning boards, zoning boards, historic district commissions, and conservation commissions. The jurisdiction of this docket shall not include appeals of decisions by state agencies.

II. The governor with the consent of the executive council may appoint the first presiding justice of the land use review docket, who shall be qualified by reason of such person's knowledge and experience in land use and real property law. The first presiding justice of the land use review docket shall be an additional justice of the superior court, which shall increase by one the number of authorized justices of the superior court as provided in RSA 491:1. The chief justice of the superior court, following the appointment or designation of the initial presiding justice, may designate such
additional justices to preside over cases assigned to the land use review docket, as necessary, based
upon caseload, disqualification of the presiding justice, or efficient allocation of judicial resources.

III. The presiding justice of the land use review docket shall be an associate justice of the
superior court and shall be entitled to the compensation and benefits provided to all such justices
under applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

IV. The workload of the presiding justice of the land use review docket shall be the matters
before that docket. The presiding justice may be assigned to any other matter within the jurisdiction
of the superior court or sit by designation on any other court in the same manner as any other
associate justice of the superior court, as determined to be necessary by the chief justices of the
superior and supreme courts.

V. Subject to the provisions of this section, all appeals to superior court filed pursuant to
RSA 677 and all proceedings for such appeals, shall be assigned to the land use review docket,
including motion practice, discovery, injunctive relief, alternative dispute resolution, and hearing on
the merits. Nothing in this section shall affect the concurrent jurisdiction of the housing appeals
board to hear appeals within its jurisdiction brought pursuant to RSA 679.

VI. The court shall hold a structuring conference within 30 days of its receipt of the notice of
appeal. At the structuring conference the court shall set a deadline for the filing with the court of
the certified record and shall schedule a hearing on the merits to be held within 60 days of receipt of
the certified record. The court shall issue a decision on the merits within 60 days of the hearing.
The court may extend any of the deadlines established in this paragraph upon agreement of the
parties or for other good cause shown, but if the extension is based upon good cause, the court shall
articulate in its order granting the extension the specific facts and circumstances that warrant the
extension.

363 Superior Court; Justices. Amend RSA 491:1 to read as follows:

491:1 Justices. The superior court shall consist of a chief justice, appointed by the governor and
council to a 5-year term, and [21] 22 associate justices. Said justices shall be appointed and
commissioned as prescribed by the constitution and shall exercise the powers of the court unless
otherwise provided. The chief justice shall be appointed from among the associate justices. In the
event that the chief justice resigns as chief justice or is not reappointed at the expiration of the 5-
year term, he or she may return to the position of associate justice, whether or not an associate
justice vacancy then exists.

364 Department of Military Affairs and Veterans Services; Execution of Sentences. Amend RSA
110-B:55, I to read as follows:

I. Fines may be paid to a military court or to an officer executing its process. The amount of
any fine imposed may be noted upon any state roll or account for pay of the delinquent and deducted
from any pay or allowance due or thereafter to become due them, until said fine is liquidated; or the
same may be collected with lawful costs of collection, as in the case of executions issued in action
founded upon torts. *Fines collected shall be paid over to the state treasurer and credited to the New Hampshire national guard enlistment incentive fund under RSA 110-B:60.*

365 Department of Military Affairs and Veterans Services; New Hampshire National Guard Enlistment Incentive Program Established. Amend RSA 110-B:60 to read as follows:

110-B:60 New Hampshire National Guard Enlistment Incentive Program Established. For the purpose of encouraging enlistment in the national guard there is hereby established a New Hampshire national guard enlistment incentive program. This program authorizes a cash incentive up to $1,000 to current members of the New Hampshire national guard in the pay grades of E-1 to O-3 or any former member of the New Hampshire national guard for each new or prior service recruit that they bring into the New Hampshire national guard.

366 Department of Military Affairs and Veterans Services; Revenue for Enlistment Incentive Program. Amend RSA 110-B:61, I to read as follows:

I. There is hereby established a fund to be known as national guard enlistment incentive program fund. Any appropriations received shall be deposited in the fund. Moneys in the fund and any interest earned on the fund shall be used for the purpose of encouraging enlistment in the national guard and shall not be used for any other purpose. The adjutant general shall oversee expenditures from the fund. The moneys in the fund shall be *continually appropriated and nonlapsing.*

367 Department of Military Affairs and Veterans Services; National Guard Enlistment Incentive Program; Oversight and Administration. Amend RSA 110-B:62 to read as follows:

110-B:62 Oversight and Administration. The adjutant general shall [adopt rules pursuant to RSA 541-A relative to] *establish procedures necessary for* the administration of the enlistment incentive program and relative to its execution by the New Hampshire Army and Air National Guard recruiting offices in coordination with the department of military affairs and veterans services.

368 Department of Military Affairs and Veterans Services; Postsecondary Educational Assistance; Eligibility Determinations. Amend RSA 110-B:63-d to read as follows:

110-B:63-d Eligibility Determinations. Eligibility for educational assistance provided by this subdivision shall be determined and monitored by the adjutant general, who shall *establish [adopt rules, pursuant to RSA 541-A, and] procedures [deemed by the adjutant general to be] necessary to carry out and monitor the educational assistance provided by this subdivision.*

369 Effective Date. Sections 364 - 368 of this act shall take effect 60 days after its passage.

370 Department of Corrections; Division of Personnel and Information; Personnel Management; Recruitment and Retention Program. RSA 21-H:4, V(a) is repealed and reenacted to read as follows:

(a) Personnel management, recruitment, and retention. The department shall develop a program for the recruitment, selection, placement, and retention of qualified applicants for the New Hampshire department of corrections.
(1) The program may include expenditures for recruitment and retention activities
and incentives, including but not limited to:

(A) National Corrections Professionals Week recognition activities at all
departmental sites to support employee retention, which may include a paid meal for the site during
the week, physical awards and gift cards with a value of less than $25 as performance incentives
based on departmental policies for employee recognition, and items issued to employees that are
within the financial scope of the department’s current expense appropriations in expenditure class
020.

(B) Referral fees or bonuses for active employees or newly hired applicants who
have not been employed by the state through a policy approved by the commissioner.

(2) Any recruitment or retention incentives received by an employee pursuant to this
subparagraph shall not be considered gifts under RSA 15-B.

