

LEGISLATIVE COMMITTEE MINUTES

SB104

Bill as
Introduced

SB 104-FN-A - AS INTRODUCED

2021 SESSION

21-0403
05/10

SENATE BILL ***104-FN-A***

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

SPONSORS: Sen. Reagan, Dist 17

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill adopts legislation relative to:

I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.

II. Reverse auctions, as requested by the department of administrative services.

III. Establishing the position of community health worker in each of the state's regional public health networks.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 104-FN-A - AS INTRODUCED

- Page 2 -

1 HH department of health and human services director, intergovernmental affairs
2 HH department of administrative services director (administrator), division of plant and
3 property management

4 3 Joint Committee on Employee Classification; Chairmanship. Amend RSA 14:14-c, II to read
5 as follow:

6 II. The committee shall consist of 3 members of the senate, appointed by the senate
7 president, one of whom shall be a member of the senate finance committee, and 3 members of the
8 house of representatives, appointed by the speaker of the house of representatives, one of whom
9 shall be a member of the house finance committee and 2 of whom shall be members of the house
10 committee on executive departments and administration. Members shall be appointed for their term
11 of office. All members shall be eligible for reappointment so long as they are qualified under this
12 section. Members shall be appointed no later than December 30 of the year of their election to the
13 general court, except that vacancies shall be filled for an unexpired term within 30 days of the
14 creation of such vacancy. The chairperson shall be elected by the committee members and shall
15 ~~rotate annually~~ **alternate every 2 years** between the house and senate members~~, provided that a~~
16 ~~house member shall serve as the first chairperson~~.

17 4 Effective Date. Part I of this act shall take effect 60 days after its passage.
18

19 PART II

20 Relative to reverse auctions.

21 1 New Section; Department of Administrative Services; Electronic Reverse Auctions. Amend
22 RSA 21-I by inserting after section 11-d the following new section:

23 21-I:11-e Electronic Reverse Auctions.

24 I. An electronic reverse auction may be conducted at the direction of the director of
25 procurement and support services when it is determined by the commissioner of department of
26 administrative services or designee that it is in the best interests of the state. Such reverse auction
27 shall be conducted with bidders who have prequalified through a request for bids (RFB) process.
28 Factors to be considered in determining whether the state will utilize an electronic reverse auction
29 request for bids shall include:

30 (a) Whether specifications of requested commodities or services can be prepared that
31 permit electronic posting of bids;

32 (b) Whether financial opportunity exists associated with cost savings, cost avoidance, or
33 administrative offset, including the indirect or direct cost for preparing and executing the reverse
34 auction; and

35 (c) Whether the commodities or services to be purchased can be purchased in a
36 competitive marketplace.

1 II. The director may contract with qualified, industry-recognized third-party vendors to
2 conduct reverse auctions on behalf of the department of administrative services.

3 III. All reverse auctions shall be conducted electronically using real-time, on-line bidding
4 procedures. These procedures shall include the following:

5 (a) Participation as a bidder shall be subject to a prequalification process conducted in
6 accordance with requirements and specifications of the reverse auction request for bids.
7 Qualifications summary responses shall be opened so as to avoid disclosure of contents to competing
8 bidders.

9 (b) The solicitation shall designate both an opening date and time and a closing date and
10 time for bids during the reverse auction. At the opening date and time, the auctioneer shall begin
11 accepting real-time, on-line bids. The solicitation shall remain open until the closing date and time.

12 (c) At any time before the closing date and time, a bidder may offer a lower bid than the
13 lowest bid of any bidder, including the bidder's own bid. A bidder's lowest bid shall supersede any
14 prior higher bid offered by that bidder. Bid prices may not be increased at any time after the
15 opening date and time.

16 2 Effective Date. Part II of this act shall take effect 60 days after its passage.

17
18 PART III

19 Establishing the position of community health worker in each of the state's
20 regional public health networks.

21 1 Findings. The general court finds that:

22 I. In 1997 the first public health networks were established to build our local capacity for
23 the delivery of public health services as well as to protect and promote public health in the absence
24 of each town or city having its own public health department. Today, the state of New Hampshire
25 has 13 public health networks. Only 2 cities, Manchester and Nashua have full time public health
26 departments outside of state government. Public health departments have been the home for
27 community health workers. Without local public health departments statewide the ability to place
28 Community Health Workers on the frontline has been impacted.

29 II. Public health networks refer to the partnership of local agencies, government entities,
30 and other stakeholders within a defined geographic area recognized by the department of health and
31 human services, covering the entire state. Public health networks increase the regional capacity and
32 access to address identified public health priorities, including, but not limited to, public health
33 emergency preparedness, substance abuse prevention, behavioral health, and disease prevention.
34 Due to the statewide presence of public health networks, it is practical for community health worker
35 positions to be established within each of the 13 networks for frontline service delivery.

36 III. Community health workers are trusted members of a community and share unusually
37 close understanding of the community served. The trusting relationship enables the worker to serve

SB 104-FN-A - AS INTRODUCED

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1 as a liaison, ink, intermediary between health, social services and the community to facilitate access
2 to services and improve the quality and cultural competence of service delivery. The public health
3 networks would serve as the home for community health workers.

4 2 Appropriation; Community Health Workers. The sum of \$600,000 for the fiscal year ending
5 June 30, 2022 and the sum of \$600,000 for the fiscal year ending June 30, 2023 are appropriated to
6 the department of health and human services for establishing community health workers in each of
7 the 13 public health networks. The governor is authorized to draw a warrant for said sums out of
8 any money in the treasury not otherwise appropriated.

9 3 Effective Date. Part III of this act shall take effect July 1, 2021.

**SB 104-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

PART I: Relative to the classification of certain state employee positions.

No fiscal impact.

PART II: Relative to reverse auctions.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill states the Department of Administrative Services, Division of Procurement and Support Services may conduct an electronic "reverse auction" when the Department determines it is in the best interest of the state. The process allows vendors to electronically compete against each other to provide items to the state at the lowest price. The Department states this process has been used in the past and may be utilized even without this legislation. The legislation specifies factors to be considered to determine whether a reverse auction is needed and if a third party may conduct the auction for the state and what procedures should be utilized for conducting the auction. The Department is unable to determine the fiscal impact of these provisions due to unknown costs compared to the standard bidding process for future transactions. Counties and

municipalities that obtain items under a state contract may also be impacted by these provisions but such impacts are indeterminable.

It is assumed this bill will be effective July 1, 2021.

AGENCIES CONTACTED:

Department of Administrative Services

PART III: establishing the position of community health worker in each of the state's regional public health networks.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$600,000	\$600,000	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$600,000	\$600,000	\$0
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This section appropriates \$600,000 in each of FY 2022 and FY 2023 to the Department of Health and Human Services for establishing community health workers in each of the 13 public health networks.

AGENCIES CONTACTED:

None

SB.104-FN-A - AS AMENDED BY THE SENATE

02/11/2021 0217s

2021 SESSION

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SENATE BILL

104-FN-A

AN ACT

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SPONSORS:

Sen. Reagan, Dist 17

COMMITTEE:

Executive Departments and Administration

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15 ~~[rotate annually]~~ **alternate every 2 years** between the house and senate members~~[- provided that a~~
16 ~~house member shall serve as the first chairperson].~~

17 4 Compensation of Certain State Officers; Health and Human Services Review; Certain
18 Unclassified Employees. Amend RSA 94:1-f, VI to read as follows:

19 VI. All reviews and recommendations shall be completed no later than [4] 7 years from the
20 effective date of this section. The commissioner of the department of health and human services
21 shall issue a progress report every 6 months from the effective date of this section to the fiscal
22 committee of the general court until the process is completed.

23 5 Effective Date. Part I of this act shall take effect 60 days after its passage.

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18 lowest bid of any bidder, including the bidder's own bid. A bidder's lowest bid shall supersede any
19 prior higher bid offered by that bidder. Bid prices may not be increased at any time after the
20 opening date and time.

21 2 Effective Date. Part II of this act shall take effect 60 days after its passage.

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23 PART III

24 Establishing the position of community health worker in each of the state's
25 regional public health networks.

26 1 Findings. The general court finds that:

27 I. In 1997 the first public health networks were established to build our local capacity for
28 the delivery of public health services as well as to protect and promote public health in the absence
29 of each town or city having its own public health department. Today, the state of New Hampshire
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35 and other stakeholders within a defined geographic area recognized by the department of health and
36 human services, covering the entire state. Public health networks increase the regional capacity and
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12 the 13 public health networks. The governor is authorized to draw a warrant for said sums out of
13 any money in the treasury not otherwise appropriated.

14 3 Effective Date. Part III of this act shall take effect July 1, 2021.

SB 104-FN-A- FISCAL NOTE
 AS AMENDED BY THE SENATE (AMENDMENT #2021-0217s)

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

PART I Relative to the classification of certain state employee positions.

This part has no fiscal impact.

PART II Relative to reverse auctions.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
<i>Funding Source:</i>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	\$0	\$0	\$0	\$0
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METHODOLOGY:

This bill states the Department of Administrative Services, Division of Procurement and Support Services may conduct an electronic "reverse auction" when the Department determines it is in the best interest of the state. The process allows vendors to electronically compete against each other to provide items to the state at the lowest price. The Department states this process has been used in the past and may be utilized even without this legislation. The legislation specifies factors to be considered to determine whether a reverse auction is needed and if a third party may conduct the auction for the state and what procedures should be utilized for conducting the auction. The Department is unable to determine the fiscal impact of these provisions due to unknown costs compared to the standard bidding process for future transactions. Counties and

municipalities that obtain items under a state contract may also be impacted by these provisions but such impacts are indeterminable.

It is assumed this bill will be effective July 1, 2021.

AGENCIES CONTACTED:

Department of Administrative Services

PART III establishing the position of community health worker in each of the state's regional public health networks.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
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Revenue	\$0	\$0	\$0	\$0
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Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This section appropriates \$600,000 in each of FY 2022 and FY 2023 to the Department of Health and Human Services for establishing community health workers in each of the 13 public health networks.

AGENCIES CONTACTED:

None

SB 104-FN-A - AS AMENDED BY THE SENATE

02/11/2021 0217s

2021 SESSION

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SENATE BILL **104-FN-A**

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

SPONSORS: Sen. Reagan, Dist 17

COMMITTEE: Executive Departments and Administration *OTP/A 5.0 CONSENT*

ANALYSIS

This bill adopts legislation relative to:

I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

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

1 1 Sponsorship. This act consist of the following proposed legislation:

2 Part I: LSR 21-0403, relative to the classification of certain state employee positions, sponsored
3 by Sen. Reagan, Prime/Dist 17; Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Rep. P.
4 Schmidt, Straf. 19.

5 Part II: LSR 21-1021, relative to reverse auctions, sponsored by Sen. Carson, Prime/Dist 14.

6 Part III: LSR 21-1044, establishing the position of community health worker in each of the
7 state's regional public health networks, sponsored by Sen. Prentiss, Prime/Dist 5; Sen. Rosenwald,
8 Dist 13; Sen. Soucy, Dist 18; Sen. Whitley, Dist 15; Sen. Watters, Dist 4.

9 2 Legislation Enacted. The general court hereby enacts the following legislation:

10

11

PART I

12

Relative to the classification of certain state employee positions.

