

SENATE FINANCE COMMITTEE
BUDGET WORK SESSION
PACKET #1

05/19/23

SENATE FINANCE - 2023 BUDGET RECAP SHEET

New Hampshire Retirement System	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment #2023-1925s, Page 6 - Deletes section 334 of HB 2 relative to the Unfunded Accrued Liability.	Senator Bradley	G	(\$50,000,000)	-	-	(\$50,000,000)
2. HB 2 - Amendment #2023-1656s, Page 7 - Replaces section 334 with the State to pay 5% of the municipal employer contributions starting in FY 2024 and appropriates \$36.2m for FY 2023 to NHRS to cover the costs for the biennium.	Senator Rosenwald	G	\$36,200,000	-	-	\$36,200,000
3. HB 2 - Amendment #2023-1485s, Page 9 - Replaces section 334 with the State to pay 5% of the municipal employer contributions starting in FY 2025.		G	-	-	\$18,100,000	\$18,100,000
4. HB 2 - Amendment #2023-1679s, Page 10 - Replaces section 334 with the State to pay 5% of the municipal employer contributions only for FY 2024 and FY 2025 and appropriates \$36.2m for FY 2023 to NHRS to cover the cost for the biennium.		G	\$36,200,000	-	-	\$36,200,000
5. HB 2 - Amendment #2023-1932s, Page 11 - Replaces sections 335 & 336 of HB 2 and creates a one time allowance payment to NH retirees of \$500 to any member with less than \$40k annual retirement allowance and who has been retired with at least 20 years of service and has been receiving an allowance for 5 years. Funded with FY 2023 dollars.	Senator Bradley	G	(\$2,000,000)	\$0	-	(\$2,000,000)
6. HB 2 - Amendment #2023-1938s, Page 12 - Gives CCSNH CBA employees an option to be part of the NH Retirement System.	Senator Pearl	N/A	-	-	-	-

New Hampshire Retirement System (Continued)	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
7. HB 2 - Amendment #2023-1917s, Page 13 - Adds SB 57, relative to the reduction in the calculation of state retirement annuities at age 65. (Will be funded in employer rates in FY 2026 & FY 2027)	Senator Bradley	G	-	-	-	-
8. HB 2 - Amendment #2023-1400s, Page 15 - Adds SB 57, relative to the reduction in the calculation of state retirement annuities at age 65. (Will be funded in employer rates in FY 2026 & FY 2027)	Senator D'Allesandro	G	-	-	-	-
9. SB 57 - relative to the reduction in the calculation of state retirement annuities at age 65. (Will be funded in employer rates in FY 2026 & FY 2027)	Tabled Bills	G	-	-	-	-
10. SB 114 - relative to payment by the state of a portion of retirement system contributions of political subdivision employers. (\$27.78m in FY 2026)		G	-	\$26,490,000	\$27,130,000	\$53,620,000
11. SB 205 - relative to a cost of living adjustment in the state retirement system. (\$2.13m in FY 2026)		G	-	-	-	-
Fish and Game Department	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Request to replace the Fish and Game Fund appropriation in HB 2, section 183 (page 65), with general funds, to cover the 10%/2% cost of living adjustment (COLA) attributable to Fish and Game Department employees. (HB 2)	Scott Mason, Executive Director	GF F&G TOT	-	\$875,000 <u>(\$875,000)</u> \$0	\$1,067,000 <u>(\$1,067,000)</u> \$0	\$1,942,000 <u>(\$1,942,000)</u> \$0
Office of the Child Advocate	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Fund a new Public Relations Representative/Training Officer (HB 1)	Casandra Sanchez, Child Advocate	G	-	\$74,567	\$78,075	\$152,642
2. Additional Promotional -marketing costs (HB 1)		G	-	\$5,500	\$5,500	\$11,000
3. Additional current expense appropriation due to additional staff (HB 1)		G	-	\$4,500	\$3,500	\$8,000

Bail Tracking System (Department of Safety/Judicial Branch)	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 - Amendment #2023-1690s, Page 17 - Includes an appropriation for the Judicial Branch to build a system to support electronic sharing of bail data with law enforcement.	Judicial Branch / Department of Safety	G	\$736,000	-	-	\$736,000
2. HB 2 - Amendment #2023-1948s, Page 18 - Deletes sections 372 and 373, which appropriate \$1,000,000 to the Department of Safety to develop and implement a system to share an individual's bail condition status with law enforcement.	Senator Bradley	G	(\$1,000,000)	-	-	(\$1,000,000)
Department of Justice	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Appropriation for NH Child Advocacy Centers (HB 1)	Senator Rosenwald	G	-	\$1,500,000	\$1,500,000	\$3,000,000
2. Amendment to establish the Cyber Prosecution Unit (HB 1) <i>See also HB 2 amendment #2023-1361s below</i>		O	-	-	\$415,549	\$415,549
3. HB 2 - Amendment #2023-1361s, Page 19 - Consumer Protection Settlement Funds.		G	-	-	-	-
4. HB 2 - Amendment #2023-1937s, Page 20 - Youth Development Center Claims Administration and Settlement Fund (replaces Amendment #2023-1663s previously offered).		N/A	-	-	-	-
5. HB 2 - Amendment #2023-1786s, Page 23 - Youth Development Center Claims Administration and Settlement Fund.	Senator Bradley	N/A	-	-	-	-
6. HB 2 - Amendment #2023-1707s, Page 25 - Establishing the Healthcare Consumer Protection Trust Fund and Healthcare Consumer Protection Advisory Commission.	John Formella, Attorney General / Senator Gray	N/A	-	-	-	-
7. HB 2 - Amendment #2023-1771s, Page 27 - Funds to Combat Human Trafficking. Fiscal Committee approval for up to \$500k in general funds for the biennium ending June 30, 2025.		G	-	Up to \$500,000	-	Up to \$500,000

