

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Repeal. 2017, 155:7 relative to budget adjustments and class 027 transfers to the department
4 of information technology for fiscal year 2019, is repealed.

5 2 Department of Administrative Services; Debarment of Vendors. Amend the introductory
6 paragraph of RSA 21-I:11-c, I to read as follows:

7 I.(a) No individual or business entity shall [~~make a bid, proposal, or quotation in response~~
8 ~~to a request for~~] **be awarded a** bid, proposal, or quotation issued by the division of procurement
9 and support services if that individual or entity, or any of its subsidiaries, affiliates, or principal
10 officers:

11 3 Department of Administrative Services; Debarment of Vendors; Statement. Amend RSA 21-
12 I:11-c, I(b) to read as follows:

13 (b) All individuals or business entities submitting a bid, proposal, or quotation in
14 response to a request for a bid, proposal, or quotation issued by the division of procurement and
15 support services shall, as part of their response, provide [~~an affidavit signed under oath before a~~
16 ~~duly authorized notary public~~] **a statement signed under penalty of unsworn falsification as**
17 **set forth in RSA 641:3** that all conditions listed in subparagraphs (a)(1)-(10) have been met.
18 Failure to submit such [~~an affidavit or, should the affidavit be false or signed~~] **a statement, the**
19 **filing of a false statement, or the signing of the statement** by an unauthorized person, **shall**
20 **be reason for** the bid, proposal, or quotation [~~shall~~] **to be** [~~automatically~~] rejected and the resulting
21 contract, if any, shall be deemed to be in breach. The commissioner of the department of
22 administrative services shall adopt rules under RSA 541-A relative to the [~~affidavit~~] **statement**
23 required under this subparagraph.

24 4 Department of Administrative Services; Divisions. Amend the section heading of RSA 21-I:11
25 to read as follows:

26 21-I:11 [~~Division~~] **Divisions of Procurement and Support Services, Public Works Design**
27 **and Construction, and** Plant and Property [~~Management~~].

28 5 Department of Administrative Services; Director of Plant and Property. Amend the
29 introductory paragraph of RSA 21-I:11, I(c) to read as follows:

30 (c) The division of plant and property, which shall be under the supervision of [~~a~~
31 ~~classified administrator who~~] **an unclassified director of plant and property who shall be**
32 **qualified to hold that position by reason of education and experience and shall perform**

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1 *such duties as the commissioner from time to time may authorize. The director of plant*
2 *and property* shall be responsible for the following functions, in accordance with applicable law:

3 6 Director of Plant and Property; Salary; Funding; Effective Date.

4 I. The salary of the director of plant and property shall be determined after assessment and
5 review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position
6 which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action
7 and appointment of the director of plant and property, position number 10082 shall be abolished to
8 allow for the transition of this classified position with its available appropriations into the
9 unclassified position of director of plant and property. Funding shall be transferred into a new
10 expenditure class number 11, within accounting unit 01-14-14-141510-1440. The incumbent in the
11 abolished classified position shall be offered the opportunity to seek the commissioner's nomination
12 for the unclassified position of director of plant and property.

13 II. The amendment to RSA 21-I:11, I(c) by section 5 of this act shall take effect upon the
14 abolition of position number 10082 under paragraph I, as certified by the commissioner of
15 administrative services to the secretary of state and the director of legislative services.

16 7 Department of Administrative Services; Directors; Officers. Amend RSA 21-I:2, II to read as
17 follows:

18 II. The commissioner shall nominate for appointment by the governor, with the consent of
19 the council, each unclassified division director, the assistant commissioner, the deputy
20 commissioner, the internal auditor, the *director of financial data [manager] management*, the
21 *[manager] director* of *[risks] risk* and benefits, and the senior operational analyst. The
22 unclassified division directors, the assistant commissioner, the deputy commissioner, the internal
23 auditor, the *director of financial data [manager] management*, the *[manager] director* of *[risks]*
24 *risk* and benefits, and the senior operational analyst shall each serve for a term of 4 years.

25 8 Department of Administrative Services; Office of the Commissioner. RSA 21-I:4 is repealed
26 and reenacted to read as follows:

27 21-I:4 Office Established. There is hereby established an office of the commissioner consisting
28 of the following units:

29 I. State budget.

30 II. Internal audit.

31 III. Operational analysis.

32 IV. Cost containment.

33 9 Division of Financial Data Management. Amend RSA 21-I:5 to read as follows:

34 21-I:5 *Division of* Financial Data Management *[Unit]*. There is hereby established within the
35 *[office of the commissioner] department a division of* financial data management *[unit]* under the
36 supervision of an unclassified *director of financial data [manager] management* who shall be
37 responsible for the following functions in accordance with applicable laws:

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1 I. Providing coordination of all internal department financial information in order to assure
2 the compatibility, continuity and integrity of such information.

3 II. Assisting the commissioner with the planning, management and operation of all internal
4 department financial information systems.

5 III. Carrying on a continuing analytical research and planning program in the field of
6 governmental financial management in order to provide for the most effective and efficient
7 information management systems possible.