13

1 1 Compensation of Certain State Officers; Salaries Established. Amend the salary grades in
14 RSA 94:1-a, I(b) by deleting:

15

BB department of health and human services program manager

16

EE department of health and human services director of communications

17

FF department of health and human services director, project management

18

FF department of health and human services substance abuse senior policy analyst

19

FF department of health and human services LEAN Coordinator

20

GG department of health and human services substance abuse manager

21

2 2 Compensation of Certain State Officers; Salaries Established. Amend the salary grades in
22 RSA 94:1-a, I(b) by inserting:

23

EE department of health and human services process improvement manager

24

EE department of health and human services substance use disorder planning and
25 evaluation manager

26

FF department of health and human services director of communications

27

FF department of health and human services senior project manager

28

GG department of health and human services deputy director, division of economic and
29 housing stability

29

30

GG department of safety deputy director, division of administration

SB 104-FN-A - AS AMENDED BY THE SENATE

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7 president, one of whom shall be a member of the senate finance committee, and 3 members of the
8 house of representatives, appointed by the speaker of the house of representatives, one of whom
9 shall be a member of the house finance committee and 2 of whom shall be members of the house
10 committee on executive departments and administration. Members shall be appointed for their term
11 of office. All members shall be eligible for reappointment so long as they are qualified under this
12 section. Members shall be appointed no later than December 30 of the year of their election to the
13 general court, except that vacancies shall be filled for an unexpired term within 30 days of the
14 creation of such vacancy. The chairperson shall be elected by the committee members and shall
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31 procurement and support services when it is determined by the commissioner of department of
32 administrative services or designee that it is in the best interests of the state. Such reverse auction
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	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$600,000	\$600,000	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$600,000	\$600,000	\$0
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This section appropriates \$600,000 in each of FY 2022 and FY 2023 to the Department of Health and Human Services for establishing community health workers in each of the 13 public health networks.

AGENCIES CONTACTED:

None

SB 104-FN-A - AS AMENDED BY THE SENATE

02/11/2021 0217s

03/11/2021 0597s

2021 SESSION

21-0403

05/10

SENATE BILL **104-FN-A**

AN ACT adopting omnibus legislation relative to the classification of state employee positions and reverse auctions.

SPONSORS: Sen. Reagan, Dist 17

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill adopts legislation relative to:

I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.

II. Reverse auctions, as requested by the department of administrative services.

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.

SB 104-FN-A - AS AMENDED BY THE SENATE

02/11/2021 0217s
03/11/2021 0597s

21-0403
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT adopting omnibus legislation relative to the classification of state employee positions and reverse auctions.

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

1 1 Sponsorship. This act consist of the following proposed legislation:

2 Part I: LSR 21-0403, relative to the classification of certain state employee positions, sponsored
3 by Sen. Reagan, Prime/Dist 17; Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Rep. P.
4 Schmidt, Straf. 19.

5 Part II: LSR 21-1021, relative to reverse auctions, sponsored by Sen. Carson, Prime/Dist 14.

6 2 Legislation Enacted. The general court hereby enacts the following legislation:

7

8

PART I

9

Relative to the classification of certain state employee positions.

10 1 Compensation of Certain State Officers; Salaries Established. Amend the salary grades in
11 RSA 94:1-a, I(b) by deleting:

12	BB	department of health and human services	program manager
13	EE	department of health and human services	director of communications
14	FF	department of health and human services	director, project management
15	FF	department of health and human services	substance abuse senior policy analyst
16	FF	department of health and human services	LEAN Coordinator
17	GG	department of health and human services	substance abuse manager

18 2 Compensation of Certain State Officers; Salaries Established. Amend the salary grades in
19 RSA 94:1-a, I(b) by inserting:

20	EE	department of health and human services	process improvement manager
21	EE	department of health and human services	substance use disorder planning and 22 evaluation manager
23	FF	department of health and human services	director of communications
24	FF	department of health and human services	senior project manager
25	GG	department of health and human services	deputy director, division of economic and 26 housing stability
27	GG	department of safety	deputy director, division of administration
28	HH	department of health and human services	director, intergovernmental affairs
29	HH	department of administrative services	director (administrator), division of plant and

1 property management

2 3 Joint Committee on Employee Classification; Chairmanship. Amend RSA 14:14-c, II to read
3 as follow:

4 II. The committee shall consist of 3 members of the senate, appointed by the senate
5 president, one of whom shall be a member of the senate finance committee, and 3 members of the
6 house of representatives, appointed by the speaker of the house of representatives, one of whom
7 shall be a member of the house finance committee and 2 of whom shall be members of the house
8 committee on executive departments and administration. Members shall be appointed for their term
9 of office. All members shall be eligible for reappointment so long as they are qualified under this
10 section. Members shall be appointed no later than December 30 of the year of their election to the
11 general court, except that vacancies shall be filled for an unexpired term within 30 days of the
12 creation of such vacancy. The chairperson shall be elected by the committee members and shall
13 ~~[rotate annually]~~ **alternate every 2 years** between the house and senate members~~[-, provided that a~~
14 ~~house member shall serve as the first chairperson].~~

15 4 Compensation of Certain State Officers; Health and Human Services Review; Certain
16 Unclassified Employees. Amend RSA 94:1-f, VI to read as follows:

17 VI. All reviews and recommendations shall be completed no later than [4] 7 years from the
18 effective date of this section. The commissioner of the department of health and human services
19 shall issue a progress report every 6 months from the effective date of this section to the fiscal
20 committee of the general court until the process is completed.

21 5 Effective Date. Part I of this act shall take effect 60 days after its passage.

22

23

PART II

24

Relative to reverse auctions.

25

1 New Section; Department of Administrative Services; Electronic Reverse Auctions. Amend
26 RSA 21-I by inserting after section 11-d the following new section:

27

21-I:11-e Electronic Reverse Auctions.

28

29

I. An electronic reverse auction may be conducted at the direction of the director of
procurement and support services when it is determined by the commissioner of department of
administrative services or designee that it is in the best interests of the state. Such reverse auction
shall be conducted with bidders who have prequalified through a request for bids (RFB) process.
Factors to be considered in determining whether the state will utilize an electronic reverse auction
request for bids shall include:

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34

(a) Whether specifications of requested commodities or services can be prepared that
35 permit electronic posting of bids;

1 (b) Whether financial opportunity exists associated with cost savings, cost avoidance, or
2 administrative offset, including the indirect or direct cost for preparing and executing the reverse
3 auction; and

4 (c) Whether the commodities or services to be purchased can be purchased in a
5 competitive marketplace.

6 II. The director may contract with qualified, industry-recognized third-party vendors to
7 conduct reverse auctions on behalf of the department of administrative services.

8 III. All reverse auctions shall be conducted electronically using real-time, on-line bidding
9 procedures. These procedures shall include the following:

10 (a) Participation as a bidder shall be subject to a prequalification process conducted in
11 accordance with requirements and specifications of the reverse auction request for bids.
12 Qualifications summary responses shall be opened so as to avoid disclosure of contents to competing
13 bidders.

14 (b) The solicitation shall designate both an opening date and time and a closing date and
15 time for bids during the reverse auction. At the opening date and time, the auctioneer shall begin
16 accepting real-time, on-line bids. The solicitation shall remain open until the closing date and time.

17 (c) At any time before the closing date and time, a bidder may offer a lower bid than the
18 lowest bid of any bidder, including the bidder's own bid. A bidder's lowest bid shall supersede any
19 prior higher bid offered by that bidder. Bid prices may not be increased at any time after the
20 opening date and time.

21 2 Effective Date. Part II of this act shall take effect 60 days after its passage.

SB 104-FN-A- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2021-0597s)

AN ACT adopting omnibus legislation relative to the classification of state employee positions and reverse auctions.

PART I Relative to the classification of certain state employee positions.

This part has no fiscal impact.

PART II Relative to reverse auctions.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill states the Department of Administrative Services, Division of Procurement and Support Services may conduct an electronic "reverse auction" when the Department determines it is in the best interest of the state. The process allows vendors to electronically compete against each other to provide items to the state at the lowest price. The Department states this process has been used in the past and may be utilized even without this legislation. The legislation specifies factors to be considered to determine whether a reverse auction is needed and if a third party may conduct the auction for the state and what procedures should be utilized for conducting the auction. The Department is unable to determine the fiscal impact of these provisions due to unknown costs compared to the standard bidding process for future transactions. Counties and

municipalities that obtain items under a state contract may also be impacted by these provisions but such impacts are indeterminable.

It is assumed this bill will be effective July 1, 2021.

AGENCIES CONTACTED:

Department of Administrative Services

SB 104-FN-A - AS AMENDED BY THE HOUSE

02/11/2021 0217s
03/11/2021 0597s
3Jun2021... 1514h

2021 SESSION

21-0403
05/10

SENATE BILL **104-FN-A**

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and the organization of the department of administrative services.

SPONSORS: Sen. Reagan, Dist 17

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill adopts legislation relative to:

I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.

II. Reverse auctions, as requested by the department of administrative services.

III. The organization of the department of administrative services and the transition of certain classified positions within the department to unclassified positions subject to appointment by the commissioner.

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.

1 6 Effective Date. Part I of this act shall take effect 60 days after its passage.

2
3 PART II

4 Relative to reverse auctions.

5 1 New Section; Department of Administrative Services; Electronic Reverse Auctions. Amend
6 RSA 21-I by inserting after section 11-d the following new section:

7 21-I:11-e Electronic Reverse Auctions.

8 I. An electronic reverse auction may be conducted at the direction of the director of
9 procurement and support services when it is determined by the commissioner of department of
10 administrative services or designee that it is in the best interests of the state. Such reverse auction
11 shall be conducted with bidders who have prequalified through a request for bids (RFB) process.
12 Factors to be considered in determining whether the state will utilize an electronic reverse auction
13 request for bids shall include:

14 (a) Whether specifications of requested commodities or services can be prepared that
15 permit electronic posting of bids;

16 (b) Whether financial opportunity exists associated with cost savings, cost avoidance, or
17 administrative offset, including the indirect or direct cost for preparing and executing the reverse
18 auction; and

19 (c) Whether the commodities or services to be purchased can be purchased in a
20 competitive marketplace.

21 II. The director may contract with qualified, industry-recognized third-party vendors to
22 conduct reverse auctions on behalf of the department of administrative services.

23 III. All reverse auctions shall be conducted electronically using real-time, on-line bidding
24 procedures. These procedures shall include the following:

25 (a) Participation as a bidder shall be subject to a prequalification process conducted in
26 accordance with requirements and specifications of the reverse auction request for bids.
27 Qualifications summary responses shall be opened so as to avoid disclosure of contents to competing
28 bidders.

29 (b) The solicitation shall designate both an opening date and time and a closing date and
30 time for bids during the reverse auction. At the opening date and time, the auctioneer shall begin
31 accepting real-time, on-line bids. The solicitation shall remain open until the closing date and time.

32 (c) At any time before the closing date and time, a bidder may offer a lower bid than the
33 lowest bid of any bidder, including the bidder's own bid. A bidder's lowest bid shall supersede any
34 prior higher bid offered by that bidder. Bid prices may not be increased at any time after the
35 opening date and time.

36 IV. Notwithstanding RSA 91-A:4 and RSA 21-G:37, no information shall be available to the
37 public or to the members of the general court or its staff concerning specific reverse auction RFB

1 from the release of the reverse auction RFB until the contract is approved by the governor and
2 executive council, or, if the contract does not require approval from the governor and executive
3 council, until the contract has been actually awarded as determined by the issuing agency, except:

4 (a) In the case of an RFB that requires approval from the governor and executive
5 council, the issuing agency shall, at least 5 business days prior to submitting the contract to the
6 department of administrative services, post the vendors' names and respective final prices for each
7 qualified bidder on its website.

8 (b) In the case of an RFB that does not require approval from the governor and executive
9 council, the issuing agency shall, at minimum, post the vendors' names and respective final prices
10 for each qualified bidder on its website at the time that the RFB is awarded.

11 V. Notwithstanding paragraph IV, the department of administrative services shall share
12 such pricing information as is necessary to conduct the reverse auction. During the reverse auction,
13 such pricing information shall be shared only with the bidders and other parties participating in the
14 reverse auction as specified in subparagraph III(c). Such information shall include only prices
15 proposed and not names of bidders.

16 VI. Reverse auction RFBs shall be subject to RSA 21-G:37, IV-VI.

17 2 Effective Date. Part II of this act shall take effect 60 days after its passage.

18
19 Part III

20 Relative to the organization of the department of administrative services.

21 1 Department of Administrative Services; Commissioner; Directors. Amend RSA 21-I:2 to read
22 as follows:

23 21-I:2 Commissioner; Directors.