Human Rights Commission	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Reinstate funding for existing part-time Intake Coordinator (HB 1)	Ahni Malachi, Executive Director	G	-	\$63,970	\$68,189	\$132,159
2. Informational Representative position to provide training, organize outreach and coordinate educational events (HB 1)		G	-	\$81,908	\$79,615	\$161,523
3. Convert a part-time Paralegal II position to full-time (HB 1)		G	-	\$67,027	\$69,542	\$136,569
4. Convert a part-time Secretary II position to full-time (HB 1)		G	-	\$56,150	\$58,164	\$114,314
5. Add an additional Anti-Discrimination Investigator I position (HB 1)		G	-	\$86,415	\$84,537	\$170,952
6. Additional "fit-up" funds for new office space (HB 1)		G	-	\$300,000	-	\$300,000
7. Additional rent appropriation for anticipated relocation to new office space (HB 1) <i>Note: Senator D'Allesandro asked about available state-owned space.</i>		G	-	\$4,000	\$4,000	\$8,000
Department of Energy	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. Remove positions #14344, #14356, and #30520 from the abolished positions list in HB1, Section 5 and fund them in A/U #1891 Administrative Support. (Utility Assessment Funds) Commissioner will only fill the positions if needed. Possible contingency language related to passage of HB 281, HB 385, and SB 54.	Jared Chicoine, Commissioner / Senator Bradley	O	-	\$270,310	\$283,295	\$553,605

Department of Corrections	Contact	SOF	FY 2023	FY 2024	FY 2025	Total
1. HB 2 Request - Restoration of the additional appropriation to the State Prison Fund for the purpose of design and construction of a new state prison.	Helen Hanks, Commissioner Jonathan Hanson, Director of Administration	G	-	\$40,000,000	-	\$40,000,000
2. HB 2 - Amendment #2023-1831s, Page 28 - Changes the FY 2023 appropriation in section 50 from \$10 million to \$5 million.	Senator D'Allesandro	G	(\$5,000,000)	-	-	(\$5,000,000)

Sen. Bradley, Dist 3
May 17, 2023
2023-1925s
05/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 334, making an appropriation to the New Hampshire retirement
- 2 system to pay down the unfunded accrued liability.

2023-1925s

AMENDED ANALYSIS

Delete:

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

Amendment to HB 2-FN-A-LOCAL

1 Replace section 334 with the following sections:

2

3 334 Retirement System; Employer Contributions; State Share of Contributions. Amend RSA
4 100-A:16, II(b) and (c) to read as follows:

5 (b) The contributions of each employer for benefits under the retirement system on
6 account of group II members shall consist of a percentage of the earnable compensation of its
7 members to be known as the "normal contribution," and an additional amount to be known as the
8 "accrued liability contribution;" provided that beginning with state fiscal year ~~[2013]~~ 2024 and for
9 each state fiscal year thereafter, any employer ~~[shall pay the full amount of such total contributions]~~
10 *other than the state, shall pay 95 percent of such total contributions, and 5 percent thereof*
11 *shall be paid by the state; and provided further that, in the case of group II members*
12 *employed by the state, the state shall pay both normal and accrued liability contributions.*
13 The rate percent of such normal contribution, including contributions on behalf of group II members
14 whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis
15 of the liabilities of the system with respect to the particular members of the various member
16 classifications as shown by actuarial valuations, except as provided in subparagraph (i).

17 (c) The contributions of each employer for benefits under the retirement system on
18 account of group I members shall consist of a percentage of the earnable compensation of its
19 members to be known as the "normal contribution," and an additional amount to be known as the
20 "accrued liability contribution;" provided that beginning with state fiscal year ~~[2013]~~ 2024 and for
21 each state fiscal year thereafter, *in the case of teachers, any employer other than the state,*
22 *shall pay 95 percent of such total contributions, and 5 percent thereof shall be paid by the*
23 *state; and provided further that, in the case of teacher members employed by the state, the*
24 *state* shall pay both normal and accrued liability contributions. The rate percent of such normal
25 contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to
26 the particular members of the various member classifications as shown by actuarial valuation,
27 except as provided in subparagraph (i).

28 334-a Appropriation; Retirement System. There is hereby appropriated to the retirement
29 system the sum of \$36,200,000 for the fiscal year ending June 30, 2023 which shall be nonlapsing
30 until June 30, 2025 for the purpose of the state share of the employer contribution rates. The
31 governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise
32 appropriated.

1 334-b Effective Date. Section 334-a shall take effect June 30, 2023.

2023-1656s

AMENDED ANALYSIS

Replace 96 with the following:

96. Restores the state's contribution to the retirement liabilities of certain teachers, firefighters, and police officers within the state retirement system.