(3) Referral of applicants by current department employees for the purpose of
receiving a referral fee pursuant to this subparagraph shall not be considered a misuse of position
under RSA 21-G:23, provided that any rules adopted by the commissioner and any directives issued
by the director regarding the referral program shall require that the benefits of the program shall be
equally available to all department employees, except as specified in subparagraph (1)(B), and
subject to uniform criteria established by the director.

(4) Any expenditures made for recruitment or retention incentives pursuant to this
subparagraph shall be considered a matter of legislatively-enacted public policy designed to benefit
employees and the state, and that is confined exclusively to the public employer by statute as
provided in RSA 273-A:1, XI, and which shall not be subject to collective bargaining. Nothing in this
paragraph shall be construed to invalidate any portion of a collective bargaining agreement entered
into by the state.

371 New Paragraph; Department of Corrections; Powers and Duties of Commissioner. Amend
RSA 21-H:8 by inserting after paragraph XII the following new paragraph:

XIII. The commissioner shall have discretionary authority to pay burial and wake expenses
in an amount not to exceed $10,000 for an employee whose death occurs while on duty with the
department of corrections and when the deceased employee’s next of kin demonstrates an inability to
afford the burial or wake expenses.

372 Appropriation; Department of Safety; Division of State Police. The sum of $1,000,000 is
hereby appropriated in the fiscal year ending June 30, 2023, to the department of safety, division of
state police, to develop and implement a system to electronically share an individual’s bail condition
status with law enforcement. This appropriation shall not lapse. The governor is authorized to
draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

373 Effective Date. Section 372 of this act shall take effect June 30, 2023.
374 New Subdivision; Contact Person Notification Program. Amend RSA 106-B by inserting after section 34 the following new subdivision:

Contact Person Notification Program

106-B:35 Definitions. As used in this subdivision:

I. "Contact person notification program" or "program" means the program developed and operated pursuant to this subdivision.

II. "Law enforcement officer" means any state, county, or municipal law enforcement officer.

III. "Participating person" means a person:

(1) Who voluntarily provides to a law enforcement agency contact information for a person or persons to assist with communications and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person; or

(2) Who has a legal guardian under RSA 464-A and for whom the legal guardian provides to a law enforcement agency contact information to assist with communications, and better assist the person with disabilities by providing law enforcement with vital information on the specific needs to aid the participating person.

106-B:36 Contact Person Notification Program.

I. The division of state police shall develop and implement a contact person notification program to assist a law enforcement officer with communications with a participating person during an encounter between the participating person and the law enforcement officer. The program shall provide the law enforcement officer with access to contact information for a person that is voluntarily submitted by a participating person or the legal guardian of a participating person. The program shall be capable of interfacing with the state police online telecommunications system (SPOTS).

II. The division of state police shall develop and implement standards of procedure for the operation of the program for law enforcement agencies consistent with policies adopted by the department of safety. The standards shall address processing the application of a participating person or that person's legal guardian, determining the validity of identity and legal guardianship information, entering contact information into the state police online telecommunications system (SPOTS), procedures for a participating person or that person's legal guardian to withdraw from the program, and procedures for a law enforcement officer to access contact information.

375 Appropriation; Department of Safety; Contact Person Notification Program. The sum of $50,000 for the fiscal year ending June 30, 2024 is hereby appropriated to the department of safety, division of state police for establishment and administration of the contact person notification program established in RSA 106-B:36. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
New Section; Department of Education; Division of Analytics and Resources; New Position; Academic Research and Improvement Performance Data Analyst I. Amend RSA 21-N by inserting after section 7-a the following new section:

21-N:7-b Academic Research and Improvement Performance Data Analyst I. There is established within the division of education analytics and resources the position of academic research and improvement performance data analyst who shall be a classified employee at no less than the level of administrator III. The academic research and improvement performance data analyst shall be qualified to hold such a position by reason of education and experience. The position shall be subject to any other employment requirements as determined by the department. The academic research and improvement performance data analyst shall collect and analyze assessment data to: measure student progress, evaluate program and instructional effectiveness, guide curriculum development and resource allocation, and promote accountability. The position shall also assist educators in the effective use of data to drive and improve education decision-making ensuring that all children learn. The analyst shall support the goal to improve statewide student proficiency and growth using data-driven decision-making: collecting data, analyzing data, reporting data, using data for school improvement, and communicating through data.

Appropriation; Department of Education. The sum of $183,551 for the fiscal year ending June 30, 2024, and $182,279 for the fiscal year ending June 30, 2025, are appropriated to the commissioner of the department of education for the position established in RSA 21-N:7-b. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

The sum of $150,000 is hereby appropriated for the fiscal year ending June 30, 2023, to the department of education for the purpose of contracting with the National Student Clearinghouse Student Tracker Program for each public school district in New Hampshire. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Effective Date. Section 378 of this act shall take effect June 30, 2023.

Department of Education; Application for Medicaid Direct Certification Program; Public Kindergarten, Elementary, and Secondary Schools. The department of education shall seek participation in the Demonstration Projects to Evaluate Direct Certification with Medicaid administered by the United States Department of Agriculture (USDA). The department of health and human services shall assist the department of education as needed in pursuing and implementing this new direct certification methodology.

New Paragraph; Math Learning Communities Program in Public Secondary Schools; Structure. Amend RSA 193-I:2 by inserting after paragraph III the following new paragraph:

IV. The community college system of New Hampshire shall annually submit a report listing the New Hampshire high schools that are partners in the math learning communities program to
the department of education, the house education committee and the senate education committee no later than October 1. The submitted report shall contain, but not be limited to, the total number of students participating in the advanced mathematical foundation and quantitative reasoning courses; the number of summer institute participants; a summary of student achievement and growth using data based upon the Next-Generation Accuplacer (QAS) exam and the SAT math examination; and any other information as determined by the community college system of New Hampshire.