24 I. The commissioner of the department shall be appointed by the governor, with the consent
25 of the council, and shall serve for a term of 4 years.

26 II. The commissioner shall nominate for appointment by the governor, with the consent of
27 the council, each unclassified division director, the assistant commissioner, *and* the deputy
28 commissioner [~~the internal auditor, the director of financial data management, the director of risk
29 and benefits, and the senior operational analyst. The unclassified division directors, the assistant
30 commissioner, the deputy commissioner, the internal auditor, the director of financial data
31 management, the director of risk and benefits, and the senior operational analyst shall each serve
32 for a term of 4 years].~~

33 *III. The commissioner shall appoint each unclassified deputy division director, a
34 state budget officer, a chief financial officer, a deputy state comptroller, the internal
35 auditor, the senior operational analyst, 2 superintendents of buildings and grounds, a
36 superintendent of court facilities, an education and training officer, and the manager of
37 employee relations, each of whom shall serve at the pleasure of the commissioner.*

1 **IV. The commissioner may appoint such other unclassified deputy division**
2 **directors as he or she determines are necessary to carry out the functions of the divisions of**
3 **the department. Deputy directors shall serve at the pleasure of the commissioner.**

4 2 New Paragraph; Duties of Commissioner; Authority to Establish Divisions, Units, and
5 Officers. Amend RSA 21-I:13 by inserting after paragraph XVII the following new paragraph:

6 XVIII. Establish within the department such divisions, units, and officers, not expressly
7 provided for or prohibited by law, as the commissioner deems advisable for the discharge of his or
8 her duties. The commissioner may appoint such deputy division directors and other officers as he or
9 she believes are necessary to carry out the functions of the divisions of the department.

10 3 Department of Administrative Services; State Budget Office. Amend the introductory
11 paragraph of RSA 21-I:6 to read as follows:

12 21-I:6 Budget ~~[Unit]~~ **Office**. There is hereby established within the office of the commissioner of
13 administrative services a state budget ~~[unit]~~ **office** under the supervision of an unclassified budget
14 director who shall:

15 4 Assistant Commissioner. Amend RSA 21-I:3-a, II to read as follows:

16 II. The assistant commissioner shall ~~[serve as budget director]~~ **oversee the state budget**
17 **office** and shall perform such duties as are assigned by the commissioner. The assistant
18 commissioner shall assume the duties of the commissioner in the event that the commissioner is
19 unable for any reason to perform such duties.

20 5 Manager of Employee Relations. Amend the introductory paragraph of RSA 21-I:44, II to
21 read as follows:

22 II. There is established within the division a bureau of employee relations, under the
23 direction of an unclassified manager of employee relations~~[, who shall serve a 4 year term]~~. The
24 bureau of employee relations shall be responsible for the following functions, in accordance with
25 applicable laws:

26 6 Manager of Employee Relations and Education and Training Officer. Amend RSA 21-I:44, IV
27 to read as follows:

28 IV. The commissioner, after consultation with the director of personnel, shall ~~[nominate]~~
29 **appoint** the manager of employee relations and the education and training officer ~~[who shall be~~
30 ~~appointed by the governor, with the consent of the council]~~. The manager of employee relations and
31 the education and training officer shall be qualified by reason of education and experience ~~[and shall~~
32 ~~each serve a 4 year term]~~. The salary of the manager of employee relations and the education and
33 training officer shall be as specified in RSA 94:1-a.

34 7 Director of the Division of Public Works Design and Construction. Amend RSA 21-I:11, I(b) to
35 read as follows:

1 (b) The division of public works design and construction [~~which shall be under the~~
2 ~~supervision of a classified public works manager VII, who~~] shall be responsible for the functions [of
3 ~~the division under~~] **set forth in RSA 21-I:12, III.**

4 8 Internal Audit. Amend RSA 21-I:7, I to read as follows:

5 I. Assist the commissioner by supplying analytical reports of examinations conducted of the
6 department's various divisions, bureaus, units, programs and functions. Examinations will be
7 conducted and reports prepared in accordance with standards of governmental auditing and program
8 evaluation specified by authoritative national standard setting bodies. Reports shall contain
9 analyses, appraisals, comments and recommendations relating to the accuracy and competence of
10 accounting, financial, and management procedures in use. Organizational and operational practices
11 may also be reviewed by the [~~budget director~~] **state budget officer.**

12 9 Reference Change. Department of Information Technology. Amend RSA 21-R:4, XI to read as
13 follows:

14 XI. Developing, in concert with the commissioner of administrative services and the [~~budget~~
15 ~~director as defined in RSA 21-I:1-a~~] **state budget office established in RSA 21-I:6**, the capital and
16 operating budget requests for implementing each agency's information technology plan, including,
17 but not limited to, appropriate standards for the uniform presentation of the general budget
18 requests.

19 10 Division of Plant and Property. Amend RSA 21-I:11, I(c)(4)-(6) to read as follows:

20 (4) Supervising the [~~activities and functions of the bureau of~~] planning and
21 management **functions of the department** under RSA 21-I:12, II(a).

22 (5) Supervising the [~~activities and functions of the bureau of~~] general services
23 **functions of the department** under RSA 21-I:12, II(b).

24 (6) Supervising the [~~activities and functions of the bureau of~~] **functions of the**
25 **department related to** court facilities under RSA 21-I:12, II(c).

26 11 Division of Plant and Property. Amend RSA 21-I:12, II to read as follows:

27 II. The division of plant and property shall [~~include the following internal organizational~~
28 ~~units and functions~~]:

29 (a) [~~A bureau of planning and management under the supervision of a classified~~
30 ~~administrator of planning and management who shall~~] be responsible for the following functions
31 **relative to planning and management**, in accordance with applicable laws:

32 (1) Recommending assignment of office and office-related space, including rented
33 space, or space under consideration for rental, to the director, who shall report such
34 recommendations to the commissioner.

35 (2) Preparing and maintaining an inventory of all physical space in real property
36 rented or leased for use by the state. This inventory shall be made available to the comptroller in
37 order to assist the comptroller to comply with accounting principles.

1 (3) Planning for any additional office space needs of the state in consultation with
2 the division of public works design and construction.

3 (4) Planning for any major renovation to state office buildings in consultation with
4 the division of public works design and construction.

5 (5) Centrally managing all space rented by, or all proposed rentals of space by, state
6 agencies, and providing central administration and management of the processes by which space is
7 rented by state agencies, except as is otherwise provided by law. Unless otherwise allowed by law,
8 agencies seeking to rent space shall do so only in consultation with the ~~[bureau of planning and
9 management]~~ **division of plant and property**. The central management and administration
10 provided by the ~~[bureau]~~ **division** shall include assisting agencies in their selection of property, in
11 the formulation of rental documents, in the preparation of notices, in agencies' solicitation of bids or
12 proposals and selection of lessors, in space planning, in office layout, and in such other matters as
13 are necessary for effective central planning and management relative to rented space but shall not
14 include the power to enter into rental agreements on behalf of an agency.

15 (b) ~~[A bureau of general services under the supervision of a classified administrator of
16 general services who shall]~~ Be responsible for the following **general service** functions, in accordance
17 with applicable laws:

18 (1) Providing support services, including but not limited to, mailing and messenger
19 services to state government.

20 (2) Providing for the general maintenance of state-owned buildings and grounds,
21 except as otherwise provided by law.

22 (c) ~~[A bureau of court facilities under the supervision of a classified administrator who
23 shall]~~ Be responsible for the following **court facility** functions, in accordance with applicable laws:

24 (1) Providing suitable court facilities for the conduct of all court sessions held within
25 each judicial district and county, subject to the availability of appropriated funds, in accordance with
26 RSA 490-B.

27 (2) Providing for the general maintenance of state-owned court buildings and
28 grounds, except as otherwise provided by law.

29 (d) **Be responsible for** the department's functions relating to energy management,
30 managed by such personnel as may be assigned by the commissioner.

31 (e) **Be responsible for** the department's support of facilities of the department of health
32 and human services managed by such personnel as may be assigned by the commissioner.

33 12 Positions and Transfers.

34 I. The salaries of the state budget officer, the chief financial officer, the deputy state
35 comptroller, the deputy director of financial data management, the deputy director of plant and
36 property management, the deputy director of personnel, the deputy director of procurement and
37 support services, the director of public works design and construction, the deputy director of public

1 works design and construction, the internal auditor, the 2 superintendents of buildings and grounds,
2 and the superintendent of court facilities shall be determined after assessment and review of the
3 appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position, which shall be
4 conducted pursuant to RSA 94:1-d and RSA 14:14-c.

5 II. Upon completion of the actions described in paragraph I, and the appointment of each
6 unclassified position there noted, the applicable classified position shall be abolished and its
7 available funding shall be utilized to create an unclassified expenditure class within the applicable
8 accounting unit.

9 III. For any unclassified position converting from a term of appointment to an appointment
10 at the pleasure of the commissioner, the commissioner shall make such appointment when the term
11 expires or when the position becomes vacant, whichever is earlier. For each such position, the
12 commissioner shall certify to the secretary of state and the director of legislative services that the
13 term has expired and the position is subject to the commissioner's appointment.

14 IV. The incumbent in any classified or unclassified position converted to a position subject to
15 appointment by the commissioner pursuant to this act, shall be offered the opportunity to seek such
16 appointment.

17 13 Repeal. The following are repealed:

18 I. RSA 21-I:7-d, relative to the position of deputy director of risk and benefits.

19 II. RSA 21-I:1-a, I-a, relative to the definition of budget director.

20 14 Effective Date. Part III of this act shall take effect July 1, 2021.

SB 104-FN-A- FISCAL NOTE
 AS AMENDED BY THE SENATE (AMENDMENT #2021-0597s)

AN ACT adopting omnibus legislation relative to the classification of state employee positions and reverse auctions.

PART I Relative to the classification of certain state employee positions.

This part has no fiscal impact.

PART II Relative to reverse auctions.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill states the Department of Administrative Services, Division of Procurement and Support Services may conduct an electronic "reverse auction" when the Department determines it is in the best interest of the state. The process allows vendors to electronically compete against each other to provide items to the state at the lowest price. The Department states this process has been used in the past and may be utilized even without this legislation. The legislation specifies factors to be considered to determine whether a reverse auction is needed and if a third party may conduct the auction for the state and what procedures should be utilized for conducting the auction. The Department is unable to determine the fiscal impact of these provisions due to unknown costs compared to the standard bidding process for future transactions. Counties and

municipalities that obtain items under a state contract may also be impacted by these provisions but such impacts are indeterminable.

It is assumed this bill will be effective July 1, 2021.

AGENCIES CONTACTED:

Department of Administrative Services

CHAPTER 202
SB 104-FN-A - FINAL VERSION

02/11/2021 0217s
03/11/2021 0597s
3Jun2021... 1514h
06/24/2021 2005CofC
06/24/2021 2079EBA

2021 SESSION

21-0403
05/10

SENATE BILL ***104-FN-A***

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and the organization of the department of administrative services.

SPONSORS: Sen. Reagan, Dist 17

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill adopts legislation relative to:

I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.

II. Reverse auctions, as requested by the department of administrative services.

III. The organization of the department of administrative services and the transition of certain classified positions within the department to unclassified positions subject to appointment by the commissioner.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through]~~.
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 202
SB 104-FN-A - FINAL VERSION

02/11/2021 0217s
03/11/2021 0597s
3Jun2021... 1514h
06/24/2021 2005CofC
06/24/2021 2079EBA

21-0403
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and the organization of the department of administrative services.

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

1 202:1 Sponsorship. This act consist of the following proposed legislation:

2 Part I: LSR 21-0403, relative to the classification of certain state employee positions, sponsored
3 by Sen. Reagan, Prime/Dist 17; Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Rep. P.
4 Schmidt, Straf. 19.