8 IV. Accomplishing data entry and control of information for all internal department
9 financial systems, and preparing and distributing reports generated from those systems.

10 V. Assisting department division directors by:

11 (a) Establishing and operating a financial information resource center for their use.

12 (b) Jointly monitoring state and federal fiscal legislation with the directors in order to
13 assure timely awareness of and compliance with new legislation.

14 VI. Assisting users of information and financial systems which are the responsibility of the
15 **division of** financial data management [~~unit~~].

16 10 Department of Administrative Services; Division of Risk and Benefits. Amend RSA 21-I:7-c
17 to read as follows:

18 21-I:7-c Risk [~~Management~~] **and Benefits**. There is established within the [~~office of the~~
19 ~~commissioner of administrative services a~~] **department a division of** risk [~~management unit~~] **and**
20 **benefits**, under the supervision of an unclassified [~~manager of risks~~] **director of risk** and benefits,
21 who shall be qualified to hold that position by reason of education and experience, and who shall
22 perform such duties as the commissioner from time to time may authorize. The functions of the
23 **division of** risk [~~management unit~~] **and benefits** shall be divided across the following bureaus:

24 I. The bureau of health and benefits, under the supervision of a classified administrator,
25 who shall be responsible for the following functions, in accordance with applicable law:

26 (a) Overseeing and administering the state employee and retiree group insurance
27 programs authorized by RSA 21-I:26 through RSA 21-I:36, in accordance with administrative rules
28 adopted pursuant to RSA 21-I:14, XIII.

29 (b) Coordinating the employee and retiree benefit programs administered through the
30 **division of** risk [~~management unit~~] **and benefits** with the benefits and programs offered through
31 the New Hampshire retirement system and the state's deferred compensation commission
32 established in RSA 101-B.

33 (c) Overseeing and administering all additional employee or retiree benefit programs
34 offered by the state, other than those related to the New Hampshire retirement system or the
35 state's deferred compensation commission established in RSA 101-B.

36 (d) Conducting ongoing studies of alternative financing methods and benefit offerings.

37 (e) To the extent deemed necessary by the [~~manager of risks~~] **director of risk** and

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1 benefits, creating for potential incorporation into the department of administrative services manual
2 of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains
3 procedures related to the bureau's functions, including but not limited to procedures relating to
4 employee and retiree benefits.

5 (f) Developing and monitoring insurance and third party administrator contracts
6 related to the state employee and retiree group insurance program in accordance with applicable
7 law, by:

8 (1) Developing bid specifications for insurance and third party administrator
9 contracts and ensuring bid specifications are in compliance with applicable collective bargaining
10 agreements.

11 (2) Negotiating final contract terms with the vendors awarded contracts through
12 the procurement process.

13 (3) Formalizing contract agreements.

14 (4) Monitoring contracts on an ongoing basis to ensure timely procurement,
15 renewals, amendments, updates, statutory compliance, and extensions.

16 (5) Ensuring that vendors comply with the requirements of contract agreements by:

17 (A) Implementing, monitoring, and enforcing performance guarantees.

18 (B) Receiving and analyzing state employee and retiree group insurance
19 utilization data and statistics.

20 (C) Monitoring Medicare issues to ensure compliance with federal law and
21 programs.

22 (g) Reviewing and making recommendations to the [~~manager of risks~~] **director of risk**
23 and benefits that are intended to ensure the proper operation and long term sustainability of the
24 bureau's programs.

25 (h) Implementing, overseeing, and administering employee wellness initiatives.

26 (i) Advising the [~~manager of risks~~] **director of risk** and benefits and, upon request, the
27 commissioner, the governor and executive council, the general court, the state retiree health plan
28 commission established in RSA 100-A:56, the joint legislative fiscal committee established in RSA
29 14:30-a, and other entities regarding employee and retiree benefits program.

30 (j) Ensuring that the bureau's programs are compliant with applicable state and federal
31 law.

32 (k) Monitoring agencies' activities for compliance with benefit program requirements.

33 II. The bureau of property, casualty, and workers' compensation, under the supervision of a
34 classified administrator, who shall be responsible for the following functions, in accordance with
35 applicable law:

36 (a) Overseeing and administering the state's workers' compensation program under
37 RSA 21-I:24 and RSA 21-I:25-a or other applicable law.

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1 (b) Identifying loss exposure for all state real and personal property and for personal
2 injury, except as otherwise provided by law, on a continuing basis.

3 (c) Identifying cost-effective means for protecting against various types of losses,
4 including self-funding, commercial insurance purchases, and risk assumption, and recommending
5 to the [~~manager of risks~~] **director of risk** and benefits actions to be taken through the budget
6 process, or other processes, to implement such means.

