

PRELIMINARY OUTLINE OF THE GOVERNOR'S RECOMMENDED BUDGET "TRAILER BILL"

DIVISION I

COMPREHENSIVE REVIEW OF STATE'S PERSONNEL SYSTEM

Requires the Department of Administrative Services to conduct a review of the State's personnel system including a review of all laws, administrative rules, and collective bargaining agreements and issue a report with recommendations by November 1, 2019.

CLASS 27 DOIT TRANSFERS

Repeals law directing the Department of Administrative Services to eliminate class 27 transfers to DoIT in all agencies and departments in FY 2019.

DEPARTMENT OF STATE VENDORS

Prohibits individuals or business entities from being awarded a state contract under certain circumstances.

DIRECTOR OF PLANT AND PROPERTY

Establishes an unclassified Director of Plant and Property within the Department of Administrative Services.

DEPARTMENT OF ADMINISTRATIVE SERVICES DIVISIONS AND MANAGER POSITIONS

Makes various changes to names of divisions and titles of certain positions within the Department of Administrative Services.

STATE HUMAN RESOURCE AND BUSINESS PROCESSING FUNCTIONS

Allows the Commissioner of the Department of Administrative Services to consolidate or deconsolidate human resources, payroll, and business processing functions within state government.

STATE EMPLOYEE HEALTH INSURANCE COST SHARING

Requires health plan cost sharing and plan design for unrepresented state employees to be the same as represented state employees.

Allows agencies to use class 60 funds to pay any penalties imposed under the employer shared responsibility for health coverage under Internal Revenue Code.

STATE RETIREE HEALTH INSURANCE CONTRIBUTION

Sets state retiree medical premium contributions at 10% for state retirees and spouses born on or after January 1, 1949, and 20% for non-Medicare eligible state retiree and spouses.

ELECTRONIC MAIL

Allows state agencies to provide documents by electronic mailing.

STATE HEATING SYSTEMS ACCOUNT

Makes the State Heating Systems Savings Account (Concord Steam related projects) available through the end of the biennium.

DEPARTMENT OF ADMINISTRATIVE SERVICES FUNDING AND STAFFING RESOURCE LIMITATIONS

Suspends certain requirements and obligations for the Department of Administrative Services for the biennium due to funding and staffing resource limitations.

SURPLUS PROPERTY AND FOOD FUNDS

Splits the Department of Administrative Services additional surplus fund into two funds. One relating to the disposition of surplus property, and one relating to the disposition of federal surplus food.

BUILDING MAINTENANCE FUND

Establishes a building maintenance fund for the purposes of covering costs associated with the continuing maintenance of buildings, space and other property under the responsibility of the Department of Administrative Services.

ORGANIZATION OF THE EXECUTIVE BRANCH

Makes various changes to the structure of the Executive Branch including the organization of the Branch departments, agencies, commissions, and component units.

COMMISSIONER DELEGATION OF AUTHORITY

Clarifies the authority of a Commissioner to delegate responsibilities in certain instances.

BOARD OF HEARING CARE PROVIDERS

Eliminates the Board of Hearing Care Providers and transfers the responsibilities to the Governing Board of Speech Language Pathologists.

BOXING AND WRESTLING COMMISSION

Administratively attaches the Boxing and Wrestling Commission to the Department of State.

MEALS AND ROOMS DISTRIBUTION

Freezes the meals and rooms distribution to cities and towns at the FY 2019 level.

STATE REVENUE SHARING

Suspends revenue sharing for the biennium.

SHERIFF REIMBURSEMENT FOR COURT SECURITY

Requires the State to reimburse the Sheriff's Office for court security at rates provided in the collective bargaining agreement for per diem court security officers employed by the Judicial Branch.

DEPARTMENT OF REVENUE ADMINISTRATION REVENUE INFORMATION MANAGEMENT SYSTEM ACCOUNT

Caps the revenue information management system (RIMS) account at \$40M, and the repayment of principal from the general fund for RIMS at \$6M.

AFFORDABLE DEBT LIMIT

Amends the affordable debt limit to accommodate for the combination of the Education Trust Fund and the General Fund. Annual debt services cannot exceed 10% of general fund revenues minus the amount expended on adequate education grants.