5 Part II: LSR 21-1021, relative to reverse auctions, sponsored by Sen. Carson, Prime/Dist 14.

6 Part III, relative to the organization of the department of administrative services.

7 202:2 Legislation Enacted. The general court hereby enacts the following legislation:

8

9

PART I

10

Relative to the classification of certain state employee positions.

11

202:1 Compensation of Certain State Officers; Salaries Established. Amend the salary grades in

12

RSA 94:1-a, I(b) by deleting:

13

BB department of health and human services program manager

14

EE department of health and human services director of communications

15

FF department of health and human services director, project management

16

FF department of health and human services substance abuse senior policy analyst

17

FF department of health and human services LEAN Coordinator

18

FF department of corrections director, professional standards

19

FF department of health and human services information security officer

20

GG department of health and human services substance abuse manager

21

202:2 Compensation of Certain State Officers; Salaries Established. Amend the salary grades in

22

RSA 94:1-a, I(b) by inserting:

23

DD department of justice victim/witness specialist

24

EE department of health and human services process improvement manager

25

EE department of health and human services substance use disorder planning and

26

evaluation manager

CHAPTER 202
SB 104-FN-A - FINAL VERSION

- Page 2 -

1	FF	department of health and human services	director of communications
2	FF	department of health and human services	senior project manager
3	FF	department of justice	director of communications
4	GG	department of administrative services	deputy director, risk and benefits
5	GG	department of corrections	director, professional standards
6	GG	department of health and human services	information security officer
7	GG	department of health and human services	deputy director, division of economic and
8			housing stability
9	GG	department of safety	deputy director, division of administration
10	HH	department of health and human services	director, intergovernmental affairs
11	HH	department of administrative services	director (administrator), division of plant and
12			property management
13	HH	department of health and human services	director, employee assistance program
14	KK	department of corrections	pharmacist
15	NN	department of corrections	chief pharmacist

16 202:3 New Subparagraph; Salary Adjustment for Recruitment or Retention; Department of
17 Corrections; Director of Nursing. Amend RSA 94:3-b, II by inserting after subparagraph (e) the
18 following new subparagraph:

19 (f) Director of nursing, department of corrections, \$110,000 - \$155,000

20 202:4 Joint Committee on Employee Classification; Chairmanship. Amend RSA 14:14-c, II to
21 read as follow:

22 II. The committee shall consist of 3 members of the senate, appointed by the senate
23 president, one of whom shall be a member of the senate finance committee, and 3 members of the
24 house of representatives, appointed by the speaker of the house of representatives, one of whom
25 shall be a member of the house finance committee and 2 of whom shall be members of the house
26 committee on executive departments and administration. Members shall be appointed for their term
27 of office. All members shall be eligible for reappointment so long as they are qualified under this
28 section. Members shall be appointed no later than December 30 of the year of their election to the
29 general court, except that vacancies shall be filled for an unexpired term within 30 days of the
30 creation of such vacancy. The chairperson shall be elected by the committee members and shall
31 ~~[rotate annually]~~ **alternate every 2 years** between the house and senate members~~[-, provided that a~~
32 ~~house member shall serve as the first chairperson].~~

33 202:5 Compensation of Certain State Officers; Health and Human Services Review; Certain
34 Unclassified Employees. Amend RSA 94:1-f, VI to read as follows:

35 VI. All reviews and recommendations shall be completed no later than [4] 7 years from the
36 effective date of this section. The commissioner of the department of health and human services

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- Page 3 -

1 shall issue a progress report every 6 months from the effective date of this section to the fiscal
2 committee of the general court until the process is completed.

3 202:6 Effective Date. Part I of this act shall take effect 60 days after its passage.

4

5

PART II

6

Relative to reverse auctions.

7

202:1 New Section; Department of Administrative Services; Electronic Reverse Auctions.

8

Amend RSA 21-I by inserting after section 11-d the following new section:

9

21-I:11-e Electronic Reverse Auctions.

10

I. An electronic reverse auction may be conducted at the direction of the director of
11 procurement and support services when it is determined by the commissioner of department of
12 administrative services or designee that it is in the best interests of the state. Such reverse auction
13 shall be conducted with bidders who have prequalified through a request for bids (RFB) process.
14 Factors to be considered in determining whether the state will utilize an electronic reverse auction
15 request for bids shall include:

16

(a) Whether specifications of requested commodities or services can be prepared that
17 permit electronic posting of bids;

18

(b) Whether financial opportunity exists associated with cost savings, cost avoidance, or
19 administrative offset, including the indirect or direct cost for preparing and executing the reverse
20 auction; and

21

(c) Whether the commodities or services, to be purchased can be purchased in a
22 competitive marketplace.

23

II. The director may contract with qualified, industry-recognized third-party vendors to
24 conduct reverse auctions on behalf of the department of administrative services.

25

III. All reverse auctions shall be conducted electronically using real-time, on-line bidding
26 procedures. These procedures shall include the following:

27

(a) Participation as a bidder shall be subject to a prequalification process conducted in
28 accordance with requirements and specifications of the reverse auction request for bids.
29 Qualifications summary responses shall be opened so as to avoid disclosure of contents to competing
30 bidders.

31

(b) The solicitation shall designate both an opening date and time and a closing date and
32 time for bids during the reverse auction. At the opening date and time, the auctioneer shall begin
33 accepting real-time, online bids. The solicitation shall remain open until the closing date and time.

34

(c) At any time before the closing date and time, a bidder may offer a lower bid than the
35 lowest bid of any bidder, including the bidder's own bid. A bidder's lowest bid shall supersede any
36 prior higher bid offered by that bidder. Bid prices may not be increased at any time after the
37 opening date and time.

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1 IV. Notwithstanding RSA 91-A:4 and RSA 21-G:37, no information shall be available to the
2 public or to the members of the general court or its staff concerning specific reverse auction RFB
3 from the release of the reverse auction RFB until the contract is approved by the governor and
4 executive council, or, if the contract does not require approval from the governor and executive
5 council, until the contract has been actually awarded as determined by the issuing agency, except:

6 (a) In the case of an RFB that requires approval from the governor and executive
7 council, the issuing agency shall, at least 5 business days prior to submitting the contract to the
8 department of administrative services, post the vendors' names and respective final prices for each
9 qualified bidder on its website.

10 (b) In the case of an RFB that does not require approval from the governor and executive
11 council, the issuing agency shall, at minimum, post the vendors' names and respective final prices
12 for each qualified bidder on its website at the time that the RFB is awarded.

13 V. Notwithstanding paragraph IV, the department of administrative services shall share
14 such pricing information as is necessary to conduct the reverse auction. During the reverse auction,
15 such pricing information shall be shared only with the bidders and other parties participating in the
16 reverse auction as specified in subparagraph III(c). Such information shall include only prices
17 proposed and not names of bidders.

18 VI. Reverse auction RFBs shall be subject to RSA 21-G:37, IV-VI.

19 202:2 Effective Date. Part II of this act shall take effect 60 days after its passage.

20
21 **Part III**

22 **Relative to the organization of the department of administrative services.**

23 202:1 Department of Administrative Services; Commissioner; Directors. - Amend RSA 21-I:2 to
24 read as follows:

25 21-I:2 Commissioner; Directors.

26 I. The commissioner of the department shall be appointed by the governor, with the consent
27 of the council, and shall serve for a term of 4 years.

28 II. The commissioner shall nominate for appointment by the governor, with the consent of
29 the council, each unclassified division director, the assistant commissioner, *and* the deputy
30 commissioner [~~the internal auditor, the director of financial data management, the director of risk
31 and benefits, and the senior operational analyst. The unclassified division directors, the assistant
32 commissioner, the deputy commissioner, the internal auditor, the director of financial data
33 management, the director of risk and benefits, and the senior operational analyst shall each serve
34 for a term of 4 years].~~

35 *III. The commissioner shall appoint each unclassified deputy division director, a*
36 *state budget officer, a chief financial officer, a deputy state comptroller, the internal*
37 *auditor, the senior operational analyst, 2 superintendents of buildings and grounds, a*

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- Page 5 -

1 *superintendent of court facilities, an education and training officer, and the manager of*
2 *employee relations, each of whom shall serve at the pleasure of the commissioner.*

3 *IV. The commissioner may appoint such other unclassified deputy division*
4 *directors as he or she determines are necessary to carry out the functions of the divisions of*
5 *the department. Deputy directors shall serve at the pleasure of the commissioner.*

6 202:2 New Paragraph; Duties of Commissioner; Authority to Establish Divisions, Units, and
7 Officers. Amend RSA 21-I:13 by inserting after paragraph XVII the following new paragraph:

8 XVIII. Establish within the department such divisions, units, and officers, not expressly
9 provided for or prohibited by law, as the commissioner deems advisable for the discharge of his or
10 her duties. The commissioner may appoint such deputy division directors and other officers as he or
11 she believes are necessary to carry out the functions of the divisions of the department.

12 202:3 Department of Administrative Services; State Budget Office. Amend the introductory
13 paragraph of RSA 21-I:6 to read as follows:

14 21-I:6 Budget ~~[Unit]~~ **Office**. There is hereby established within the office of the commissioner of
15 administrative services a state budget ~~[unit]~~ **office** under the supervision of an unclassified budget
16 director who shall:

17 202:4 Assistant Commissioner. Amend RSA 21-I:3-a, II to read as follows:

18 II. The assistant commissioner shall ~~[serve as budget director]~~ **oversee the state budget**
19 **office** and shall perform such duties as are assigned by the commissioner. The assistant
20 commissioner shall assume the duties of the commissioner in the event that the commissioner is
21 unable for any reason to perform such duties.

22 202:5 Manager of Employee Relations. Amend the introductory paragraph of RSA 21-I:44, II to
23 read as follows:

24 II. There is established within the division a bureau of employee relations, under the
25 direction of an unclassified manager of employee relations~~[- who shall serve a 4-year term]~~. The
26 bureau of employee relations shall be responsible for the following functions, in accordance with
27 applicable laws:

28 202:6 Manager of Employee Relations and Education and Training Officer. Amend RSA 21-I:44,
29 IV to read as follows:

30 IV. The commissioner, after consultation with the director of personnel, shall ~~[nominate]~~
31 **appoint** the manager of employee relations and the education and training officer ~~[who shall be~~
32 ~~appointed by the governor, with the consent of the council]~~. The manager of employee relations and
33 the education and training officer shall be qualified by reason of education and experience ~~[and shall~~
34 ~~each serve a 4-year term]~~. The salary of the manager of employee relations and the education and
35 training officer shall be as specified in RSA 94:1-a.

36 202:7 Director of the Division of Public Works Design and Construction. Amend RSA 21-I:11,
37 I(b) to read as follows:

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- Page 6 -

1 (b) The division of public works design and construction~~[, which shall be under the~~
2 ~~supervision of a classified public works manager VII, who]~~ shall be responsible for the functions [of
3 ~~the division under]~~ **set forth in** RSA 21-I:12, III.

4 202:8 Internal Audit. Amend RSA 21-I:7, I to read as follows:

5 I. Assist the commissioner by supplying analytical reports of examinations conducted of the
6 department's various divisions, bureaus, units, programs and functions. Examinations will be
7 conducted and reports prepared in accordance with standards of governmental auditing and program
8 evaluation specified by authoritative national standard setting bodies. Reports shall contain
9 analyses, appraisals, comments and recommendations relating to the accuracy and competence of
10 accounting, financial, and management procedures in use. Organizational and operational practices
11 may also be reviewed by the ~~[budget director]~~ **state budget officer**.

12 202:9 Reference Change. Department of Information Technology. Amend RSA 21-R:4, XI to
13 read as follows:

14 XI. Developing, in concert with the commissioner of administrative services and the ~~[budget~~
15 ~~director as defined in RSA 21-I:1-a]~~ **state budget office established in RSA 21-I:6**, the capital and
16 operating budget requests for implementing each agency's information technology plan, including,
17 but not limited to, appropriate standards for the uniform presentation of the general budget
18 requests.