TN APPROVED

Sen. Rosenwald, Dist 13
April 25, 2023
2023-1485s
07/10

Amendment to HB 2-FN-A-LOCAL

1 Replace section 334 with the following:

2

3 334 Retirement System; Employer Contributions; State Share of Contributions. Amend RSA
4 100-A:16, II(b) and (c) to read as follows:

5 (b) The contributions of each employer for benefits under the retirement system on
6 account of group II members shall consist of a percentage of the earnable compensation of its
7 members to be known as the "normal contribution," and an additional amount to be known as the
8 "accrued liability contribution;" provided that beginning with state fiscal year ~~[2013]~~ 2025 and for
9 each state fiscal year thereafter, any employer ~~[shall pay the full amount of such total contributions]~~
10 *other than the state, shall pay 95 percent of such total contributions, and 5 percent thereof*
11 *shall be paid by the state; and provided further that, in the case of group II members*
12 *employed by the state, the state shall pay both normal and accrued liability contributions.*
13 The rate percent of such normal contribution, including contributions on behalf of group II members
14 whose group II creditable service is in excess of 40 years, in each instance shall be fixed on the basis
15 of the liabilities of the system with respect to the particular members of the various member
16 classifications as shown by actuarial valuations, except as provided in subparagraph (i).

17 (c) The contributions of each employer for benefits under the retirement system on
18 account of group I members shall consist of a percentage of the earnable compensation of its
19 members to be known as the "normal contribution," and an additional amount to be known as the
20 "accrued liability contribution;" provided that beginning with state fiscal year ~~[2013]~~ 2025 and for
21 each state fiscal year thereafter, *in the case of teachers, any employer other than the state,*
22 *shall pay 95 percent of such total contributions, and 5 percent thereof shall be paid by the*
23 *state; and provided further that, in the case of teacher members employed by the state, the*
24 *state shall pay both normal and accrued liability contributions.* The rate percent of such normal
25 contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to
26 the particular members of the various member classifications as shown by actuarial valuation,
27 except as provided in subparagraph (i).

Sen. Rosenwald, Dist 13
May 5, 2023
2023-1679s
10/07

Amendment to HB 2-FN-A-LOCAL

1 Replace section 334 with the following sections:

2

3 334 Retirement System Costs; State Funding; Appropriation. For the state fiscal years ending
4 June 30, 2024 and June 30, 2025, the state shall pay to each political subdivision an amount equal to
5 5 percent of both the normal and accrued liability contributions of each political subdivision for
6 benefits under the retirement system on account of its group II members and group I teacher
7 members. The board of trustees of the retirement system shall certify the amount required for each
8 such state payment and total amount of the state grants to the treasurer. Amounts will be based on
9 actual payroll data from the fiscal year ending June 30, 2023 for the distribution to be made in the
10 state fiscal year ending June 30, 2024 and actual payroll data from the fiscal year ending June 30,
11 2024 for the distribution to be made in the state fiscal year ending June 30, 2025.

12 334-a Appropriation; Retirement System. There is hereby appropriated to the retirement
13 system the sum of \$36,200,000 for the fiscal year ending June 30, 2023 which shall be nonlapsing
14 until June 30, 2025 for the purpose of the state share of the employer contribution rates. The
15 governor is authorized to draw a warrant for said sum out of money in the treasury not otherwise
16 appropriated.

17 334-b Effective Date. Section 334-a shall take effect June 30, 2023.

2023-1679s

AMENDED ANALYSIS

Replace 96 with the following:

96. Provides for a one-time state contribution of 5 percent of political subdivision employer costs of the retirement liabilities of certain teachers, firefighters, and police officers within the state retirement system.

Sen. Bradley, Dist 3
May 18, 2023
2023-1932s
10/07

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing sections 335 and 336 with the following:
2
3 335 Retirement System; Additional Allowance; Appropriation.
4 I. An additional one-time allowance of \$500 shall be paid during state fiscal year 2024 to
5 retired members of the retirement system receiving an allowance who are eligible as follows:
6 (a) The member retired with at least 20 years of creditable service;
7 (b) The member retired and has been receiving an allowance for at least 5 years prior to
8 July 1, 2023.
9 (c) The annual retirement allowance of the member on June 30, 2023 is not greater than
10 \$40,000.
11 II. The additional allowance shall not become a permanent addition to the member's base
12 retirement allowance.
13 III. The total cost of the additional allowances, as determined by the actuary and certified by
14 the board of trustees of the retirement system, shall be funded from the state general fund. The sum
15 necessary is hereby appropriated to the board of trustees. The governor is authorized to draw a
16 warrant for said sum out of any money in the treasury for the fiscal year ending June 30, 2023 not
17 otherwise appropriated.
- 18 336 Effective Date. Section 335 of this act shall take effect June 30, 2023.

Sen. Pearl, Dist 17
May 18, 2023
2023-1938s
10/05

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Community College System of New Hampshire; Employment; Benefits; Retirement System
4 Status. Amend RSA 188-F:7, I and II to read as follows:

5 I. Any changes to the conditions of employment, compensation, and benefits of community
6 college system of New Hampshire employees covered by collective bargaining agreements shall be
7 negotiated through the collective bargaining process, **except that community college system**
8 **employees covered by collective bargaining agreements hired on or after July 1, 2023 shall**
9 **have the option of membership in the retirement system pursuant to RSA 100-A or a defined**
10 **contribution plan as designated by the board of trustees.**

11 II. The community college system of New Hampshire shall ~~as of the effective date of this~~
12 ~~section,~~ be considered an employer for the purposes of RSA 100-A:1, IV. Full-time employees of the
13 community college system of New Hampshire ~~as of the effective date of this section] who are active~~
14 **retirement system members or who elect membership in the retirement system** shall be
15 considered employees for the purposes of RSA 100-A:1, V.