382 Community College System of New Hampshire; Appropriation. The sum of $200,000 for the fiscal year ending June 30, 2024 and the sum of $200,000 for the fiscal year ending June 30, 2025 are hereby appropriated to the community college system of New Hampshire for the purpose of continuing the math learning communities program in partnership with New Hampshire high schools. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

383 Appropriation; Community College System of New Hampshire; Promise Program. The sums of $3,000,000 in the fiscal year ending June 30, 2024, and $3,000,000 in the fiscal year ending June 30, 2025, are hereby appropriated to the community college system of New Hampshire for the New Hampshire promise program for the purpose of supporting access and affordability of postsecondary education for New Hampshire residents. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

384 The sum of $2,000,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the community college system of New Hampshire to expand workforce credential programs. This appropriation shall not lapse. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

385 Effective Date. Section 384 of this act shall take effect June 30, 2023.

386 Duties of the Department of Health and Human Services; Review of Rates for Child Day Care Services. For the biennium ending June 30, 2025, the department of health and human services shall review the rates established for the purchase of child day care services on behalf of eligible persons. This review shall consider the effects of the established rates on current costs, quality and availability of services. The commissioner shall adjust child care eligibility to 85 percent of the state median income as defined by the United States Census Bureau. If at any time the commissioner determines that funding is insufficient to provide services to those meeting the eligibility criteria, he or she shall, to the extent allowed by applicable federal regulations, utilize available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the amount of the shortfall.

387 Department of Health and Human Services; Child Care Services. The commissioner of the department of health and human services shall be responsible for determining, on an ongoing basis through June 30, 2025, whether there is sufficient funding in account 05-95-42-421110-2977, class
536, to fund employment-related child care services to avoid a wait list and support greater
utilization of employment related childcare. If at any time the commissioner determines that
funding is insufficient, he or she shall, to the extent allowed by applicable federal regulations, utilize
available federal Temporary Assistant to Needy Families (TANF) reserve funds to cover the amount
of the shortfall. The department shall report quarterly to the fiscal committee of the general court
on any funds expended on employment-related child care services, including funds budgeted in
account 05-95-42-421110-2977 as well as federal TANF funds authorized by this section.

388 Duties of the Department of Health and Human Services; Child Care Services
Reimbursement Rates. For the biennium ending June 30, 2025, the department of health and
human services shall set child care services reimbursement rates across all child care programs to
match the 75th percentile of market rate survey or allow for rates to be set through an alternative
“true cost of care” mechanism to be defined by the department of health and human services. If at
any time the commissioner determines that funding is insufficient to set service rates at the 75th
percentile, the commissioner shall, to the extent allowed by applicable federal regulations, utilize
available federal Temporary Assistance to Needy Families (TANF) reserve funds to cover the
amount of the shortfall.

389 Prescription Drug Affordability Board; Funding; Fees Removed. RSA 126-BB:8 is repealed
and reenacted to read as follows:

126-BB:8 Funding; General Funds and Voluntary Contributions.

I. The expenses and cost of operation of the board shall be funded by general funds or by
voluntary contributions deposited in the board's dedicated fund.

II. There is established a nonlapsing fund to be known as the New Hampshire prescription
drug affordability board administration fund, which shall be kept distinct and separate from all
other funds. The fund shall be appropriated to and administered by the board. Voluntary
contributions under this section shall be deposited in the fund. The board shall use the fund,
consistent with the provisions of this chapter, to receive funds and to reimburse costs incurred by the
board. The fund may be used to pay administrative, technical, legal support, or other costs incurred
by the board under this chapter. The state treasurer may invest moneys in the fund as provided by
law, and all interest received on such investment shall be credited to the fund. The dedicated fund
shall be subject to the provisions of RSA 6:12-j.

390 Prescription Drug Affordability Board; Drug Price Notifications and Disclosures;
Confidentiality; Registration; Suspension. RSA 126-BB:9, relative to drug price notifications and
disclosures, confidentiality, and registration by the prescription drug affordability board shall be
suspended for the biennium ending June 30, 2025.

391 Prescription Drug Affordability Board. Repeal. RSA 126-BB:10, relative to civil penalties,
is repealed.
392 Prescription Drug Affordability Board; Employee Authorization. RSA 126-BB:2, VI is repealed and reenacted to read as follows:

VI. The board shall be administratively attached to the department of health and human services. For a limited time, the board may employ an executive director, who shall be an unclassified employee. The executive director shall be appointed by and serve at the pleasure of the board. Said position shall be effective for no more than 2 years following the date of hire of the individual first selected to fill the position. The board may also employ one contracted employee or more, dependent on the availability of funds.

393 New Sections; Prescription Drug Affordability Board; Competitive Bid and Financial Reporting Required. Amend RSA 126-BB by inserting after section 10 the following new sections:

126-BB:11 Competitive Bid Required. The contracts entered into by the board, including those for consulting services or personal contract services, shall be subject to the competitive bid process. Such contracts shall also be approved by the fiscal committee of the general court, the governor, and the executive council.

126-BB:12 Financial Report. The board shall annually report on any moneys spent by the board, the source of such funds, the purpose of spending such funds, and the progress of any project on which the funds were spent. Such report shall be submitted to the fiscal committee of the general court, the committees having jurisdiction over the board in both the house of representatives and the senate, the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

394 New Section; Insurance Department; Redundancy Elimination Report. Amend RSA 400-A by inserting after section 67 the following new section:

400-A:68 Redundancy Elimination Report. The department of insurance, in collaboration with the prescription drug affordability board established in RSA 126-BB, shall issue a report on the elimination of redundancies related to the collection, analysis, and reporting on prescription drug prices between the two organizations, including proposed legislation on such elimination, with the overarching goal of promoting efficiency and economy. This report shall be submitted to the health and human services oversight committee established in RSA 126-A:13, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before October 1, 2024.

395 Prospective Repeal. RSA 400-A:68, relative to the redundancy elimination report, is repealed.

396 Effective Date. Section 406 of this act shall take effect October 1, 2024.

397 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program. RSA 126-AA:4 is repealed and reenacted to read as follows:

126-AA:4 Commission to Evaluate the Effectiveness and Future of the New Hampshire Granite Advantage Health Care Program.
I. There is hereby established a commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program.

(a) The members of the commission shall be as follows:

(1) Three members of the senate, appointed by the president of the senate, one of whom shall be a member of the minority party.

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the minority party.

(3) The commissioner of the department of health and human services, or designee.

(4) The commissioner of the department of insurance, or designee.

(5) A representative of each managed care organization awarded contracts as vendors under the Medicaid managed care program, appointed by the governor.

(6) A representative of a hospital that operates in New Hampshire, appointed by the New Hampshire Hospital Association.

(7) A public member, who has health care expertise, appointed by the senate president.