19 202:10 Division of Plant and Property. Amend RSA 21-I:11, I(c)(4)-(6) to read as follows:

20 (4) Supervising the ~~[activities and functions of the bureau of]~~ planning and
21 management functions of **the department under** RSA 21-I:12, II(a).

22 (5) Supervising the ~~[activities and functions of the bureau of]~~ general services
23 **functions of the department** under RSA 21-I:12, II(b).

24 (6) Supervising the ~~[activities and functions of the bureau of]~~ **functions of the**
25 **department related to** court facilities under RSA 21-I:12, II(c).

26 202:11 Division of Plant and Property. Amend RSA 21-I:12, II to read as follows:

27 II. The division of plant and property shall ~~[include the following internal organizational~~
28 ~~units and functions]:~~

29 (a) ~~[A bureau of planning and management under the supervision of a classified~~
30 ~~administrator of planning and management who shall]~~ Be responsible for the following functions
31 **relative to planning and management**, in accordance with applicable laws:

32 (1) Recommending assignment of office and office-related space, including rented
33 space, or space under consideration for rental, to the director, who shall report such
34 recommendations to the commissioner.

35 (2) Preparing and maintaining an inventory of all physical space in real property
36 rented or leased for use by the state. This inventory shall be made available to the comptroller in
37 order to assist the comptroller to comply with accounting principles.

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1 (3) Planning for any additional office space needs of the state in consultation with
2 the division of public works design and construction.

3 (4) Planning for any major renovation to state office buildings in consultation with
4 the division of public works design and construction.

5 (5) Centrally managing all space rented by, or all proposed rentals of space by, state
6 agencies, and providing central administration and management of the processes by which space is
7 rented by state agencies, except as is otherwise provided by law. Unless otherwise allowed by law,
8 agencies seeking to rent space shall do so only in consultation with the ~~[bureau of planning and~~
9 ~~management]~~ **division of plant and property**. The central management and administration
10 provided by the ~~[bureau]~~ **division** shall include assisting agencies in their selection of property, in
11 the formulation of rental documents, in the preparation of notices, in agencies' solicitation of bids or
12 proposals and selection of lessors, in space planning, in office layout, and in such other matters as
13 are necessary for effective central planning and management relative to rented space but shall not
14 include the power to enter into rental agreements on behalf of an agency.

15 (b) Include the following internal organizational units and functions:

16 (1) ~~[A bureau of general services under the supervision of a classified administrator~~
17 ~~of general services who shall]~~ Be responsible for the following **general service** functions, in
18 accordance with applicable laws:

19 (A) Providing support services, including but not limited to, mailing and
20 messenger services to state government.

21 (B) Providing for the general maintenance of state-owned buildings and grounds,
22 except as otherwise provided by law.

23 (2) ~~[A bureau of court facilities under the supervision of a classified administrator~~
24 ~~who shall]~~ Be responsible for the following **court facility** functions, in accordance with applicable
25 laws:

26 (A) Providing suitable court facilities for the conduct of all court sessions held
27 within each judicial district and county, subject to the availability of appropriated funds, in
28 accordance with RSA 490-B.

29 (B) Providing for the general maintenance of state-owned court buildings and
30 grounds, except as otherwise provided by law.

31 ~~[(C)]~~ (3) Be responsible for the department's functions relating to energy
32 management, managed by such personnel as may be assigned by the commissioner.

33 ~~[(D)]~~ (4) Be responsible for the department's support of facilities of the
34 department of health and human services managed by such personnel as may be assigned by the
35 commissioner.

36 202:12 Positions and Transfers.

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- Page 8 -

1 I. The salaries of the state budget officer, the chief financial officer, the deputy state
2 comptroller, the deputy director of financial data management, the deputy director of plant and
3 property management, the deputy director of personnel, the deputy director of procurement and
4 support services, the director of public works design and construction, the deputy director of public
5 works design and construction, the internal auditor, the 2 superintendents of buildings and grounds,
6 and the superintendent of court facilities shall be determined after assessment and review of the
7 appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position, which shall be
8 conducted pursuant to RSA 94:1-d and RSA 14:14-c.

9 II. Upon completion of the actions described in paragraph I, and the appointment of each
10 unclassified position there noted, the applicable classified position shall be abolished and its
11 available funding shall be utilized to create an unclassified expenditure class within the applicable
12 accounting unit.

13 III. For any unclassified position converting from a term of appointment to an appointment
14 at the pleasure of the commissioner, the commissioner shall make such appointment when the term
15 expires or when the position becomes vacant, whichever is earlier. For each such position, the
16 commissioner shall certify to the secretary of state and the director of legislative services that the
17 term has expired and the position is subject to the commissioner's appointment.

18 IV. The incumbent in any classified or unclassified position converted to a position subject to
19 appointment by the commissioner pursuant to this act, shall be offered the opportunity to seek such
20 appointment.

21 202:13 Repeal. The following are repealed:

22 I. RSA 21-I:7-d, relative to the position of deputy director of risk and benefits.

23 II. RSA 21-I:1-a, I-a, relative to the definition of budget director.

24 202:14 Effective Date. Part III of this act shall take effect July 1, 2021.

Approved: August 10, 2021

Effective Date:

Part I shall take effect October 9, 2021

Part II shall take effect October 9, 2021

Part III shall take effect July 1, 2021

Amendments

Sen. Reagan, Dist 17
February 2, 2021
2021-0209s
05/10

Amendment to SB 104-FN-A

1 Amend Part I of the bill by inserting after section 3 the following new section and renumbering the
2 original section 4 to read as 5:

3

4 4 Compensation of Certain State Officers; Health and Human Services Review; Certain
5 Unclassified Employees. Amend RSA 94:1-f, VI to read as follows:

6 VI. All reviews and recommendations shall be completed no later than [4] 7 years from the
7 effective date of this section. The commissioner of the department of health and human services
8 shall issue a progress report every 6 months from the effective date of this section to the fiscal
9 committee of the general court until the process is completed.

UNAPPROVED

Senate Executive Departments and Administration
February 3, 2021
2021-0217s
05/10

Amendment to SB 104-FN-A

1 Amend Part I of section 2 of the bill by inserting after section 3 the following new section and
2 renumbering the original section 4 to read as 5:

3

4 4 Compensation of Certain State Officers; Health and Human Services Review; Certain
5 Unclassified Employees. Amend RSA 94:1-f, VI to read as follows:

6 VI. All reviews and recommendations shall be completed no later than [4] 7 years from the
7 effective date of this section. The commissioner of the department of health and human services
8 shall issue a progress report every 6 months from the effective date of this section to the fiscal
9 committee of the general court until the process is completed.

Sen. Daniels, Dist 11
March 2, 2021
2021-0574s
05/10

Amendment to SB 104-FN-A

- 1 Amend the title of the bill by replacing it with the following:
- 2
- 3 AN ACT adopting omnibus legislation relative to the classification of state employee positions
- 4 and reverse auctions.
- 5
- 6 Amend section 1 of the bill by deleting Part III.
- 7
- 8 Amend section 2 of the bill by deleting Part III.

UNAPPROVED

2021-0574s

AMENDED ANALYSIS

This bill adopts legislation relative to:

I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.

II. Reverse auctions, as requested by the department of administrative services.

UNAPPROVED

Senate Finance
March 3, 2021
2021-0597s
05/10

Amendment to SB 104-FN-A

- 1 Amend the title of the bill by replacing it with the following:
- 2
- 3 AN ACT adopting omnibus legislation relative to the classification of state employee positions
- 4 and reverse auctions.
- 5
- 6 Amend section 1 of the bill by deleting Part III.
- 7
- 8 Amend section 2 of the bill by deleting Part III.

Amendment to SB 104-FN-A
- Page 2 -

2021-0597s

AMENDED ANALYSIS

This bill adopts legislation relative to:

- I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.
- II. Reverse auctions, as requested by the department of administrative services.

Committee Minutes

SENATE CALENDAR NOTICE

Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

Date: January 26, 2021

HEARINGS

Wednesday	02/03/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m. SB 105	adopting omnibus legislation relative to memorials and commemorations.	
9:20 a.m. SB 106	adopting omnibus legislation relative to codes.	
9:40 a.m. SB 104-FN-A	adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/94150398326>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +13126266799,,94150398326# or +19292056099,,94150398326#
4. Webinar ID: [941 5039 8326](https://www.zoom.us/j/94150398326)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 105

Sen. Cavanaugh

SB 106

Sen. Carson

SB 104-FN-A

Sen. Reagan

Cameron Lapine 271-2104

Sharon M Carson
Chairman

Senate Executive Departments and Administration Committee

Cameron Lapine 271-2104

SB 104-FN-A, adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

Hearing Date: February 3, 2021

Time Opened: 9:42 a.m.

Time Closed: 10:03 a.m.

Members of the Committee Present: Senators Carson, Reagan, Ricciardi, Cavanaugh and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill adopts legislation relative to:

I. The classification of certain state employee positions, as requested by the joint committee on employee classification, established in RSA 14:14-c.

II. Reverse auctions, as requested by the department of administrative services.

III. Establishing the position of community health worker in each of the state's regional public health networks.

Sponsors:

Sen. Reagan

Who supports the bill: Lindsey Boisvert, Amy Daniels, Representative George Sykes (Grafton – District 13), Senator David Watters (Senate District 4), Nicole Fordey, Jessica Gorhan (Great Nashua Food Council), Laura Quiroga, Catheryn Burchett, Senator Cindy Rosenwald (Senate District 13), Nancy Frank, Regina Blaney, Victoria Adewumi, Amber Culver, Roberta Berner, Maris Toland, Natalie Walsh, Gwen Whitney-Gill, Michelle Graham (Manchester Health Department), Senator John Reagan (Senate District 17), Senator Sharon Carson (Senate District 14), Joan Ascheim (NHPHA), and Courtney Tanner (Dartmouth-Hitchcock).

Who opposes the bill: Holly Beene, Carla Gericke, and Alexandra Mennella.

Who is neutral on the bill: Patricia Tilley (NH DHHS), John Williams (NH DHHS), and Laurie Spring (NH DHHS).

Summary of Testimony on Part I of SB 104-FN-A

Senator John Reagan

Senate District 17

- Senator Reagan is the Chair of the Joint Committee on Employee Classification (JCEC). JCEC is tasked with making sure that the classifications for State employees fall within the expected pay schedules for particular tasks.
- Senator Reagan proposed Amendment 2021-0209s.

John Williams and Laurie Spring

Director of Legislative Services and Workforce Development Administrator, Department of Health and Human Services (DHHS)

- Mr. Williams said that, since 2018, Senator Reagan has sponsored a series of bills regarding the classification of employees at DHHS. He said that from a review perspective every part of Part I of SB 104-FN-A is correct. He asked the Committee to consider Amendment 2021-0209s in order to give DHHS more time to perform their review and complete their required report from SB 534 (2018) and SB 27 (2019).
- Ms. Spring said that DHHS is working hard to meet their requirements for the review. She said that because JCEC only met once in 2020, their opportunities for review have been limited. She said that an extension would help DHHS meet their obligation.

Summary of Testimony on Part II of SB 104-FN-A

Senator Sharon Carson

Senate District 14

- Senator Carson said that Part II of SB 104-FN-A deals with reverse auctions and is a request of the Department of Administrative Services.

Summary of Testimony on Part III of SB 104-FN-A

Senator Suzanne Prentiss

Senate District 5

- Senator Prentiss said that she worked with the New Hampshire Public Health Association (NHPHA) on Part III of SB 104-FN-A.
- Senator Prentiss said that there are two goals of Part III of SB 104-FN-A:
 - The first goal is to build out the State's public health infrastructure at the local and regional levels. Only Manchester and Nashua have public health departments at this time. Since the 1990s, there have been 13 established regional public health

- networks which pool resources and work together towards public health goals.
- The second goal is to establish the role of community health workers in each region. There is a funding in SB 104-FN-A for each position.
- Senator Prentiss said that the primary functions of the public health networks include increasing access to health care and services, reducing the need for specialty and emergency services, enhancing communication, and improving health outcomes and recommendations.
- Senator Prentiss said that the deployment of community health workers is a recommendation of the Governor's COVID-19 Equity Response Team's report from the summer of 2020.