DIVISION OF BUSINESS AND ECONOMIC AFFAIRS COUNCIL OF PARTNER AGENCIES

Adds the chancellor of the university system to the council of partner agencies.

TAXATION AND LICENSING OF E-CIGARETTES

Expands tobacco tax and licensing requirements to electronic cigarettes.

BOARD OF VETERINARY MEDICINE

Transfers the Board of Veterinary Medicine to the Office of Professional Licensure and Certification.

ABLE SAVINGS ACCOUNT PROGRAM

Allows general funds to be used for the creation and distribution of marketing materials and promotional purposes relative to the ABLE savings account program.

FRM VICTIMS' CONTRIBUTION RECOVERY FUND

Makes changes to the FRM Victims' Contribution Recovery Fund statute relative to gifts and contributions, eligibility for recovery assistance, and attorney/administrator compensation.

DEPARTMENT OF NATURAL AND CULTURAL RESOURCES TRANSFER OF FUNDS

Makes changes relative to reporting of transfers by the Department of Natural and Cultural Resources.

STUDY COMMISSION ON NON-REGULATORY BOARDS, COMMISSIONS, COUNCILS AND ADVISORY BODIES

Establishes a study commission to determine which non-regulatory boards, commissions, councils, and advisory bodies should be repealed.

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION FEES

Requires any remaining funds in the Office of Professional Licensure and Certification to lapse to the State general fund at the close of the fiscal year

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION ADMINISTRATION

Provides additional authority to the director of the Office of Professional Licensure and Certification along with other changes.

SUPERIOR AND CIRCUIT COURT JUDGES

Limits the number of judges serving on the Superior Court to 22 and the number of full-time judges serving on the Circuit Court to 33.

JUDICIAL BRANCH TRANSFER AUTHORITY

Allows the Judicial Branch to transfer appropriations with the approval of the Fiscal Committee.

JUDICIAL BRANCH REIMBURSEMENT OF SHERIFF'S OFFICE FOR COURT SECURITY

Provides that the State shall reimburse sheriff's court security at the rates applicable to per diem court security officers.

JUDICIAL BRANCH INFORMATION TECHNOLOGY FUND ENTRY FEES

Increases the portion of Judicial Branch entry fees deposited into the Judicial Branch information technology fund from 30% to 50%.

DEPARTMENT OF CORRECTIONS UNFUNDED POSITIONS

Allows the Department of Corrections to fill unfunded positions during the biennium provided that total expenditures for such positions do not exceed personnel appropriations.

DEPARTMENT OF CORRECTIONS TRANSFER AUTHORITY

Provides the Department of Corrections with relief from certain transfer restrictions for the biennium.

DEPARTMENT OF CORRECTIONS COST OF CARE REIMBURSEMENT ACCOUNT

Establishes Cost of Care Reimbursement Account for the purpose of the general care of persons under the control of the Department of Corrections and upkeep of prison facilities. Revenue into the fund would consist of reimbursement from prisoners for their cost of care.

DEPARTMENT OF CORRECTIONS UNCLASSIFIED POSITIONS

Establishes 6 unclassified positions under the Department of Corrections including a chief nursing officer, a chief pharmacist, and 4 pharmacists.

STATE COMMISSION FOR HUMAN RIGHTS

Administratively attaches the State Commission for Human Rights to the Department of Justice.

LIQUOR COMMISSION PROCESSING OF MERCHANT CARDS

Requires the Liquor Commission to implement business strategies in the event of a disaster of loss and allows the Commission to enter into contracts or hire IT technical support for to support retail operations and merchant card processing.

PUC ENERGY EFFICIENCY RESOURCE STANDARD

Requires prior approval of the Fiscal Committee for expenditures relative to the implementation of an energy efficiency resources standard or change in the system benefits charge.

INTEGRATED LAND DEVELOPMENT PERMIT PROCEDURE

Suspends integrated land development permit procedures for the biennium due to budgetary and staffing constraints

DEPARTMENT OF ENVIRONMENTAL SERVICES STATE AID GRANTS

Places moratorium on state aid grants for the biennium in certain instances.

FEDERAL EMPLOYMENT DATA EXCHANGE SYSTEM

Updates date in unemployment compensation statute relative to the federal employment data exchange system.