(8) A public member, who currently receives coverage through the program, appointed by the speaker of the house of representatives.

(9) A public member representing the interests of small businesses in New Hampshire, appointed by the New Hampshire Association of Chamber of Commerce Executives.

(10) A representative of the medical care advisory committee, department of health and human services, appointed by the commissioner of the department of health and human services.

(11) A licensed physician, appointed by the New Hampshire Medical Society.

(12) A licensed mental health professional, appointed by the National Alliance on Mental Illness New Hampshire.

(13) A licensed substance use disorder professional, appointed by the New Hampshire Alcohol and Drug Abuse Counselors Association.


(15) The chairperson of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, or designee.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

(c) The limitation on commission membership in RSA 14:49, II(c) shall not apply to this commission.

II.(a) The commission shall evaluate the effectiveness and future of the program. Specifically the commission shall:
(1) Review the program's financial metrics.

(2) Review the program's product offerings.

(3) Review the program's impact on insurance premiums for individuals and small businesses.

(4) Make recommendations for future program modifications, including, but not limited to, whether the program is the most cost-effective model for the long term versus a return to private market managed care.

(5) Review up-to-date information regarding changes in the level of uncompensated care through shared information from the department, the department of revenue administration, the insurance department, and provider organizations and the program's impact on insurance premium tax revenues and Medicaid enhancement tax revenue.

(6) Evaluate reimbursement rates to determine if they are sufficient to ensure access to and provider capacity for all behavioral health services.

(7) Review the reasons beneficiaries are not re-enrolled in the program.

(8) Review the program's provider reimbursement rates and overall financing structure to ensure it is able to provide a stable provider network and sustainable funding mechanism that serves patients, communities, and the state of New Hampshire.

(b) The commission shall solicit information from any person or entity the commission deems relevant to its study.

(c) The commission shall meet at least annually.

III. The members of the commission shall elect a chairperson from among the members.

Eight members of the commission shall constitute a quorum.

IV. On or before November 1, the commission shall make annual recommendations for any proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, and the governor, as appropriate.

398 Alcohol Abuse Prevention and Treatment Fund; Reference to Funds Transfer Removed.

Amend RSA 176-A:1, III to read as follows:

III. Moneys received from all other sources other than the liquor commission pursuant to RSA 176:16, III, including any community benefit contribution made by New Hampshire's hospitals, shall be disbursed from the fund upon the authorization of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1 and shall not be diverted for any other purposes. Funds disbursed shall be used for alcohol and other drug abuse prevention, treatment, and recovery services, and other purposes related to the duties of the commission under RSA 12-J:3[; provided, however, that funds received from any source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support the New Hampshire granite advantage health care program and shall not be deposited into the fund established in RSA 126-AA:3].
399 Individual Health Insurance Market; Plan of Operation for the High Risk Pool. Amend RSA 404-G:5-a, IV(d) to read as follows:

(d) An amount not to exceed the lesser of the remainder amount, as defined in RSA 126-AA:1, V, or the amount [of revenue transferred from the alcohol abuse prevention and treatment fund pursuant to RSA 176 A:1, IV and] specified in RSA 126-AA:1, V(a) plus taxes attributable to premiums written for medical and other medical-related services for the newly eligible Medicaid population. The association shall transfer all amounts collected pursuant to this subparagraph to the New Hampshire granite advantage health care trust fund established pursuant to RSA 126-AA:3.

400 New Hampshire Granite Advantage Health Care Program; Definition of Remainder Amount. Amend RSA 126-AA:1, V(a) to read as follows:

(a) An amount equal to the amount of revenue transferred from the alcohol abuse prevention and treatment fund [pursuant to RSA 176 A:1, IV] in the state fiscal year ending June 30, 2023, adjusted annually by the percentage change in the Consumer Price Index for All Urban Consumers, Northeast Region as published by the Bureau of Labor Statistics, United States Department of Labor. The first such annual adjustment shall be made during the fiscal year ending June 30, 2024. The annual adjustment shall not exceed 5 percent in any fiscal year;

401 Repeal; Commission. RSA 126-AA:4, relative to reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite health care advantage program, is repealed.

402 Extension of the Prospective Repeal of the Granite Health Care Advantage Program. Amend 2018, 342:25, II to read as follows:

II. Paragraphs III and VII of section 24 of this act shall take effect December 31, [2023] 2025.

403 Repeal; Revenue from Alcohol Abuse Prevention and Treatment Fund. The following are repealed:

I. RSA 176-A:1, IV, relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

II. RSA 126-AA:3, I(a), relative to the transfer of funds from the alcohol abuse prevention and treatment fund to the New Hampshire granite advantage health care trust fund.

404 Department of Health and Human Services; New Hampshire Granite Advantage Health Care Program; The New Hampshire Granite Advantage Health Care Trust Fund. Amend the introductory paragraph of RSA 126-AA:3, I to read as follows:

I. There is hereby established the New Hampshire granite advantage health care trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The department shall include the cost of the program in its biennial budget
request under RSA 9:4. The fund shall be administered by the commissioner and shall be used
solely to provide coverage for the newly eligible Medicaid population as provided for under RSA 126-
AA:2, to pay for the administrative costs for the program, and reimburse the federal government for
any over payments of federal funds. All moneys in the fund shall be nonlapsing and shall be
continually appropriated to the commissioner for the purposes of the fund. The fund shall be
authorized to pay and/or reimburse the cost of medical services and cost-effective related services,
including without limitation, capitation payments to MCOs. No state general funds shall be
deposited into the fund. Deposits into the fund shall be limited exclusively to the following:

405   Liquor Commission Fund; Transfers. For the fiscal year ending June 30, 2024, transfers to
the alcohol abuse prevention and treatment fund pursuant to RSA 176:16, III shall be reduced by the
actual amount of the final agreed contribution from the Foundation for Healthy Communities,
anticipated to take place by December 31, 2023.