16 2 New Hampshire Retirement System; Definitions; Employee. Amend RSA 100-A:1, V to read
17 as follows:

18 V. "Employee" shall mean any regular classified, nonclassified, or unclassified officer or
19 employee of the state or any department, commission, institution or agency of the state government
20 by which an employee is paid through the office of the state treasurer, or employees of the general
21 court who work on a full-time basis and are eligible for other state benefits, but whose salary is
22 calculated on a per diem basis, or any employee of the retirement system, or any full-time employee
23 of the community college system of New Hampshire **who is an active retirement system member**
24 **or who elects membership in the retirement system**, or of any of the groups authorized to
25 participate under this chapter but excluding any person who is a teacher, permanent policeman, or
26 permanent fireman as defined in this section, or who is a member or attache of the general court or
27 member of the executive council.

Sen. Bradley, Dist 3
May 17, 2023
2023-1917s
06/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Retirement System; Service Retirement Benefits; Reduction Age. Amend RSA 100-A:5, I(b)
4 to read as follows:

5 (b) Upon service retirement, an employee member or teacher member of group I shall
6 receive a service retirement allowance which shall consist of a member annuity which shall be the
7 actuarial equivalent of the member's accumulated contributions at the time of retirement, and a
8 state annuity. Prior to the member's attainment of ~~[age-65]~~ *the member's full retirement age for*
9 *Social Security*, the state annuity, together with the member annuity, shall be equal to 1/60 of the
10 member's average final compensation multiplied by the number of years of creditable service. After
11 attainment of ~~[age-65]~~ *the member's full retirement age for Social Security*, the state annuity,
12 together with the member annuity, shall be equal to 1/66 of the member's average final
13 compensation multiplied by the number of years of creditable service. Provided, however, that a
14 group I member who commenced service on or after July 1, 2011 shall not receive a service
15 retirement allowance until attaining the age of 65; but may receive a reduced allowance after age 60
16 if the member has at least 30 years of creditable service where the allowance shall be reduced, for
17 each month by which the date on which benefits commence precedes the month after which the
18 member attains 65 years of age, by 1/4 of one percent.

19 2 Retirement System; Ordinary Disability Retirement Benefits; Reduction Age. Amend RSA
20 100-A:6, I(b)(1)(A) and (B) to read as follows:

21 (A) Prior to the member's attainment of ~~[age-65]~~ *the member's full retirement*
22 *age for Social Security*, the state annuity, together with the member annuity, shall be equal to
23 1/60 of the member's average final compensation at the time of ~~[his]~~ *their* ordinary disability
24 retirement multiplied by the number of years of creditable service at the time of ~~[his]~~ *their* ordinary
25 disability retirement;

26 (B) After attainment of ~~[age-65]~~ *the member's full retirement age for Social*
27 *Security*, the state annuity, together with the member annuity, shall be equal to 1/66 of the
28 member's average final compensation at the time of ~~[his]~~ *their* ordinary disability retirement
29 multiplied by the number of years of creditable service at the time of ~~[his]~~ *their* ordinary disability
30 retirement;

31 3 Retirement System; Accidental Disability Retirement Benefits; Reduction Age. Amend RSA
32 100-A:6, I(d)(1)(A) and (B) to read as follows:

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 (A) Prior to the member's attainment of [age-65] *the member's full retirement*
2 *age for Social Security*, the state annuity, together with the member annuity, shall be equal to
3 1/60 of the member's average final compensation at the time of [his] *their* accidental disability
4 retirement multiplied by the number of years of creditable service at the time of [his] *their*
5 accidental disability retirement;

6 (B) After attainment of [age-65] *the member's full retirement age for Social*
7 *Security*, the state annuity, together with the member annuity, shall be equal to 1/66 of the
8 member's average final compensation at the time of [his] *their* accidental disability retirement
9 multiplied by the number of years of creditable service at the time of [his] *their* accidental disability
10 retirement;

2023-1917s

AMENDED ANALYSIS

Insert:

1. Provides for the application of the reduction of a retiree's annuity at the member's full retirement age under the federal Social Security system.

Sen. D'Allesandro, Dist 20
April 17, 2023
2023-1400s
06/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Retirement System; Service Retirement Benefits; Reduction Age. Amend RSA 100-A:5, I(b)
4 to read as follows:

5 (b) Upon service retirement, an employee member or teacher member of group I shall
6 receive a service retirement allowance which shall consist of a member annuity which shall be the
7 actuarial equivalent of the member's accumulated contributions at the time of retirement, and a
8 state annuity. Prior to the member's attainment of ~~[age-65]~~ *the member's full retirement age for*
9 *Social Security*, the state annuity, together with the member annuity, shall be equal to 1/60 of the
10 member's average final compensation multiplied by the number of years of creditable service. After
11 attainment of ~~[age-65]~~ *the member's full retirement age for Social Security*, the state annuity,
12 together with the member annuity, shall be equal to 1/66 of the member's average final
13 compensation multiplied by the number of years of creditable service. Provided, however, that a
14 group I member who commenced service on or after July 1, 2011 shall not receive a service
15 retirement allowance until attaining the age of 65; but may receive a reduced allowance after age 60
16 if the member has at least 30 years of creditable service where the allowance shall be reduced, for
17 each month by which the date on which benefits commence precedes the month after which the
18 member attains 65 years of age, by 1/4 of one percent.