Joan Ascheim

Former Executive Director, NHPHA

- Ms. Ascheim said that NHPHA represents 200 health care workers across the state and has done so for over 20 years.
- Ms. Ascheim reiterated comments about the Governor's COVID-19 Equity Response Team's report.
- Ms. Ascheim said that there is a large body of academic work proving that community health workers increase outcomes and reduce costs. She cited a recent study that found a return of \$2.74 for every dollar spent.
- Ms. Ascheim said that SB 104-FN-A appropriates \$600,000 per year for the funding of community health workers.
- Ms. Ascheim said that NHPHA and DHHS have co-convened a task force since March, 2020, with 60 individuals and organizations in multiple sectors. She said that the task force has found a need to communicate with vulnerable communities in their own language.

Courtney Tanner

Dartmouth-Hitchcock

- Ms. Tanner said that she believes the funding in SB 104-FN-A will be a start and appreciates the acknowledgment of the need.
- Ms. Tanner said that Dartmouth-Hitchcock has employed 20 community health workers since 2019. She said that they have worked across the Dartmouth-Hitchcock Health System and have been embedded into their communities. She said that these community health workers have been funded from various sources.
- Ms. Tanner said that health outcomes are driven by social determinates. She said that there needs to be work to improve social determinates – including access to housing, food, and transportation – by working alongside vulnerable patients.

Patricia Tilley

Deputy Director, Division of Public Health, DHHS

- Ms. Tilley said that all health and wellness is local, just like politics.
- Ms. Tilley said that community health workers are trusted sources of information and support because they live in, and understand, their communities.
- Ms. Tilley said that there is a patchwork approach at the moment based on federal funding.

She said that there are specific focuses on certain communities and certain aspects of public health.

- Ms. Tilley said that DHHS has deployed community health workers during the COVID-19 pandemic who serve as the Department's eyes and ears on the ground.
- Ms. Tilley said that Part III of SB 104-FN-A starts to stitch together the existing patchwork approach to public health in New Hampshire. Ms. Tilley said that Public Health has the capacity to take on SB 104-FN-A.
- Ms. Tilley said that the regions can tell DHHS what is needed in their communities. She said conversations about the costs involved will take place in other venues.

cml

Date Hearing Report completed: February 3, 2021

SENATE CALENDAR NOTICE
Finance

Sen Gary Daniels, Chair
Sen John Reagan, Vice Chair
Sen Bob Giuda, Member
Sen Erin Hennessey, Member
Sen Chuck Morse, Member
Sen Lou D'Allesandro, Member
Sen Cindy Rosenwald, Member

Date: February 18, 2021

EXECUTIVE SESSION

Tuesday	03/02/2021	
(Day)	(Date)	
Finance	REMOTE 000	2:00 p.m.
(Name of Committee)	(Place)	(Time)

2:00 p.m. ~~EXECUTIVE SESSION ON PENDING LEGISLATION~~

Committee members will receive secure Zoom invitations via email

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/93577635584>
2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799, or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 13126266799,,93577635584# or 19292056099,,93577635584#
4. Webinar ID: [935 7763 5584](#)
5. To view on YouTube, click here: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

Deb Martone 271-4980

Gary L. Daniels
Chairman

Speakers

Name	Title	Representing	Position	Testifying
Reagan Senator John	An Elected Official	Myself	Support	Yes
Spring Laurie	State Agency Staff	Health and Human Services	Neutral	Yes
Tanner Courtney	A Lobbyist	Dartmouth-Hitchcock	Support	Yes
Carson Sharon	An Elected Official	Senate District 14	Support	Yes
Williams John	State Agency Staff	DHHS	Neutral	Yes
Ascheim Joan	A Member of the Public	NHPHA	Support	Yes
Tilley Patricia	State Agency Staff	NH DHHS	Neutral	Yes
Graham Michelle	State Agency Staff	Manchester Health Department	Support	Yes
Boisvert Lindsey	A Member of the Public	Myself	Support	Yes
Beene Holly	A Member of the Public	Myself	Oppose	No
Blaney Regina	A Member of the Public	Myself	Support	No
Adewumi Victoria	A Member of the Public	Myself	Support	No
Gericke Carla	A Member of the Public	Myself	Oppose	No
Culver Amber	A Member of the Public	Myself	Support	No
Berner Roberta	A Member of the Public	Myself	Support	No
Mennella Alexandra	A Member of the Public	Myself	Oppose	No
Toland Maris	A Member of the Public	Myself	Support	No
Whitney-Gill Gwen	A Member of the Public	Myself	Support	No
Walsh Natalie	A Member of the Public	Myself	Support	No
Daniels Amy	A Member of the Public	Myself	Support	No
Sykes George	An Elected Official	Myself	Support	No
Watters Senator David	An Elected Official	Myself (SD 4)	Support	No
Fordey Nicole	A Member of the Public	Myself	Support	No
Gorhan Jessica	A Member of the Public	Greater Nashua Food Council	Support	No
QUIROGA LARA	A Member of the Public	Myself	Support	No
Burchett Catheryn	A Member of the Public	Myself	Support	No
Rosenwald Cindy	An Elected Official	SD 13	Support	No
Frank Nancy	A Member of the Public	Myself	Support	No

Testimony

Cameron Lapine

From: Alex <amennella1@protonmail.com>
Sent: Tuesday, February 2, 2021 8:39 PM
To: Cameron Lapine
Subject: SB104 Opposition

Hi Cameron,

Please oppose SB104, which establishes health workers in each of the state's regional health networks. This is excessive and comes at a high cost to taxpayers. We did not ask you for these new positions to be created. Please encourage the Department of Administrative Services to use their current resources and reallocate existing funds to run the regional health networks.

Respectfully,

Alexandra Mennella
17 Granite St. Hooksett, NH 03106
646-610-9858

Cameron Lapine

From: Lindsey A. Boisvert <Lindsey.Boisvert@newlondonhospital.org>
Sent: Tuesday, February 2, 2021 1:31 PM
To: Cameron Lapine
Subject: SB104 Testimony

Hi Cameron, I would like to submit the following testimony, it is unlikely that I will be available to speak at the time of the hearing, Please let me know if there is anything additional needed. Thanks!

Good Morning,

My name is Lindsey Boisvert and I am a community health worker. As a community health worker I support and assist patients in navigating often complex and inequitable healthcare and social service systems. As we well know, social determinants of Health impact the overall health of not only individuals but communities at large, Community Health workers help eliminate barriers to care and assist vulnerable populations in accessing the care and wrap around services they need. I would like to offer a brief real world example of this important work. The name of the individual and other identifiers have been removed to protect the individuals privacy.

A young woman is seeking primary care services at a rural critical access hospital. At the time of her visit she tells her provider that she is "sleeping where she can", she has no transportation but her mother was able to bring her to this visit today. The provider connects with the community health worker (CHW) imbedded in the primary care practice, that CHW is able to speak with the patient in person at the end of her visit, a brief screening for social determinant of health needs is conducted and the patient agrees to community based referrals to support her in the community where she lives, over an hour away. The CHW refers the young woman to care management through her Medicaid managed care organization, discusses the community mental health center a bus ride away from where the young woman stays frequently, and sits with the young woman while she places an initial call to the social security office to file for disability. Upon follow up by phone the young woman has connected with case management through her MCO and because of this is able to access a drop in center for homeless and at risk youth, she meets with an outreach worker who helps her complete housing applications, and access hygiene products, clothing and food. The young woman is connected with a program to help her complete her GED and receive rides to the needed classes for this. The young woman schedules and completes her intake with the local mental health center as well as creates follow up visits she has transportation to through her MCO or local transportation. This young woman now has access to wrap around services in her community that she knows are available to support her, she has decreased her use of the local emergency room for needs related to homelessness and mental health crisis. The CHW and her now assembled support team continue to support the young woman as she works towards both health and social goals.

A community health worker is a bridge. We help patients and clients navigate systems which they may otherwise be unable to. In the example I have offered a CHW was able to quickly and effectively work with the patient to access needed services, without this imbedded support the patient may have struggled to access support or potentially been unable to access supports at all. The patient was able to establish self-directed goals and build self-efficacy. Community health workers are vital to Community health and wellbeing, I encourage you to review and approve funding for these vital public health positions.

Be Well,

Lindsey A. Boisvert

Community Health Worker

Pronouns: She/Her/Hers

New London Hospital Medical Group

273 County Road, New London NH 03257
Phone: 603-526-5031, Mobile: 603-748-3479
Lindsey.Boisvert@newlondonhospital.org

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Cameron Lapine

From: Maris K. Toland <Maris.K.Toland@hitchcock.org>
Sent: Wednesday, February 3, 2021 12:17 PM
To: Cameron Lapine
Subject: In support of SB104

Dear Mr. Lapine,

I am writing in support of SB104. As a resident physician in Obstetrics and Gynecology, I work closely with allocated community health workers. My patients have better access to resources, psychosocial benefit, less food insecurity, and overall access to crucial support. I work with high risk patients who have limited resources to basic needs and for those patients, this support provided by community health workers is vital to their care. So much of health care is about access to basic resources and funding for community health workers is a way that we can improve access for those communities at the highest risk. This in turn will decrease statewide health inequities and improve health outcomes in the long term. This bill is important for improving the health of New Hampshire residents.

Thank you for considering this important action to help my patients,

Maris K. Toland, MD, PGY2
Dartmouth-Hitchcock Medical Center
Department of Obstetrics and Gynecology
Maris.k.toland@hitchcock.org

IMPORTANT NOTICE REGARDING THIS ELECTRONIC MESSAGE:

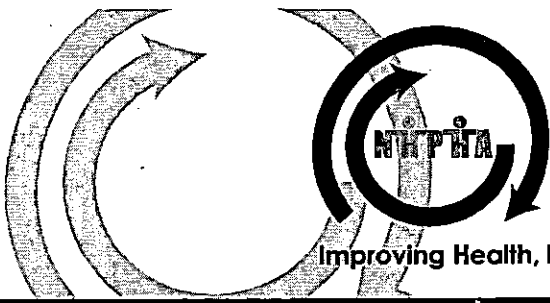
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DRAFT AMENDMENT TO SB 104 – PART I

Amend RSA 94:1-f VI to read as follows:

94:1-f Health and Human Services Review; Certain Unclassified Employees. –

VI. All reviews and recommendations shall be completed no later than ~~[4]~~ 7 years from the effective date of this section. The commissioner of the department of health and human services shall issue a progress report every 6 months from the effective date of this section to the fiscal committee of the general court until the process is completed.



NEW HAMPSHIRE PUBLIC HEALTH ASSOCIATION

Improving Health, Preventing Disease, Reducing Costs for All

4 Park Street, 4th Floor
Concord, NH 03301
603.228.2983 | info@nhpha.org
www.nhpha.org

The Honorable Chair, Sharon Carson
Executive Departments and Administration

February 3, 2021

Re: SB 104-FN-A adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers

Honorable Chair and Committee Members,

My name is Joan Ascheim, and I recently retired from the position of Executive Director of the New Hampshire Public Health Association (NHPHA). We are a statewide membership organization composed of over 200 health care and public health professionals. For the last 25 years, we have advocated for policies that improve the health of New Hampshire's people.

Today we submit this testimony on behalf of our members and partners in support of SB 104 as it relates to community health workers. The deployment of community health workers across communities in the state was a recommendation from the Governor's COVID-19 Equity Response Team report published in July 2020. A community health worker is a frontline public health worker who is a trusted member with an intimate understanding of the community they serve. This trusting relationship enables the worker to serve as a liaison or intermediary between health/social services and the community to facilitate access to services and improve the quality and cultural competence of service delivery.¹

There is a large body of research now gathered over the last 50 years relative to community health worker effectiveness in improving health outcomes, reducing health care costs, and bridging gaps in health disparities. A recent case-controlled study found that when community health workers addressed the needs of disadvantaged people in the Medicaid program a return of \$2.47 was realized for each dollar spent. Total savings for the 150 people served for that year was \$1.4 million. This legislation would fulfill the recommendation from the governor's COVID-19 Equity Response Team report by placing a community health worker in each of the 13 public health networks with an investment of \$600,000 per year.