406   Effective Date.

I.   Sections 398 - 400 and 402-404 of this act shall take effect December 31, 2023.

II.  Section 401 of this act shall take effect November 1, 2027.

407   New Paragraph; Medicaid Enhancement for Children and Pregnant Women. Amend RSA
167:68 by inserting after paragraph III the following new paragraph:

IV.(a) Pursuant to the state option under the section 5113 of the Consolidated
Appropriations Act of 2023 to expand maternity care under Medicaid and section 1902(e)(16) of the
Social Security Act (42 U.S.C. 1396a(e)), the commissioner of the department of health and human
services shall submit, no later than August 15, 2023, a Medicaid state plan amendment to the
federal Centers for Medicare and Medicaid Services to establish and implement 12 months of
continuous coverage for the entire postpartum period. This benefit shall be available to anyone who
received medical assistance under the state plan for all pregnancy-related and postpartum medical
assistance available under the state plan through the last day of the month in which the 60-day
period (beginning on the last day of her pregnancy) ends, remain eligible under the state plan for
medical assistance for the period beginning on the first day occurring after the end of such 60-day
period and ending on the last day of the month in which the 12-month period (beginning on the last
day of her pregnancy) ends.

(b) The medical assistance provided for a pregnant or postpartum woman under this
section shall, consistent with Section 1902(e)(16) include all items and services covered under the
state plan that are not less in amount, duration, or scope, or are determined by the Secretary to be
substantially equivalent, to the medical assistance available for an individual described in
subsection (a)(10)(A)(i); and be provided for the individual while pregnant and during the 12-month
period that begins on the last day of the individual’s pregnancy and ends on the last day of the
month in which such 12-month period ends.
(c) The purpose of the program shall be, through ensuring continuous coverage for a 12-month postpartum period, to increase identification and mitigation of preventable pregnancy related and pregnancy associated morbidity and mortality, including those related to substance use disorder and mental illness.

(d) On January 1, 2024, the commissioner shall begin submitting quarterly reports to the oversight committee on health and human services, the legislative committees with jurisdiction over health and human services, and the governor regarding the department's progress in obtaining and implementing the state plan amendment. The quarterly reports shall include the department's plans for reducing administrative burdens for enrollees and the department's efforts to expand access and participation to voluntary, evidence-based maternal home visiting programs, pursuant to subparagraph (a). Reports submitted under this subparagraph shall also be posted on the department's website.

408 Appropriation. The sum of $200,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of health and human services for the purpose of expanding postpartum health care services under the state Medicaid plan as provided in this act. The governor shall determine if any discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, or any other federal funds, can be used for this purpose, and the commissioner shall expend such federal funds for this purpose. Any remainder shall be appropriated from the general fund. The governor is authorized to draw a warrant for the general fund portion of such sum from any money in the treasury not otherwise appropriated.

409 New Section; Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Amend RSA 126-A by inserting after section 4-h the following new section:

126-A:4-i Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. Pursuant to Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), no later than January 1, 2024, the commissioner of the department of health and human services shall submit to the Centers for Medicare and Medicaid Services (CMS) the state plan amendments required under Medicaid and the Children's Health Insurance Program (CHIP) to expand coverage to otherwise eligible pregnant women and children who are lawfully residing in the United States. The state plan amendments shall elect the option for children up to age 19 and shall elect the option for pregnant women through the postpartum period. The department of health and human services is authorized to accept and expend any matching federal funds for the purposes of this section without prior approval of the fiscal committee of the general court.

410 Appropriation: Inclusion of Certain Children and Pregnant Women in Medicaid and the Children's Health Insurance Program. The sum of $336,000 for the biennium ending June 30, 2025, is hereby appropriated to the department of health and human services for the purpose of funding
the state share of the expansion of Medicaid and CHIP to include certain children and pregnant women as provided in this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

411 Department of Health and Human Services; Purchase of Scanner. Of the amount appropriated to the department of health and human services in account 05-95-42-421510-6643, Sununu Youth Services Center, for the fiscal year ending June 30, 2024, an amount not to exceed $325,000 shall be used for the purpose of purchasing a full body scanner.

412 Transfer Authority; Sununu Youth Services Center. Notwithstanding RSA 9:16-a or any other law to the contrary, for the biennium ending June 30, 2025, the department of health and human services shall have the authority to transfer between all class lines in account 05-95-42-421510-6643, Sununu Youth Services Center.

413 Declaration of Purpose. New Hampshire voters passed the Right of Privacy into the state constitution in November 2018 with an 81 percent approval. With that vote, state government culture and behavior needed to be shaped by the words, “An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent”. The department of health and human services has been subject to the Health Insurance Portability and Accountability Act since 1996 which drove initial efforts to develop a culture and infrastructure to protect personal data privacy. As a holder of personal information in state government, the department has a responsibility to demonstrate to the public the state’s commitment to actively and overtly respect personal privacy, including privacy of personal information. Establishing and maturing a culture of privacy is core to successfully driving future efforts to implement and enhance privacy policies, procedures, and practices. Continuous improvement requires appropriate governance and policy leadership.

414 New Subdivision; Data Privacy and Information Technology Security Governance Board. Amend RSA 126-A by inserting after section 98 the following new subdivision:

Data Privacy and Information Technology Security Governance Board

126-A:99 Data Privacy and Information Technology Security Governance Board Established. There is hereby established a data privacy and information technology security governance board to oversee the department's use of data, data privacy, and information technology security that shall be maintained by the department of health and human services.

126-A:100 Membership; Quorum.

I. The data privacy and information technology security governance board shall consist of the following members:

(a) The commissioner of the department of health and human services, who shall serve as the governance board chair.

(b) The department's privacy officer.
(c) Three directors of the department who have responsibility for one of the following areas: medicaid services, public health, behavioral health, children, youth and families, or long-term support and services.

(d) The director of the department’s bureau of human resource management.

(e) The director of the department's bureau of information services.

(f) The department’s chief legal officer.

(g) The commissioner of the department of information technology.

(h) Up to 2 additional voting members appointed by the commissioner of the department of health and human services, if needed.

II. A quorum of this board shall consist of the named positions being in attendance with greater than 50 percent present. Members may delegate authority to represent them for the purposes of maintaining a quorum. The chair of the board may also delegate authority to another appropriate member of the governance board to serve during a specified meeting.

126-A:101 Duties.

I. The data privacy and information technology security governance board shall:

(a) Meet at least 3 times a year and post public facing meeting minutes within 2 weeks of the completion of each meeting on the department’s web page.

(b) Become educated in what data governance means, how it will work for the organization, and what it means to embrace data governance and activate enterprise data stewards.

(c) Actively promote improved data governance practices across the department.

(d) Identify and approve of pivotal data governance roles and responsibilities for the department including cross-enterprise domain stewards and coordinators.