19 2 Retirement System; Ordinary Disability Retirement Benefits; Reduction Age. Amend RSA
20 100-A:6, I(b)(1)(A) and (B) to read as follows:

21 (A) Prior to the member's attainment of ~~[age-65]~~ *the member's full retirement*
22 *age for Social Security*, the state annuity, together with the member annuity, shall be equal to
23 1/60 of the member's average final compensation at the time of ~~[his]~~ *their* ordinary disability
24 retirement multiplied by the number of years of creditable service at the time of ~~[his]~~ *their* ordinary
25 disability retirement;

26 (B) After attainment of ~~[age-65]~~ *the member's full retirement age for Social*
27 *Security*, the state annuity, together with the member annuity, shall be equal to 1/66 of the
28 member's average final compensation at the time of ~~[his]~~ *their* ordinary disability retirement
29 multiplied by the number of years of creditable service at the time of ~~[his]~~ *their* ordinary disability
30 retirement;

31 3 Retirement System; Accidental Disability Retirement Benefits; Reduction Age. Amend RSA
32 100-A:6, I(d)(1)(A) and (B) to read as follows:

- 1 (A) Prior to the member's attainment of [age-65] *the member's full retirement*
2 *age for Social Security*, the state annuity, together with the member annuity, shall be equal to
3 1/60 of the member's average final compensation at the time of [his] *their* accidental disability
4 retirement multiplied by the number of years of creditable service at the time of [his] *their*
5 accidental disability retirement;
- 6 (B) After attainment of [age-65] *the member's full retirement age for Social*
7 *Security*, the state annuity, together with the member annuity, shall be equal to 1/66 of the
8 member's average final compensation at the time of [his] *their* accidental disability retirement
9 multiplied by the number of years of creditable service at the time of [his] *their* accidental disability
10 retirement;

2023-1400s

AMENDED ANALYSIS

Insert:

1. Provides for the application of the reduction of a retiree's annuity at the member's full retirement age under the federal Social Security system.

Sen. Gray, Dist 6
May 8, 2023
2023-1690s
08/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing sections 372 and 373 with the following:
2
3 372 Appropriation; Department of Safety; Division of State Police and the New Hampshire
4 Judicial Branch.
5 I. The sum of \$750,000 is hereby appropriated in the fiscal year ending June 30, 2023, to the
6 department of safety, division of state police, to develop and implement a system to electronically
7 share an individual's bail condition status with law enforcement.
8 II. The sum of \$986,000 is hereby appropriated in the fiscal year ending June 30, 2023, to
9 the judicial branch, to develop and implement a judicial branch bail data platform to enable
10 electronic sharing of an individual's bail condition status with law enforcement.
11 III. The appropriations in paragraphs I and II shall not lapse. The governor is authorized to
12 draw a warrant for said sum out of any money in the treasury not otherwise appropriated.
13 373 Effective Date. Section 372 of this act shall take effect June 30, 2023.

2023-1690s

AMENDED ANALYSIS

Replace section 111 with the following:

111. Make appropriations to the department of safety and the judicial branch to develop and implement a system to electronically share an individual's bail condition status with law enforcement.

Sen. Bradley, Dist 3
May 18, 2023
2023-1948s
08/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 372 and 373.

2023-1948s

AMENDED ANALYSIS

Delete:

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.

Sen. Rosenwald, Dist 13
April 12, 2023
2023-1361s
06/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by inserting the following:
2
3 1 New Subparagraph; Department of Justice; Consumer Protection and Antitrust Bureau.
4 Amend RSA 21-M:9, II by inserting after subparagraph (u) the following new subparagraph:
5 (v) Investigating and enforcing privacy and security of personal information and data
6 privacy rights.
7 2 The Attorney General; Disposition of Consumer Protection Settlement Funds Amend RSA 7:6-
8 f to read as follows:
9 7:6-f Disposition of Consumer Protection Settlement Funds. Any funds received by the attorney
10 general on behalf of the state or its citizens as a result of any civil judgment or settlement of a claim,
11 suit, petition, or other action under RSA 358-A or related consumer protection statutes shall be
12 deposited in a consumer protection escrow account. The consumer protection escrow account shall at
13 no time exceed [5] \$6 million, with any amount in excess of [5] \$6 million deposited into the
14 general fund, except as otherwise provided in RSA 126-A:83. The attorney general shall not include
15 language in any consumer protection settlement that restricts any payments to the state for
16 attorneys' fees, investigation and litigation costs, consumer education, or consumer protection
17 enforcement to the consumer protection escrow account or any other account or fund.
18 3 Effective Date. Section 2 of this act shall take effect July 1, 2024.

Sen. Rosenwald, Dist 13
Sen. D'Allesandro, Dist 20
May 18, 2023
2023-1937s
07/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
4 M:11-a, I(g) to read as follows:

5 (g) "[Investigator] *Fact facilitator*" means one or more individuals assigned by the
6 administrator to independently investigate a claim.