TWIN STATE VOLUNTARY LEAVE PLAN

Establishes the Twin State Voluntary Leave Plan to provide Family and Medical Leave Insurance (FMLI) wage replacement benefits.

ASSOCIATION HEALTH PLANS

Makes various changes to statute relative to association health plans.

SMALL EMPLOYER HEALTH RISK ADJUSTMENT PROGRAM

Amends RSA 420-K concerning small employer health insurance by adding Bona fide pathway II association coverage.

CIVIL LEGAL SERVICES FUND

Amends the civil legal services purpose statement and fund relative to services for low-income persons throughout the State.

INDIGENT DEFENSE REPAYMENTS

Directs revenue from indigent defense repayments to the Judicial Council.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY POWERS AND DUTIES

Exempts CDFA from the Administrative Procedures Act and other rulemaking provisions.

DEPARTMENT OF ENVIRONMENTAL SERVICES DIRECTOR OF WATER DIVISION

Removes engineering certificate or license requirements from the qualifications for the Director of the Water Division.

DEPARTMENT OF ENVIRONMENTAL SERVICES CERTIFIED APPLICATION PREPARER PROGRAM

Makes various changes to the certified application preparer program for excavating and dredging permits.

REGULATION OF PUBLIC BATHING FACILITIES

Makes various changes to the regulation of public bathing facilities by the Department of Environmental Services.

DAM MAINTENANCE REVOLVING LOAN FUND

Repeals the dam maintenance revolving loan fund and any remaining funds are credited to the dam maintenance fund.

TERRAIN ALTERATION REPORTING REQUIREMENTS

Changes terrain alteration reporting requirement from quarterly to biennially.

DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

Establishes the Department of Military Affairs and Veterans Services consisting of the Adjutant General Department and other state Veterans services entities. The Department will be led by the Adjutant General.

WORKERS' COMPENSATION FIREFIGHTER AND HEART, LUNG, OR CANCER DISEASE

Makes changes relative to workers' compensation for firefighters.

JUDICIAL RETIREMENT PLAN

Makes various changes to Judicial Retirement Plan service and disability retirement benefits, death, spousal, and dependent benefits, and member contributions.

DEPARTMENT OF LABOR RESTRICTED FUND

Deposits certain labor penalties into the Department's restricted fund.

WITNESS FEES

Repeals the authority to pay witness fees by various State entities.

BUSINESS FINANCE AUTHORITY AND PEASE DEVELOPMENT AUTHORITY CONTINGENT CREDIT LIMIT

Amends State credit guarantees for the Business Finance Authority and the Pease Development Authority.

UNFAIR INSURANCE TRADE PRACTICES

Prohibits discrimination for life, annuity or disability insurance for individuals who have filled a prescription for naloxone.

DIVISION II

SCHOOL BUILDING AID

Places a moratorium on school building aid or alternative school building aid for any project approved on or after July 1, 2019 through June 30, 2021, unless necessary due to life safety or structural deficiency.

TARGETED SCHOOL BUILDING AID RESERVE FUND AND COMMISSION

Establishes the target school building aid reserve fund and commission. The fund will consist of any education trust fund surplus at the end of FY 2019 (estimated by Governor at \$63.7M). Grants from the fund will be determined by the newly established commission with priority for schools with certain factors including poverty, life safety, demographics and other criteria.

PUBLIC SCHOOL INFRASTRUCTURE FUND

Intends to extend the public school infrastructure fund, which is scheduled to be abolished at the close of FY 2019.

CHARTERED SCHOOL LEASE AID

Requires charter school lease aid to be used solely for leased space and shall not exceed \$30,000 in any Fiscal Year. Operating budget includes \$500,000 in general funds for each FY 2020 and FY 2021 (AU 3058, Class 631).

DEPARTMENT OF EDUCATION ACCEPTANCE OF GIFTS

Allows for the Department of Education to accept grants, gifts, donations, or other funding for the NH Scholars Program. The operating budget currently has \$100 in general funds for each FY 2020 and FY 2021 (AU 7534, Class 102).

SPORTS WAGERING

Authorizes the Lottery Commission to implement sports wagering, with estimated associated revenue of \$10M in FY 2021. There are two bills in the General Court that include sports wagering; HB 480 (House Ways and Means, report not yet filed) and SB 310 (Senate Finance, inexpedient to legislate report filed).