(e) Advise, review, and approve the department's data control, governance, and privacy practices in compliance with federal and state law and federal and state information privacy and security policies, with the goal to meet or exceed private market benchmarks for governance, risk management, and compliance.

(f) Drive strategic and timely implementation of a department-wide privacy policy, related procedures and processes to operationalize policy-derived controls, and effective risk management methodologies, including industry standards such as privacy impact assessments and privacy by design.

II. The data privacy and information technology security governance board may solicit information from any person or entity the board deems relevant to its quest.

126-A:102 Risk Management.

I. The department shall conduct a written risk assessment and mitigation remediation plan in the form of a privacy impact assessment (PIA).

II. The assessment and plan shall:
(a) Assess risks to an individual's right to privacy within the department's information technology systems where the individual does not possess immediate control over their information.

(b) Recommend alternatives to both mitigate the risks and achieve the stated objectives of the department's systems.

(c) Identify those individuals and offices within the department who shall be directly accountable for the assessment and plan, the system at the time the assessment and plan are compiled, and any approved alternatives and mitigations as a result of the assessment and plan.

III. Unless otherwise required by law or applicable regulation, no personal information shall be collected prior to the completion of the assessment and plan and any subsequent measures as a result of the assessment and plan, as determined by the governance board for any systems implemented subsequent to March 31, 2024.

IV. The assessment and plan shall be approved and may be acted upon by the commissioner. All assessments and plans conducted before the date of the next data privacy and information technology security governance board meeting shall be submitted to the board for review.

415 Data Privacy and Information Technology Security Governance Board; Specialized Employees Authorized; Appropriation.

I. The department is hereby authorized to establish 2 full-time, permanent employees to support and conduct the required data privacy and information technology security assessments, as well as manage the implementation of mitigation efforts and other necessary updates.

II. The qualifications of the 2 employees shall include privacy certifications, information systems expertise, and project management and communications experience. Certifications may be deferred for up to 2 years post-hiring.

III. The 2 employees shall be classified, full time employees who shall work on assisting in implementing the objectives of the data privacy and information technology security governance board, conducting the privacy assessment and mitigation plan, and other, related data privacy and information technology security activities in the department of health and human services. The classification shall be information technology manager IV, labor grade 32, step 7.

IV. The sum of $300,000 for the biennium ending June 30, 2025 is hereby appropriated to the department of health and human services for the purpose of funding 2 information technology manager IV positions as required in paragraph III of this section. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

V. The department is authorized to use contract support available from funds prior to July 1, 2024.

416 Findings. The general court finds that given the statistically significant excess in the number of cases of kidney cancer in Merrimack, New Hampshire found by the department of health and human services, the known detection of environmental contaminants that have been associated with kidney cancer, and a trend of increasing incidence of kidney cancer over time, the department
recommends that a feasibility study as determined by the New Hampshire Cancer Concern
Investigation Protocol, Phase 3 be conducted. The general court further finds that a Phase 3
feasibility study would determine if an epidemiological study (Phase 4) is warranted and would
identify appropriate cancers and health outcomes for inclusion in such study.

417 Appropriation; Department of Health and Humans Services; Phase 3 Feasibility Study.

I. There is hereby appropriated the sum of $500,000 for the biennium ending June 30, 2025,
to the department of health and human services to enter into a contract with an academic or
research organization to complete a New Hampshire Kidney Cancer Incidence Phase 3 Feasibility
Study for the town of Merrimack to further understand potential exposures that may contribute to
the excess of kidney cancer incidence in Merrimack and identify any next steps warranted. Such
funds shall be nonlapsing and appropriated to the department for the purposes of this act. The
governor is authorized to draw a warrant for said sum out of any money in the treasury not
otherwise appropriated.

II. In order to provide funding for said appropriation, and subject to prior review by the joint
legislative oversight committee on health and human services established in RSA 126-A:13, the
department shall first use any available grant funding or any other non-state funds which may be
used for this purpose.

418 General Fund Transfer to Highway Fund. The sum of $10,000,000 for the fiscal year ending
June 30, 2023, is hereby appropriated to the highway fund. This appropriation shall not lapse. The
governor is authorized to draw a warrant for said sum out of any money in the treasury not
otherwise appropriated.

419 Effective Date. Section 418 of this act shall take effect June 30, 2023.

420 Purpose Statement. The general court finds that people and animals accessing lakes and
rivers across the state have been impacted by cyanobacteria blooms, which pose a threat of acute and
chronic illnesses from the toxins they release. Many of these blooms have been triggered by
phosphorus loading from direct run-off, poor culvert design, inefficient or failed septic systems,
internal loading of phosphorus, among other causes. The cost of designing, installing and repairing
mitigation systems or projects for many communities, watershed management associations, and lake
associations, would result in dramatically higher property taxes or would take many years of
fundraising and delay projects exacerbating the problem. The mitigation of contributors to
cyanobacteria blooms requires a strategy to protect, preserve, and enhance the water quality that
New Hampshire citizens and the natural environment depend upon.

421 New Subdivision; Cyanobacteria Mitigation Loan Program. Amend RSA 485-A by inserting
after section 57 the following new subdivision:

Cyanobacteria Mitigation Loan Program

485-A:58 Establishment and Implementation of Cyanobacteria Mitigation Loan Program.
I. There is established in the department of environmental services the cyanobacteria mitigation loan program. The program shall provide low interest loans to:

(a) Municipalities, community water systems and non-profit lake and river watershed associations whose testing shows confirmed and chronic exceedances of the state health advisory for cyanobacteria, for remediation efforts begun after September 30, 2023.

(b) Publicly-owned and non-profit lake or river watershed associations that have a watershed management plan which specifies sources of phosphorus loading approved by the department of environmental services.

II. Projects shall only be financed after the applicant’s proposed mitigation plan or watershed management plan demonstrates that the such plan is the most cost-effective solution, as reviewed and approved by the department of environmental services. The applicant shall provide evidence in the application for funding that there are no no-cost or low-cost efforts that would result in a substantial decrease in external phosphorus loading. The applicant shall also show that there is no responsible party identified by department of environmental services or that the responsible party, potentially including the applicant, has provided their appropriate share of the funding for the proposed project.

III. Loans or grants may be made for up to the total cost of the project, after any responsible party’s contribution, addressing the contamination.