7 2 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
8 M:11-a, I(i) to read as follows:

9 (i) "Sexual abuse" means an incident of conduct which would constitute an offense under
10 RSA 632-A:2, RSA 632-A:3, or RSA 632-A:4, or a common law cause of action for assault or battery
11 that involves sexual contact or sexual penetration as defined by RSA 632-A:1. *Regardless of*
12 *whether physical contact or sexual contact has occurred, sexual abuse shall also include*
13 *acts defining an abused child under RSA 169-C:3, II, incidents of institutional child abuse*
14 *or neglect as defined under RSA 169-C:3, XVI, and acts constituting psychological abuse,*
15 *emotional abuse, child endangerment, trafficking in persons as contemplated by RSA*
16 *633:7, false imprisonment as contemplated by RSA 633:3, unlawful confinement, child*
17 *exploitation, and deprivation of educational rights.*

18 3 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
19 M:11-a, V to read as follows:

20 V. For all claims involving both sexual and physical abuse or sexual abuse only, no
21 individual claimant shall be paid more than \$1,500,000 in settlement of all claims in the aggregate.
22 For all claims involving physical abuse only, no individual claimant shall be paid more than
23 \$150,000 in settlement of all physical abuse claims in the aggregate. *The attorney general*
24 *designee and the administrator may authorize an individual claimant's settlement to be*
25 *more than \$1,500,000 when the nature and character of the acts of abuse, or the frequency*
26 *and duration of those acts, are so egregious that the deciding parties deem a higher*
27 *settlement necessary. In no instance shall any individual claimant be paid more than the*
28 *threshold amount at which a financial settlement would be subject to legislative approval*
29 *under RSA 14:35-b*

30 4 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
31 M:11-a, VII(g) to read as follows:

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 (g) Claims and all documents and information created in connection with claims shall be
2 confidential, except that matter which was not previously confidential shall not become so by virtue
3 of being submitted in connection with a claim, or except as otherwise provided in this section or in
4 RSA 91-A. This confidentiality is provided in order to protect the privacy of the claimant, and only
5 for that reason. The claimant shall not be bound by this obligation of confidentiality and may waive
6 it at any time, **except as otherwise provided in subparagraph VIII relating to fact facilitator**
7 **reports and associated materials under this section.**

8 5 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
9 M:11-a, VIII (c)-(f) to read as follows:

10 (c) Once a claim is considered complete, the AG designee shall have 30 days to indicate
11 to the claimant and the administrator its position regarding the claim. ~~The~~ AG designee may agree
12 or disagree with the claim in whole or in part, and shall indicate whether ~~he~~ or she believes the
13 claim should be referred to ~~[an investigator]~~ a fact facilitator. The administrator may grant the
14 AG designee an extension of time to indicate its position for good cause shown.

15 (d) Following receipt of the AG designee's position, the administrator may refer a claim
16 to ~~[an investigator]~~ a fact facilitator if, in the administrator's independent judgment, an
17 investigation is needed. The administrator shall direct the investigator as to any particular aspects
18 of the claimant's claim for which the administrator seeks further information or verification, and in
19 such case, the investigation shall be limited to that scope. If the administrator elects not to refer a
20 claim to ~~[an investigator]~~ a fact facilitator, then the administrator shall so notify the AG designee
21 and the claimant, and advise the claimant in writing regarding his or her options: to accept the AG
22 designee's position, to request the administrator decide the claim, or to withdraw his or her claim
23 from further processing. Within 30 days of receiving the position of the AG designee, the claimant
24 shall indicate to the administrator and the AG designee whether he or she agrees with the AG
25 designee's position, whether he or she wishes for the administrator to decide the claim, or whether
26 he or she wishes to withdraw his or her claim from further processing. In the absence of an
27 indication from the claimant, the administrator may assume that the claimant is in agreement with
28 the position of the AG designee.

29 (e) The purpose of an investigation shall be to verify a claim, as submitted, if possible.
30 The investigation shall, to the greatest extent possible, be conducted in a trauma-informed,
31 respectful, and dignified manner. The investigation may include an interview of the claimant, which
32 may be conducted under oath and recorded. The ~~[investigator]~~ fact facilitator may also request to
33 review additional records related to the claim. The claimant shall be entitled to the assistance of an
34 advocate in connection with the investigation process who shall be allowed to accompany the
35 claimant during any interview. The claimant shall execute such documents or authorizations as
36 may be necessary to permit the ~~[investigator]~~ fact facilitator to access records. If the claimant is
37 represented by counsel, counsel shall also be allowed to attend any interview of the claimant. A

Amendment to HB 2-FN-A-LOCAL

- Page 3 -

1 claim may be denied if a claimant refuses to cooperate with the investigation. Except in
2 extraordinary circumstances, investigations should be completed within 90 days of referral.

3 (f) The ~~investigator~~ *fact facilitator* shall present a report to the administrator of his
4 or her findings, which shall include a summary of any interviews conducted or records gathered, a
5 copy of any such supporting documentation, records and recordings. The administrator shall provide
6 a copy of the ~~investigator's~~ *fact facilitator's* report and supporting documentation to the claimant
7 and the AG designee once received.

8 6 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
9 M:11-a, IX(a) to read as follows:

10 IX. (a) When a claimant requests that the administrator decide the claim, the administrator
11 shall schedule the claim for a resolution proceeding according to the ~~procedures approved by the~~
12 joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire,
13 although parties and witnesses may attend by telephone or video conference in the discretion of the
14 administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order
15 that they are received and determined to be complete, except that the administrator may also give
16 consideration to the time for which litigation may have been pending prior to the filing of a claim.
17 ~~[By requesting a resolution proceeding.]~~ *When a claimant accepts the administrator's decision*
18 *on the claim*, a claimant fully waives his or her right to seek other or additional monetary relief in
19 any forum from the state of New Hampshire or any of its agents or employees, or from any of its
20 political subdivisions or their agents or employees arising out of or relating to any incidents which
21 are or could have been the subject of a claim, except that the claimant does not waive his or her right
22 to seek or continue to seek relief in any forum from an individual whose direct, personal actions
23 constitute sexual abuse or physical abuse, even if said individual was a state employee at the time of
24 the acts. The administrator shall require a claimant to execute appropriate dismissals, waivers,
25 releases, or other documents as a condition of scheduling a resolution proceeding, provided that such
26 documents expressly preserve the right to pursue claims against individual perpetrators as
27 described.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new sections:

2

3 1 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
4 M:11-a, I(g) to read as follows:

5 (g) "[~~Investigator~~] *Fact facilitator*" means one or more individuals assigned by the
6 administrator to independently investigate a claim.