NEW HAMPSHIRE COUNCIL FOR RESPONSIBLE GAMING

Establishes the New Hampshire Council for Responsible Gaming to promote education, prevention, and treatment of problem gambling within the state, which will be administratively attached to the Lottery Commission. Eliminates Keno revenue paid to DHHS for such services. The operating budget includes \$250,000 of sweepstakes funds for each FY 2020 and FY 2021 to fund this council (AU 8054, Class 102).

STATE BOARD OF EDUCATION PROFESSIONAL STANDARDS BOARD

Replaces the Director of the Division of Analytics and Resources with the Commissioner of Education on the Professional Standards Board. This does not appear to have a budget impact.

COUNCIL FOR TEACHER EDUCATION

Allows the Commissioner of Education's designee to serve on the Council for Teacher Education. This does not appear to have a budget impact.

OFFICE OF EARLY CHILDHOOD EDUCATION

Establishes an Office of Early Childhood Education within the Department of Education.

EDUCATION TRUST FUND

Combines the Education Trust Fund with the General Fund and makes various changes to statute reflecting such change.

GOVERNOR'S SCHOLARSHIP PROGRAMS

Establishes the Governor's Finish Line NH Scholarship Program under the Community College System. Moves the Governor's Scholarship Program under the Department of Education and other changes. Operating budget includes \$8M in general funds per fiscal year for this program (AU 1085).

DISPOSAL OF HIGHWAY OR TURNPIKE FUNDED REAL ESTATE

Creates procedures for the bulk disposal of highway or turnpike funded real estate. This does not appear to have a budget impact.

INTERSTATE BRIDGE AUTHORITY

Repeals the Maine-New Hampshire Interstate Bridge Authority. This does not appear to have a budget impact.

PLEA-BY-MAIL REVENUE

Deposits previously restricted plea-by-mail revenue into the State general fund. This moves an estimated \$8.4M from restricted revenue retained by the Department of Safety to the general fund. The operating budget now funds functions formerly under plea-by-mail revenue with general funds. These areas total over \$10M per year.

TARGETED WORKFORCE DEVELOPMENT PROGRAM

Establishes a Targeted Workforce Development Program under the Business Finance Authority which would provide deferment or forgiveness of postsecondary education loans. Program will be funded from annual assessments of the New Hampshire college tuition savings plan.

CAPITAL INFRASTRUCTURE REVITALIZATION TRUST FUND

Establishes a capital infrastructure revitalization trust fund to fund various programs and projects (see detailed spreadsheet). The fund will consist of approximately \$115.5M in FY 2019, \$37.6M in FY 2020, and \$15.3M in FY 2021. Appropriations from the fund will be provided in a separate document.

DIVISION III

SENIOR VOLUNTEER GRANT PROGRAM

Repeals the senior volunteer grant program. Payments to the foster grandparent program are made through this program, and are suspended in the current biennium.

HOUSING AND CONGREGATE SERVICES

Repeals housing and congregate services. The program is suspended in the current biennium.

SOCIAL SERVICES BLOCK GRANT PROGRAM INCOME ELIGIBILITY

Increases the income eligibility for elderly and adult clients under the Social Services Block Grant each January by the percentage amount of any Social Security COLA granted on a yearly basis.

COUNTY NURSING SERVICES REIMBURSEMENT LIMITS

Caps county nursing services billings at \$122.5M in FY 2020, and \$124.5M in FY 2021. Amounts reflect appropriations contained in HB 1.

MEDICAL ASSISTANCE AS CATEGORICALLY NEEDY

Clarifies eligibility for medical assistance under public assistance for the blind, aged or disabled persons and to dependent children.

COMMUNITY MENTAL HEALTH SERVICES ELIGIBILITY

Extends repeal relative to eligibility for community mental health services until July 1, 2021.

DIRECT GRADUATE MEDICAL EDUCATION PAYMENTS

Repeals the provision of direct graduate medical education payments to hospitals. The program is suspended in the current biennium.

INDIRECT GRADUATE MEDICAL EDUCATION PAYMENTS

Repeals the provision of indirect graduate medical education payments to hospitals. The program is suspended in the current biennium.