IV. The cyanobacteria mitigation program shall forgive up to 10 percent of the loan principal to community water systems, publicly owned or non-profit lake or river watershed associations using the same qualifying standards for forgiveness used in the drinking water state revolving loan program established under RSA 486:14.

V. Total loan forgiveness under this section shall not exceed $1,000,000 in a fiscal year.

485-A:59 Duties.

I. The department of environmental services shall:

(a) Administer the cyanobacteria mitigation loan and grant program to assist municipalities; community and non-profit, lake and river watershed association; with the cost of reducing the number of chronic and extended cyanobacteria bloom that the department considers to be a threat to long term health of water bodies. For purposes of this subparagraph, administration includes oversight of the grant or loan expenditures to ensure they are not misused.

(b) Administer a loan forgiveness program to assist municipalities, community, and non-profit, lake and river watershed association with loan repayment.

(c) Award loan or grant funds to projects that meet the following criteria:

(1) The project is or was necessary to reduce phosphorus loading identified in an accepted watershed management plan and the applicant for funding is a municipality, a community water system, or a non-profit, lake or river watershed association.
(2) The applicant has demonstrated, to the satisfaction of the department, that low
or no-cost solutions are neither viable nor effective.

(d) Award reimbursements to projects from the fund in a manner consistent with this
chapter.

II. Every year beginning December 1, 2024, the department of environmental services shall
prepare and file a report with the general court evaluating the progress made relative to mitigating
cyanobacteria blooms, the efficiency of the program established under this chapter, and whether it
continues to provide the maximum benefit to New Hampshire citizens, and providing any
recommendations on potential additional tasks for which the fund could be used to address
cyanobacteria blooms.

485-A:60 Rules. The department of environmental services shall adopt rules, under RSA 541-A,
relative to administering cyanobacteria loan and grant programs for eligible projects.

485-A:61 Cyanobacteria Mitigation Loan and Grant Fund Established. There is hereby
established in the department of environmental services the cyanobacteria mitigation loan and grant
fund which shall be maintained by the state treasurer in distinct and separate custody from all other
funds. The state treasurer may invest the fund in accordance with RSA 6:8. Any earnings on fund
moneys shall be added to the fund. All moneys in the fund shall be nonlapsing and continually
appropriated to the department of environmental services. The cyanobacteria mitigation loan and
grant fund shall be used to fund loans, grants, and reimbursements in accordance with this
subdivision. Funds from any bond proceeds, grants, loan repayments, legislative appropriations,
donations, and other funds shall be credited to this fund.

422 New Subparagraph; Cyanobacteria Mitigation Loan and Grant Fund. Amend RSA 6:12, I(b)
by inserting after subparagraph (387) the following new subparagraph:

(388) Moneys deposited in the cyanobacteria mitigation loan and grant fund
established in RSA 485-A:61.

423 Appropriation; Department of Environmental Services. The sum of $1 for the fiscal year
ending June 30, 2024 is hereby appropriated to the department of environmental services for deposit
into the mycobacteria mitigation loan and grant fund. The governor is authorized to draw a warrant
for said sum out of any money in the treasury not otherwise appropriated.

424 School Building Aid; Grants for School Construction; Chartered Public Schools;
Requirements Added. Amend RSA 198:15-a, I and II to read as follows:

I. To aid local school districts and chartered public schools under RSA 194-B in meeting
the costs of school buildings, the department of education shall, from funds appropriated by the
general court to carry out the provisions of this subdivision, pay to the school districts and chartered public schools of the state, sums in accordance with the provisions of this subdivision,

RSA 198:15-b, I(a)(2)(C) or the alternative school building aid provisions under RSA 198:15-u
through RSA 198:15-w.
II. Beginning with construction authorized by a local school district or chartered public school on or after July 1, 2013, office facilities for school administrative units and the purchase or lease-purchase of temporary space for any purpose, including but not limited to modulars, trailers, or other similar structures to be used as classroom, office, or storage space shall not be eligible for school building aid grants.

II-a. Any chartered public school building to be improved or constructed using school building aid shall be owned by the chartered public school and shall be subject to a plan for the disposition of the chartered public school's assets, pursuant to RSA 194-B:3, II(z), as approved by the state board of education.

425 Amount of Grant; Criteria for Chartered Public Schools. Amend RSA 198:15-b, I(a)(2)(A)-(C) to read as follows:

(2)(A) For construction authorized by a school district after July 1, 2013, school building aid grants for new construction shall not exceed the state appropriation for school building aid for the fiscal year, less any debt service payments due and owing in the fiscal year for construction or renovation projects approved in a prior fiscal year, less the amount owed for construction or renovation projects approved prior to July 1, 2013 in accordance with subparagraph (a)(1), unless otherwise provided by an act of the general court. School building aid grants approved pursuant to RSA 198:15-u through RSA 198:15-w or pursuant to subparagraph (2)(C), shall be disbursed to school districts and chartered public schools pursuant to this subparagraph and no state bonds shall be authorized or issued for the purpose of funding school building aid grants. The amount of the grant to any school district duly organized, any city maintaining a school department within its corporate organization, any cooperative school district as defined in RSA 195:1, any receiving district operating an area school as defined in RSA 195-A:1, or any receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall be calculated based on the criteria set forth in RSA 198:15-v.

(B) The state board of education shall approve the disbursement of 80 percent of the eligible grant amount upon approval of the application for school building aid grants by the state board of education, and shall disburse the balance of the grant amount upon completion of the construction and verification of the final cost of construction by the department of education. For chartered public school construction projects, the amount of the annual grant to any chartered public school shall be a sum equal to 5 percent of the eligible grant amount each year for 20 years upon approval of the application for school building aid grants by the state board of education. Not more than 10 percent of the eligible grant amount shall be disbursed until the construction and verification of the final cost of construction have been made by the department of education.
(C) The amount of the grant to any chartered public school established in accordance with RSA 194-B:3-a shall be 30 percent of the eligible cost of construction.

426 Building Aid; Use of Land, Buildings, or Facilities. Amend RSA 198:15-b, I(b)(1) and (2) to read as follows:

(1) A school district, a city maintaining a school department within its corporate organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an area school as defined in RSA 195-A:1, a chartered public school, or a receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall have first priority in the use of such land, buildings, or facilities for 10 years or the life of any bond or note issued to provide funds for such land, buildings, or facilities, whichever is greater.