The NHPHA, in partnership with the New Hampshire Department of Health and Human Services' (DHHS) Office of Health Equity and Division of Public Health Services, has co-convened the New Hampshire COVID-19 Equity Task Force since March 2020. The task force is a collective of close to 60 individuals and organizations across NH representing multiple sectors and communities who have come together to address issues of equity arising from the COVID-19 pandemic and response. Throughout our work, we have heard of the need to communicate to vulnerable populations in their own language relative to COVID-19, including how to protect oneself, how to get tested, and, now, why it's important to be vaccinated. Families need help accessing resources such as food, housing, unemployment, transportation and health care. Community health workers would be a tremendous asset to help those who have been

¹ American Public Health Association Community Health Worker Definition: <https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2015/01/28/14/15/support-for-community-health-worker-leadership>

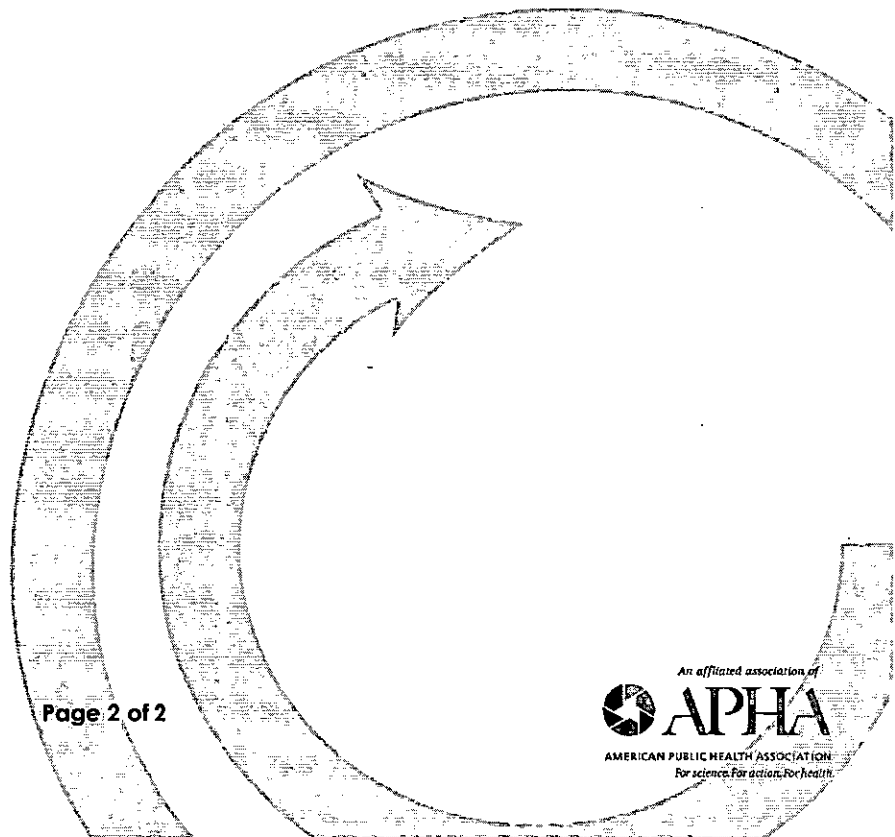
2018 Affiliate of the Year of the American Public Health Association

so greatly affected by the pandemic. But going forward, they can help those most in need maintain healthy lifestyles, access resources, and realize better health outcomes.

I urge you to pass this bill and support the appropriation for these critical health workers to improve the health of our vulnerable friends and neighbors with the potential of saving money at the same time.

Most sincerely,

Joan H. Ascheim, MSN
New Hampshire Public Health Association
Email: jascheim2@gmail.com
www.nhpha.org



Dear Senate Committee Members:

My name is Paula Smith and I am writing in support of SB 104 that proposes embedding community health workers (CHWs) within the public health networks. As the Contract Administrator for the Seacoast Public Health Network, I see the value of having CHWs on staff to promote our Community Health Improvement Plan. CHWs conduct outreach in the community and are able to help people navigate the health care system. They develop trusting relationships with vulnerable populations and use peer education to support them in the quest for better health. CHWs would help us to engage with communities in the continuum of care of substance misuse prevention, treatment and recovery, promote childhood lead poisoning prevention activities, and act as liaisons to support our work with children and families. In addition, CHWs can play a pivotal role in addressing vaccine hesitancy as our Public Health Emergency Preparedness Manager seeks to reach populations with COVID19 vaccine.

In addition to my role with the Seacoast Public Health Network, I have been the Director of the Southern New Hampshire Area Health Education Center (SNHAHEC), for the past 23 years. I have worked on promoting CHWs as part of the health care workforce in NH since 2005. We established the first CHW training program in NH in 2013 and partnered with others in NH to found the NH CHW Coalition in 2015. I am currently on the CHW Coalition Certification Subcommittee where we are working to promote certification of CHWs in NH. We continue to promote professional development of CHWs and provide technical assistance to organizations hiring CHWs. CHWs are key members of the health care workforce as they work to address the social determinants of health such as housing, social connectedness, food insecurity and access to health care. There is much research evidence about the quality and cost effectiveness of CHWs in promoting lifestyle changes, managing chronic illness, advancing health screening and connecting people to health, behavioral health and dental care. I have included some references below.

I support this bill and am available for additional questions. I can be reached at psmith@snhahec.org.

Respectfully, Paula Smith, Londonderry NH

References:

ASTHO <https://www.astho.org/Programs/Clinical-to-Community-Connections/Documents/CHW-Evidence-of-Effectiveness/>

Lohr, A.M., Ingram, M, Nunez, A.V, et al. (2018) Community-Clinical Linkages with Community Health Workers in the US: A Scoping Review. <https://journals.sagepub.com/doi/abs/10.1177/1524839918754868>

Swider, S. (2016). Outcome Effectiveness of Community Health Workers: An Integrative Literature Review. *Public Health Nursing*. V19(1) 11-20. <https://pdfs.semanticscholar.org/5690/7fb77b16a898803004452fad1a7b20540730.pdf>

Anna J. Thomas, MPH
Public Health Director

Phillip J. Alexakos, MPH, REHS
Chief Operations Officer

Jaime L. Hoebeke, MPH, MCHES
Chief Strategy Officer



BOARD OF HEALTH

Reverend Richard D. Clegg
Stephanie P. Hewitt, MSN, FNP-BC
Robert G. Ross, DDS
Ellen Tourigny, MEd
Tanya A. Tupick, DO

CITY OF MANCHESTER
Health Department

February 2, 2021

RE: SB104 – Establishing the Position of Community Health Worker in each of the State's Regional Public Health Networks

Dear Honorable Members of the Senate Executive Departments and Administration Committee,

On behalf of the Manchester Health Department, I urge you to support SB104, An Act Adopting Omnibus Legislation Relative to the Classification of State Employee Positions, Reverse Auctions, and Community Health Workers. This legislation seeks to establish a Community Health Worker position in each of the state's 13 Public Health Regional Networks.

Community Health Workers (CHWs) are frontline public health workers who act as trusted liaisons between the communities they serve and health systems, broadly defined. This relationship enables CHWs to improve health outcomes and reduce health inequities by facilitating access to services, increasing health knowledge and promoting self-sufficiency through a range of supports and advocacy. As a local Public Health Department, we rely on their skills to ensure that our messages and services reach the most vulnerable populations within our City.

The Manchester Health Department has long been committed to the use of Community Health Workers to meet public health needs. Our Community Liaison was one of the first CHWs to complete training in the State of New Hampshire, more than 7 years ago. We partner with CHWs from Amoskeag Health to support families in our two Community Schools, Gossler Park and Beech Street. Moreover, we recently advocated for a new job classification for Community Health Workers within the City of Manchester's employment structure to bolster the Department's use of these positions more directly.

Over the past year, CHWs have assisted in providing basic needs assistance (food, masks, cleaning supplies and other needs) to more than 1,000 Manchester residents and families who were either in isolation or quarantine due to COVID-19. Through our Community Schools, CHWs played critical roles in assisting families in accessing the technology and services needed to support remote schooling. Yet we know that there are communities with language, transportation and other barriers in Manchester who remain disconnected from healthcare and needed social services.

As part of a comprehensive approach to promoting equitable access to COVID-19 testing, vaccines and information, we are in the process of hiring four bilingual and bicultural CHWs who will be housed in our Neighborhood and Family Health Branch. Now more than ever, we need these roles to address the health and social disparities that have been amplified and compounded by the pandemic. As leaders of one of the state's Regional Public Health Networks, we hope to serve as a model for other Regions without local health departments in supporting the role of CHW as a fundamental tool in meeting public health needs. No corner of this state has been untouched by COVID-19 and all Regions need the tools necessary to address the impacts of this pandemic on the physical, social and emotional health of New Hampshire residents.

With your support of this bill, we can ensure that more families are able to access the services needed to build a healthy life for themselves and their families.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anna Thomas', written over a horizontal line.

Anna Thomas, MPH
Public Health Director

February 2, 2021

Bill Number: **SB 104-FN-A**

RE: Written Testimony

Dear New Hampshire Senators,

Thank you for taking the time to consider testimony from the community. Unfortunately, I am scheduled at a COVID vaccination clinic and am unable to testify in person regarding the value of Community Health Workers (CHW). As the Executive Director of the Partnership for Public Health which facilitates the Winnepesaukee Public Health Network, I wanted to make you aware of the positive impact that Community Health Workers can have on our people's lives.

Just a year ago I relocated to New Hampshire from Florida where I had worked for twelve years at the Florida Department of Health in the Alachua County Health Department. When I began at the Health Department my duties were as a community health worker. I saw firsthand how educating, engaging and empowering others to navigate the mitigating factors of their health and wellbeing can transform not only their lives but the community. There is nothing as rewarding as assisting a 64-year-old mentally challenged homeless man with establishing a home and managing his healthcare in a safe environment; or assisting a 17-year-old chronic runaway in achieving his graduation certificate through a vocational training program. This not only provided personal satisfaction and individual empowerment, but it also reduced the burden these individuals placed on the community's resources by reducing hospital recidivism, legal interventions, and the less tangible impact of preventing compounding future issues.

I have done this type of work through individual case management from teenagers to senior citizens; in fields from healthcare to criminal justice; and as frontline staff to director. This is the value of Community Health Workers:

- they benefit the individual by stabilizing their situation,
- the community by improving the wellbeing of its residents,
- and the organizations and systems by effectively utilizing the mechanisms and supports that are in place to their fullest potential.

This can be demonstrated through one of the projects that I managed, data of young women in disparate neighborhoods showed a high incidence of low-birth-weight babies. This data was utilized to spur a CHW project. The Health Department began a project sending Community Health Workers to the neighborhood to educate, inform, and set appointments for the young women at the Female Health Clinic. The areas that the CHWs provided this service had a decrease in low-birth-weight babies within five years of the project's initiation. The CHWs also assisted the women in applying for health care coverage which provided a revenue stream for the clinic as well as sustainability for the CHWs, and of course the less tangible outcomes of reduced future complications of children born with low birth weights.

Through these experiences the undeniable value of Community Health Workers can be seen from the perspective of the individual level to the community level to the systems level. It is very exciting to learn that this asset is being considered as an addition for the Public Health Networks of New Hampshire. Thank you for your time, consideration, and attention to this matter.