MEDICAID COVERAGE FOR CHILDREN AND PREGNANT WOMEN

Provides for reinstatement of Medicaid coverage and open enrollment for children and pregnant women in the event the New Hampshire Granite Advantage Health Care Program is repealed.

CATASTROPHIC AID TO HOSPITALS

Repeals catastrophic aid payments to hospitals. The program is suspended in the current biennium.

DHHS STATE CANCER EPIDEMIOLOGIST

Establishes an unclassified state cancer epidemiologist within the Department of Health and Human Services.

DHHS EXEMPTION FROM CERTAIN TRANSFER PROVISIONS

Extends DHHS's exemption from certain transfer provisions through June 30, 2021.

DHHS PROGRAM ELIGIBILITY CHANGES

Requires DHHS to receive prior approval of the Fiscal Committee, after consultation with the House and Senate Health and Human Services Committees, for any change to program eligibility standards or benefits that may increase or decrease enrollment in the program or increase expenditures, unless due to federal program changes.

HOME HEALTH SERVICES RATE SETTING SUSPENSION

Suspends the rate setting process for home health services for the biennium.

DHHS QUARTERLY REPORTS ON ESTIMATED MEDICAID PAYMENTS

Requires DHHS to make quarterly reports on the status of estimated Medicaid payments in relation to actual costs.

DHHS EXCESS REVENUE FROM FEDERAL MATCH PROGRAMS

Requires DHHS to lapse any excess general fund appropriations resulting from an increased draw on federal funds.

DHHS UNFUNDED POSITIONS

Allows DHHS to fill unfunded positions during the FY 2020-2021 biennium not to exceed total personnel appropriations. Also, allows DHHS to request additional general funds from the Fiscal Committee to fill unfunded positions within DCYF.

LONG-TERM CARE PRESUMPTIVE ELIGIBILITY

Repeals provisions relative to long-term care presumptive eligibility.

DHHS DEVELOPMENTAL SERVICES DEDICATED FUNDS

Establishes various non-lapsing and continually appropriated dedicated funds consisting of appropriations made relative to developmental services.

LACONIA STATE SCHOOL TRUST FUNDS

Dissolves the Laconia State School trust funds consistent with current law and any relevant court order.

DHHS INFORMATION SERVICES DEDICATED FUNDS

Establishes various non-lapsing continually appropriated dedicated funds under DHHS information services consisting of appropriations made relative to Medicaid information services.

NEW HAMPSHIRE EMPLOYMENT PROGRAM AND FAMILY ASSISTANCE PROGRAM ELIGIBILITY

For individuals currently receiving assistance, excludes income received for the first six months an individual is employed from eligibility determinations.

DHHS CONSTRUCTION OF NEW MENTAL HEALTH FACILITIES

Requires the DHHS commissioner to administer the development and implementation of plans for a 60-bed psychiatric hospital; 40 additional transitional beds for forensic patients or patients with complex behavioral health conditions; a new treatment facility for children in need of acute inpatient psychiatric treatment (in collaboration with the AG); and repurposing the children's unit at NH Hospital for adult beds upon completion of the new treatment facility for children (in collaboration with the AG).

GOVERNOR'S COMMISSION MEMBERSHIP

Adds representatives from the NH Hospital Association and a church or faith-based organization to the Governor's Commission.

RESIDENTIAL CARE AND HEALTH FACILITY LICENSING

Exempts continuing care facilities certified by the NH Insurance Department from the residential care and health facility license moratorium.

RECREATION CAMP LICENSING

Transfers recreation camp licensing from the Department of Environmental Services to DHHS.

LEAD PAINT REMEDIATION FUND

Establishes the lead paint remediation fund within the Housing Finance Authority to make loans to owners of rental or owner-occupied property for the costs of remediation of lead paint hazards. Appropriates \$2.5M from the Renewable Energy Fund to the newly established fund.

GRANITE WORKFORCE PROGRAM CONTINUATION

Continues the Granite Workforce Program and makes various changes to the program.

AREA AGENCY RESPONSIBILITIES AND OPERATIONS

Allows the DHHS Commissioner to dispense funds available for developmental services to entities other than area agencies.