7 2 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
8 M:11-a, VIII (c)-(f) to read as follows:

9 (c) Once a claim is considered complete, the AG designee shall have 30 days to indicate
10 to the claimant and the administrator its position regarding the claim. The AG designee may agree
11 or disagree with the claim in whole or in part, and shall indicate whether he or she believes the
12 claim should be referred to [~~an investigator~~] *a fact facilitator*. The administrator may grant the
13 AG designee an extension of time to indicate its position for good cause shown.

14 (d) Following receipt of the AG designee's position, the administrator may refer a claim
15 to [~~an investigator~~] *a fact facilitator* if, in the administrator's independent judgment, an
16 investigation is needed. The administrator shall direct the investigator as to any particular aspects
17 of the claimant's claim for which the administrator seeks further information or verification, and in
18 such case, the investigation shall be limited to that scope. If the administrator elects not to refer a
19 claim to [~~an investigator~~] *a fact facilitator*, then the administrator shall so notify the AG designee
20 and the claimant, and advise the claimant in writing regarding his or her options: to accept the AG
21 designee's position, to request the administrator decide the claim, or to withdraw his or her claim
22 from further processing. Within 30 days of receiving the position of the AG designee, the claimant
23 shall indicate to the administrator and the AG designee whether he or she agrees with the AG
24 designee's position, whether he or she wishes for the administrator to decide the claim, or whether
25 he or she wishes to withdraw his or her claim from further processing. In the absence of an
26 indication from the claimant, the administrator may assume that the claimant is in agreement with
27 the position of the AG designee.

28 (e) The purpose of an investigation shall be to verify a claim, as submitted, if possible.
29 The investigation shall, to the greatest extent possible, be conducted in a trauma-informed,
30 respectful, and dignified manner. The investigation may include an interview of the claimant, which
31 may be conducted under oath and recorded. The [~~investigator~~] *fact facilitator* may also request to
32 review additional records related to the claim. The claimant shall be entitled to the assistance of an

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 advocate in connection with the investigation process who shall be allowed to accompany the
2 claimant during any interview. The claimant shall execute such documents or authorizations as
3 may be necessary to permit the ~~[investigator]~~ *fact facilitator* to access records. If the claimant is
4 represented by counsel, counsel shall also be allowed to attend any interview of the claimant. A
5 claim may be denied if a claimant refuses to cooperate with the investigation. Except in
6 extraordinary circumstances, investigations should be completed within 90 days of referral.

7 (f) The ~~[investigator]~~ *fact facilitator* shall present a report to the administrator of his
8 or her findings, which shall include a summary of any interviews conducted or records gathered, a
9 copy of any such supporting documentation, records and recordings. The administrator shall provide
10 a copy of the ~~[investigator's]~~ *fact facilitator's* report and supporting documentation to the claimant
11 and the AG designee once received.

12 3 Youth Development Center Claims Administration and Settlement Fund. Amend RSA 21-
13 M:11-a, IX(a) to read as follows:

14 IX.(a) When a claimant requests that the administrator decide the claim, the administrator
15 shall schedule the claim for a resolution proceeding according to the procedures approved by the
16 joint fiscal committee. All resolution proceedings shall take place in the state of New Hampshire,
17 although parties and witnesses may attend by telephone or video conference in the discretion of the
18 administrator. To the greatest extent possible, claims shall be scheduled for resolution in the order
19 that they are received and determined to be complete, except that the administrator may also give
20 consideration to the time for which litigation may have been pending prior to the filing of a claim.
21 ~~[By requesting a resolution proceeding.]~~ *When a claimant accepts the administrator's decision*
22 *on the claim*, a claimant fully waives his or her right to seek other or additional monetary relief in
23 any forum from the state of New Hampshire or any of its agents or employees, or from any of its
24 political subdivisions or their agents or employees arising out of or relating to any incidents which
25 are or could have been the subject of a claim, except that the claimant does not waive his or her right
26 to seek or continue to seek relief in any forum from an individual whose direct, personal actions
27 constitute sexual abuse or physical abuse, even if said individual was a state employee at the time of
28 the acts. The administrator shall require a claimant to execute appropriate dismissals, waivers,
29 releases, or other documents as a condition of scheduling a resolution proceeding, provided that such
30 documents expressly preserve the right to pursue claims against individual perpetrators as
31 described.

Sen. Gray, Dist 6
May 8, 2023
2023-1707s
02/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by inserting the following new section:

2

3 1 New Sections; Health Care Consumer Protection Trust Fund and Advisory Commission.

4 Amend RSA 7 by inserting after section 6-f the following new sections:

5 7:6-g Health Care Consumer Protection Trust Fund Established.