Sincerely,

Tammy Carmichael, Executive Director
Partnership for Public Health
67 Water St, Suite 105, Laconia, NH 03246
Tel (603) 707- 5852



**Partnership for
Public Health**

Voting Sheets

**Senate Executive Departments and
Administration Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill # SB 104-FN-A

Hearing date: 2-3-21

Executive Session date: 2-3-21

Motion of: Amendment 0209s Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPA Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Reagan

Notes: _____

Senate Finance Committee

EXECUTIVE SESSION

Bill # SB 104-FN-A

Hearing date: N/A

Executive session date: 03/02/21

Motion of: MOV Admt 0574s

D'Allesandro - Rosenwald

VOTE: 5-2

<u>Made by</u> Daniels <input type="checkbox"/>	<u>Seconded</u> Daniels <input type="checkbox"/>	<u>Reported</u> Daniels <input type="checkbox"/>
<u>Senator:</u> Reagan <input checked="" type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>
Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>
Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>
D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>
Morse <input type="checkbox"/>	Morse <input type="checkbox"/>	Morse <input type="checkbox"/>
Hennessey <input type="checkbox"/>	Hennessey <input checked="" type="checkbox"/>	Hennessey <input type="checkbox"/>

Motion of: OTPA

D'Allesandro - No
VOTE: 6-1

<u>Made by</u> Daniels <input type="checkbox"/>	<u>Seconded</u> Daniels <input type="checkbox"/>	<u>Reported</u> Daniels <input type="checkbox"/>
<u>Senator:</u> Reagan <input checked="" type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>	<u>by Senator:</u> Reagan <input type="checkbox"/>
Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>	Giuda <input type="checkbox"/>
Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>	Rosenwald <input type="checkbox"/>
D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>	D'Allesandro <input type="checkbox"/>
Morse <input type="checkbox"/>	Morse <input type="checkbox"/>	Morse <input type="checkbox"/>
Hennessey <input type="checkbox"/>	Hennessey <input checked="" type="checkbox"/>	Hennessey <input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Daniels, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Reagan, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Giuda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Hennessey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Rosenwald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Morse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator D'Allesandro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Amendments: _____

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Thursday, February 4, 2021

THE COMMITTEE ON Executive Departments and Administration

to which was referred **SB 104-FN-A**

AN ACT

adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 0217s

Senator John Reagan
For the Committee

This bill adopts legislation relative to, in Part I, the classification of certain state employee positions, as requested by the Joint Committee on Employee Classification, in Part II, reverse auctions, as requested by the Department of Administrative Services, and, in Part III, establishing the position of community health worker in each of the state's regional public health networks. Part I of SB 104-FN-A is part of a multi-year effort to review and refine the various classifications for State employees to ensure their title and pay scale match their duties. Part II of SB 104-FN-A is a request of the Department of Administrative Services to allow the use of online reverse auctions. Part III of SB 104-FN-A will expand the public health networks across New Hampshire by establishing, and appropriating for, a community health worker in each of the 13 regional public health networks. Part III of SB 104-FN-A is a recommendation of the Governor's COVID-19 Equity Response Team. The Committee Amendment to SB 104-FN-A will give the Department of Health and Human Services three additional years to conduct their review of classified employee positions, which was requested due to delays caused by the COVID-19 pandemic.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 104-FN-A, adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

Ought to Pass with Amendment, Vote 5-0.

Senator John Reagan for the committee.

This bill adopts legislation relative to, in Part I, the classification of certain state employee positions, as requested by the Joint Committee on Employee Classification, in Part II, reverse auctions, as requested by the Department of Administrative Services, and, in Part III, establishing the position of community health worker in each of the state's regional public health networks. Part I of SB 104-FN-A is part of a multi-year effort to review and refine the various classifications for State employees to ensure their title and pay scale match their duties. Part II of SB 104-FN-A is a request of the Department of Administrative Services to allow the use of online reverse auctions. Part III of SB 104-FN-A will expand the public health networks across New Hampshire by establishing, and appropriating for, a community health worker in each of the 13 regional public health networks. Part III of SB 104-FN-A is a recommendation of the Governor's COVID-19 Equity Response Team. The Committee Amendment to SB 104-FN-A will give the Department of Health and Human Services three additional years to conduct their review of classified employee positions, which was requested due to delays caused by the COVID-19 pandemic.

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Wednesday, March 3, 2021

THE COMMITTEE ON Finance

to which was referred **SB 104-FN-A**

AN ACT

adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and community health workers.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 6-1

AMENDMENT # 0597s

Senator John Reagan
For the Committee

Deb Martone 271-4980

General Court of New Hampshire - Bill Status System

Docket of SB104

Docket Abbreviations

Bill Title: (2nd New Title) adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and the organization of the department of administrative services.

Official Docket of SB104.:

Date	Body	Description
1/26/2021	S	Introduced 01/06/2021 and Referred to Executive Departments and Administration; SJ 3
1/27/2021	S	Remote Hearing: 02/03/2021, 09:40 am; Links to join the hearing can be found in the Senate Calendar; SC 9
2/4/2021	S	Committee Report: Ought to Pass with Amendment #2021-0217s , 02/11/2021; Vote 5-0; CC; SC 10
2/11/2021	S	Committee Amendment #2021-0217s , RC 23Y-1N, AA; 02/11/2021; SJ 4
2/11/2021	S	Ought to Pass with Amendment 2021-0217s, RC 23Y-1N, MA; Refer to Finance Rule 4-5; 02/11/2021; SJ 4
3/3/2021	S	Committee Report: Ought to Pass with Amendment #2021-0597s , 03/11/2021; SC 14
3/11/2021	S	Committee Amendment #2021-0597s , RC 14Y-10N, AA; 03/11/2021; SJ 7
3/11/2021	S	Ought to Pass with Amendment 2021-0597s, RC 23Y-1N, MA; 03/11/2021; SJ 7
3/11/2021	S	Sen. Soucy Moved Reconsideration on OTPA, RC 24Y-0N, MA; 03/11/2021; SJ 7
3/11/2021	S	Ought to Pass with Amendment 2021-0597s, RC 24Y-0N, MA; OT3rdg; 03/11/2021; SJ 7
3/17/2021	H	Introduced (in recess of) 02/25/2021 and referred to Executive Departments and Administration HJ 4 P. 50
4/21/2021	H	Public Hearing: 04/27/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/93185691814 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
4/28/2021	H	Subcommittee Work Session: 05/06/2021 01:00 pm Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/99880150800
5/10/2021	H	Subcommittee Work Session: 05/18/2021 09:45 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/97887037548
5/25/2021	H	Committee Report: Ought to Pass with Amendment #2021-1514h (Vote 18-0; CC) HC 26 P. 7
6/3/2021	H	Amendment #2021-1514h : AA VV 06/03/2021 HJ 8 P. 37
6/3/2021	H	Ought to Pass with Amendment 2021-1514h: MA VV 06/03/2021 HJ 8 P. 37
6/10/2021	S	Sen. Carson Moved Nonconcur with the House Amendment; Requests C of C, MA, VV; 06/10/2021; SJ 19
6/10/2021	S	

		President Appoints: Senators Reagan, Ricciardi, Prentiss; 06/10/2021; SJ 19
6/10/2021	H	House Accedes to Senate Request for CofC (Rep. McGuire): MA VV 06/10/2021 HJ 10 P. 16
6/10/2021	H	Speaker Appoints: Reps. S. Pearson, Santonastaso, Sytek, P. Schmidt 06/10/2021 HJ 10 P. 16
6/14/2021	H	Conferee Change: Rep. McGuire Replaces Rep. Sytek 06/10/2021 HJ 10 P. 22
6/15/2021	H	Conferee Change: Rep. Sytek Replaces Rep. S. Pearson (McGuire becomes first named) 06/10/2021 HJ 10 P. 23
6/16/2021	S	Committee of Conference Meeting: 06/16/2021, 08:30 am, Room 100, SH
6/17/2021	H	Conference Committee Report #2021-2005c Filed 06/10/2021; House Amendment
6/24/2021	H	Conference Committee Report 2021-2005c: Adopted, VV 06/24/2021
6/24/2021	S	Conference Committee Report #2021-2005c , Adopted, VV; 06/24/2021; SJ 20
7/20/2021	H	Enrolled Bill Amendment #2021-2079e : AA VV (in recess of) 06/24/2021
7/21/2021	S	Enrolled Bill Amendment #2021-2079e Adopted, VV, (In recess of 06/24/2021); SJ 20
7/28/2021	H	Enrolled (in recess of) 06/24/2021
7/28/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
8/16/2021	S	Signed by the Governor on 08/10/2021; Chapter 0202
8/16/2021	S	Part I Effective 10/09/2021
8/16/2021	S	Part II Effective 10/09/2021
8/16/2021	S	Part III Effective 07/01/2021

NH House

NH Senate

Other Referrals

June 16, 2021
2021-2005-CofC
05/10

1 Committee of Conference Report on SB 104-FN-A, adopting omnibus legislation relative to the
2 classification of state employee positions and reverse auctions.

3

4 Recommendation:

5 That the Senate recede from its position of nonconcurrency with the House amendment, and
6 concur with the House amendment, and

7 That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 104-FN-A, adopting omnibus
legislation relative to the classification of state employee positions and reverse auctions.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Reagan, Dist. 17

Rep. McGuire, Merr. 29

Sen. Ricciardi, Dist. 9

Rep. Santonastaso, Ches. 14

Sen. Prentiss, Dist. 5

Rep. Sytek, Rock. 8

Rep. P. Schmidt, Straf. 19

July 15, 2021
2021-2079-EBA
04/10

Enrolled Bill Amendment to SB 104-FN-A

The Committee on Enrolled Bills to which was referred SB 104-FN-A

AN ACT adopting omnibus legislation relative to the classification of state employee positions, reverse auctions, and the organization of the department of administrative services.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 104-FN-A

This enrolled bill amendment incorporates provisions enacted into law in HB 2-FN-A-LOCAL.

Enrolled Bill Amendment to SB 104-FN-A

Amend section 10 of Part III of the bill by replacing lines 2-3 with the following:

(4) Supervising the [~~activities and functions of the bureau of~~] planning and management functions of *the department under* RSA 21-I:12, II(a).

Amend section 11 of Part III of the bill by replacing lines 27-44 with the following:

(b) Include the following internal organizational units and functions:

(1) [~~A bureau of general services under the supervision of a classified administrator of general services who shall~~] Be responsible for the following *general service* functions, in accordance with applicable laws:

(A) Providing support services, including but not limited to, mailing and messenger services to state government.

(B) Providing for the general maintenance of state-owned buildings and grounds, except as otherwise provided by law.

ENROLLED BILL AMENDMENT TO SB 104-FN-A

- Page 2 -

(2) [~~A bureau of court facilities under the supervision of a classified administrator who shall~~] Be responsible for the following *court facility* functions, in accordance with applicable laws:

(A) Providing suitable court facilities for the conduct of all court sessions held within each judicial district and county, subject to the availability of appropriated funds, in accordance with RSA 490-B.

(B) Providing for the general maintenance of state-owned court buildings and grounds, except as otherwise provided by law.

~~[(C)]~~ (3) Be responsible for the department's functions relating to energy management, managed by such personnel as may be assigned by the commissioner.

~~[(D)]~~ (4) Be responsible for the department's support of facilities of the department of health and human services managed by such personnel as may be assigned by the commissioner.

Senate Inventory Checklist for Archives

Bill Number: SB 104-FN-A

Senate Committee: EOA

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

201 - amendment # 2095 ___ - amendment # _____
201 - amendment # 2173 ___ - amendment # _____

- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____
 ___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- Enrolled Bill Amendment(s)
- Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate ___ as amended by the house
 ___ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Cameron M. Tapine
 Committee Aide

7/16/21
 Date

Senate Clerk's Office [Signature]

Senate Inventory Checklist for Archives

Bill Number: SB 104-FN-A

Senate Committee: FINANCE 2ND COMMITTEE

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

N/A Hearing Sign-up sheet(s)

N/A Prepared testimony, presentations, & other submissions handed in at the public hearing

N/A Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 05745 ___ - amendment # _____

- amendment # 05975 ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s) 2079

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate

as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Deb Martone
Committee Aide

07/20/21
Date

Senate Clerk's Office [Signature]