(2) A school district, a city maintaining a school department within its corporate organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an area school as defined in RSA 195-A:1, a chartered public school, or a receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, shall submit, when applying for aid under this chapter, the least costly building plan based on a 20-year life cycle cost analysis that meets minimum state building standards in this chapter along with any alternative plans that may be proposed.

427 Maintenance Plan. Amend the introductory paragraph of RSA 198:15-b, I-a(a) to read as follows:

I-a(a) In addition to the requirements of paragraph I, each school district or chartered public school, prior to receipt of any grant moneys, shall submit for review and approval a written maintenance plan describing in detail how the school district intends to maintain the new facilities to be constructed with state aid grant moneys. The required maintenance plan shall include, but not be limited to, the following information:

428 Equipment Assurance. Amend RSA 198:15-b, I-a(k) to read as follows:

(k) A statement of assurance, signed by the chair of the school board or the chair of the board of trustees of the chartered public school, which indicates that the district or chartered public school intends to maintain and service all installed equipment according to the manufacturer's instructions.

429 Department of Education; Construction Proposal Criteria. Amend RSA 198:15-c, II(b)(5) and (6) to read as follows:

(5) Whether a school district or chartered public school has made a reasonable attempt to accommodate maintenance activities including scheduled and unscheduled repairs, upkeep, minor alterations, enhancements to buildings, and preventive maintenance necessary to achieve the design life expectancy of building systems and components. School districts and chartered public schools shall be required to provide maintenance records and other
documentary, if necessary, concerning maintenance program activities for scheduled and
unscheduled repairs, upkeep, minor alterations, and enhancements of district buildings.

(6) A school district’s or chartered public school’s fiscal capacity based on
measurable criteria such as the percentage of pupils eligible for free and reduced price meals.

430 Project Resubmission. Amend RSA 198:15-c, II(c) to read as follows:

(c) A school district, a city maintaining a school department within its corporate
organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an
area school as defined in RSA 195-A:1, a chartered public school, or a receiving district providing
an education to pupils from one or more sending districts under a contract entered into pursuant to
RSA 194:21-a or RSA 194:22, with projects for which there is insufficient state grant funding may
resubmit those projects to the department pursuant to the provisions of this section.

431 Project Manager. Amend RSA 198:15-b, IV to read as follows:

IV. A school district or chartered public school that accepts school building aid for
construction shall engage the services of a project manager for construction or reconstruction
projects of $1,000,000 or more, unless the commissioner waives such requirement as unnecessary.
The school district’s or chartered public school’s project manager shall have his or her own
comprehensive liability and auto insurance, worker’s compensation coverage, and professional
liability coverage. The state board of education shall adopt rules pursuant to RSA 541-A relative to
the required services, responsibilities, and qualifications for the [school district’s] project manager.

432 Time of Computation of Grant. Amend RSA 198:15-d to read as follows:

198:15-d Time of Computation of Grant. As of January 1 in each year, the department of
education shall cause to be computed the amount of the annual grants for school building aid to be
paid to eligible school districts and chartered public schools in the succeeding fiscal year. The
computation shall be based upon the total of eligible costs of construction of school buildings
approved by the chartered public school or the legislative body of the school district and the
department of education for which loans are outstanding in each school district for the fiscal year in
which the computations are made.

433 Repeal. RSA 194-B:11, VII, relative to the prohibition on chartered public schools receiving
school building aid, is repealed.

434 Schools; Food and Nutrition Programs; School Lunch Eligibility. Amend RSA 189:11-a, I to
read as follows:

I.(a) Each school board shall make at least one meal available during school hours to every
pupil under its jurisdiction. Such meals shall be served without cost [or at a reduced cost to any
child who meets federal income eligibility guidelines] to any child whose annual household
income is less than or equal to 300 percent of the federal poverty guidelines as updated
annually in the Federal Register by the United States Department of Health and Human
Services under 42 U.S.C. section 9902(2). The state board of education shall ensure compliance
with this section and shall establish minimum nutritional standards for such meals as well as
income guidelines set for the family size used in determining eligibility for free and reduced price
meals. Nothing in this section shall prohibit the operation of both a breakfast and lunch program in
the same school.

(b) All costs for the school meals program under subparagraph (a) in addition
to sums allocated under RSA 186:13, XI, shall be funded by disbursements from the
department of education to the school districts subject to the availability of funds
appropriated for such purpose in the state operating budget.

435 Contingency. If HB 572 of the 2023 regular legislative session becomes law, section 445 of
this act shall take effect at 12:01 a.m. on September 1, 2023. If HB 572 of the 2023 regular
legislative session does not become law, section 434 of this act shall not take effect.

436 Youth Detention Center; Construction Funds. Notwithstanding any other act of the
legislature or law to the contrary, any secured treatment facility constructed to replace the current
Sununu Youth Services Center shall be funded entirely with federal discretionary funds
appropriated in the American Rescue Plan Act of 2021, Public Law 117-2, including any funds which
have previously been allocated by the governor but which have not been expended. No state general
funds shall be appropriated for the purpose of constructing the replacement facility.

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

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

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

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

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

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

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

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

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

440 Amend Effective Date; Licensed Historic Horse Racing Facilities. Amend 2021, 66:11, I to read as follows:

I. Section 10 of this act shall take effect July 1, 2029.

441 New Section; Immigration Checkpoints. Amend RSA 265 by inserting after section 1-c the following new section:

265:1-d Immigration Checkpoints. When any state, county, or municipal police department or law enforcement agency is informed by a federal agency of intent to conduct an immigration checkpoint, the department or agency shall give notice to the public within 24 hours of when the checkpoint is scheduled to occur or as soon as is practical. The notice shall disclose, if known, the date, municipality, and geographical area in which the checkpoint will occur. Notice to the public shall be provided by using various media resources available, which may include publishing this information on the government agency's website and on social media, or the use of press conferences, press releases, radio and television coverage, posters, and flyers.

442 Effective Date. Section 441 of this act take effect upon its passage.

443 Effective Date. Unless otherwise specified, the remainder of this act shall take effect July 1, 2023.
AN ACT relative to state fees, funds, revenues, and expenditures.

FISCAL IMPACT:
Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, as introduced, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

AGENCIES CONTACTED:
None