6 I. In this section:

7 (a) "Acquisition transaction" or "acquisition" means transfer of control, direct or indirect,
8 of a health care organization, or of 25 percent or more of the assets thereof, including, but not limited
9 to, purchases, mergers, leases, gifts, consolidations, exchanges, joint ventures, or other transactions
10 involving transfer of control or of 25 percent or more of assets. However, changes in membership of
11 the governing body of a health care organization occurring through regular election or filling of
12 vacancies in accordance with the bylaws thereof do not of themselves constitute acquisition
13 transactions within the meaning of this section.

14 (b) "Health care organization" means an entity organized to provide health care services
15 including, but not limited to, hospitals, community health services, and medical-surgical or other
16 diagnostic or therapeutic facilities, or services, or an entity operating as a health insurer or health
17 maintenance organization.

18 II. There is hereby established in the state treasury, the health care consumer protection
19 trust fund that shall be kept separate and distinct from all other funds. All proceeds received by the
20 state from any settlement, judgment, or other resolution related to any acquisition or acquisition
21 transaction shall be deposited into the trust fund, provided that any proceeds obtained to reimburse
22 the department of justice pursuant to RSA 356:4-b, or RSA 358-A:6, IV for all costs related to the
23 review, investigation, or litigation of any acquisition or acquisition transaction may be deposited in
24 appropriate funds as designated by the attorney general. The fund may also receive moneys through
25 private contributions or appropriations from the general court. Any amount received in connection
26 with an acquisition or acquisition transaction that would have been deposited into the general fund
27 under RSA 7:6-e or RSA 7:6-f shall be deposited into the trust fund. All moneys in the trust fund
28 shall be nonlapsing and continually appropriated to the department of justice. Any earnings on
29 trust fund moneys shall be added to the trust fund.

30 III. The attorney general shall administer the health care consumer protection trust fund
31 and may only expend funds in the trust fund upon approval by the health care consumer protection
32 advisory commission established in RSA 7:6-h and the governor and council.

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 IV. Funds from the health care consumer protection trust fund shall be expended solely for
2 the purpose of benefiting health care consumers in the state and in accordance with any relevant
3 terms of the settlement, judgment, or other resolution by which the funds were received.
4 Expenditures from the trust fund may include, but are not limited to, expenditures by the
5 department of justice, grants to state agencies, grants to municipalities, or grants to non-
6 governmental recipients.

7 V. The attorney general may, if necessary, negotiate terms in a settlement, judgment, or
8 other resolution that specify a particular use or reasonable restrictions for funds deposited into the
9 health consumer protection trust fund, provided that any specified use must be one that benefits
10 health care consumers in the state.

11 7:6-h Health Care Consumer Protection Advisory Commission Established.

12 I. There is hereby established the health care consumer protection advisory commission,
13 which shall consult with and advise the attorney general relative to the proper administration and
14 management of the health care consumer protection trust fund, as established in RSA 7:6-g, and
15 shall approve all expenditures from that trust fund.

16 II. The commission shall consist of the following members:

- 17 (a) The attorney general, or designee.
18 (b) The commissioner of the department of health and human services, or designee.
19 (c) The commissioner of the department of insurance, or designee.
20 (d) One member of the house of representatives, appointed by the speaker of the house of
21 representatives.
22 (e) One member of the senate, appointed by the president of the senate.
23 (f) Two public members with experience in the health care industry, appointed by the
24 governor.

25 III. Each member of the advisory commission shall have one vote, with all actions being
26 taken by an affirmative vote of the majority of present members. Four members shall constitute a
27 quorum. The advisory commission shall elect a chair and vice-chair from among its members.
28 Public members of the advisory commission shall serve 2- year terms.

29 IV. Members of the advisory commission shall receive no compensation except for legislative
30 members who shall receive the legislative rate for mileage when attending to their duties on the
31 commission.

32 V. Meetings of the advisory commission shall be conducted in accordance with RSA 91-A and
33 take place as necessary to ensure efficient and responsible expenditure of funds.

34 VI. The department of justice shall provide administrative support to the advisory
35 commission.

Sen. Gray, Dist 6
May 11, 2023
2023-1771s
07/10

Amendment to HB 2-FN-A-LOCAL

- 1 Insert the following new section:
2
3 1 Department of Justice; Funds to Combat Human Trafficking. During the biennium ending
4 June 30, 2025, the department of justice, upon completion of an assessment of the resources required
5 to combat human trafficking in the state, may seek approval from the fiscal committee of the general
6 court to expend up to \$500,000 from funds not otherwise appropriated to support functions identified
7 by the assessment as necessary to combat human trafficking in the state, including but not limited
8 to investigation, prosecution, and victim services. Funds may be approved for expenditure by the
9 department of justice or for grants made by the department of justice to state agencies,
10 municipalities, or non-governmental recipients. The governor is authorized to draw a warrant for
11 said sum out of any money in the treasury not otherwise appropriated.

2023-1771s

AMENDED ANALYSIS

Insert:

1. Allows the department of justice to seek up to \$500,000 in general funds to combat human trafficking within the state.

Sen. D'Allesandro, Dist 20
May 15, 2023
2023-1831s
06/07

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by replacing section 50 with the following:
- 2
- 3 50 Appropriation; Department of Corrections; New Hampshire State Prison; 2023. There is
- 4 hereby appropriated to the department of corrections the sum of \$5,000,000 for the fiscal year ending
- 5 June 30, 2023 for deposit in the state prison fund under RSA 21-H:17, for the purpose of preliminary
- 6 design and complete site survey for a new state prison. The sum appropriated shall not lapse. The
- 7 governor is authorized to draw a warrant for said sum out of any money in the treasury not
- 8 otherwise appropriated.