7 (d) After consultation with, and approval by the [~~manager of risks~~] **director of risk** and
8 benefits, purchasing liability insurance under a fleet policy covering the operation of state-owned
9 vehicles and motorboats, and such other insurance and surety bonds as any state department,
10 agency, or official may be legally authorized to secure, or required to furnish; provided that
11 approval shall not be granted for any such insurance or surety bonds unless the same have been
12 marketed and procured through a resident agent of an insurance company registered and licensed
13 to do business in this state. With the exception of any risk located outside the state, no such
14 insurance company or resident agent, personally or by another, shall allow, give, or pay, directly or
15 indirectly, to any nonresident agent or nonresident broker any part of the commission on the sale of
16 such insurance or surety bonds. The insurance commissioner may suspend or revoke the license of
17 any resident agent or insurance company violating the provisions hereof.

18 (e) Conducting ongoing studies of alternative financing methods and benefit offerings.

19 (f) Overseeing the state employee workers' compensation and commercial insurance
20 programs, by:

21 (1) Preparing bid specifications for commercial insurance and third party
22 administrator contracts related to workers' compensation and commercial insurance in accordance
23 with applicable law, and ensuring bid specifications are in compliance with collective bargaining
24 agreements.

25 (2) Negotiating final contract terms with the vendors awarded contracts through
26 the procurement process, formalizing contract agreements, and monitoring contracts on an ongoing
27 basis to ensure timely procurement, renewals, amendments, updates, statutory compliance, and
28 extensions.

29 (3) Managing claims payments and statistical data related to workers' compensation
30 and commercial insurance and ensuring vendors comply with the requirements of contract
31 agreements.

32 (4) Coordinating and developing processes and procedures related to the workers'
33 compensation and commercial insurance programs.

34 (5) Monitoring agencies' workers' compensation and commercial insurance activities
35 for compliance with requirements.

36 (g) To the extent deemed necessary by the [~~manager of risks~~] **director of risk** and
37 benefits, creating for potential incorporation into the department of administrative services manual

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1 of procedures described at RSA 21-I:14, I(b), a technical assistance manual or manuals that clearly
2 explains procedures related to the bureau's functions.

3 (h) Evaluating risks facing the state and developing and operating health, safety, loss
4 control, and risk reduction programs, in accordance with loss prevention guidelines adopted
5 pursuant to RSA 21-I:14, II.

6 (i) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk**
7 and benefits that are intended to ensure the proper operation and long term sustainability of the
8 bureau's programs.

9 (j) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the
10 commissioner, the governor and executive council, the general court, and other entities regarding
11 the bureau's programs.

12 (k) Ensuring that the bureau's programs are compliant with applicable state and
13 federal law.

14 III. The bureau of finance, under the supervision of a classified administrator, who shall be
15 responsible for the following functions, in accordance with applicable law:

16 (a) Managing claims payments, vendor payments, statistical data, and financial
17 reporting related to the risk management unit's responsibilities.

18 (b) Conducting ongoing studies of alternative financing methods and benefit offerings.

19 (c) To the extent deemed necessary by the ~~[manager of risks]~~ **director of risk** and
20 benefits, creating for potential incorporation into the department of administrative services manual
21 of procedures described at RSA 21-I:14, I(b), a technical assistance manual that clearly explains
22 procedures related to the bureau's functions.

23 (d) Establishing working rate tables for application to self-insured health benefit
24 programs, including by coordinating and reviewing actuarial projections, considering rate
25 alternatives and modeling, and developing full working rate tables.

26 (e) Reviewing and making recommendations to the ~~[manager of risks]~~ **director of risk**
27 and benefits that are intended to ensure the proper operation and long term sustainability of the
28 bureau's programs.

29 (f) Advising the ~~[manager of risks]~~ **director of risk** and benefits and, upon request, the
30 commissioner, the governor and executive council, the general court, and other entities regarding
31 the bureau's programs.

32 (g) Ensuring that the bureau's programs are compliant with applicable state and
33 federal law.

34 (h) Monitoring agencies' financial activities for compliance with financial requirements
35 of the state's health benefit program.

36 11 Department of Administrative Services; Reference Changed. Amend RSA 21-I:24, I to read
37 as follows:

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1 I. The commissioner of administrative services, through the department's *division of* risk
2 [~~management unit~~] *and benefits*, is hereby authorized to pay such sum or sums as may be awarded
3 under the provisions of RSA 281-A, and the expense of insurance and third party administrator
4 services providing managed care programs authorized by RSA 281-A:23-a and similar services
5 directly related to the provision and monitoring of workers' compensation benefits payable to state
6 employees.

7 12 Department of Administrative Services; Reference Changed. Amend RSA 21-I:25-a, to read
8 as follows:

9 21-I:25-a Procurement of Managed Care and Other Risk-Shifting Services. By following the
10 procedures of RSA 21-I:28, the commissioner of administrative services, through the department's
11 *division of* risk [~~management unit~~] *and benefits*, and after consultation with the governor and
12 council, may contract for or purchase insurance or third party administrator services providing
13 managed care program services and similar services directly related to the provision and
14 monitoring of workers' compensation benefits payable to state employees.

15 13 Department of Administrative Services; References Changed. Amend RSA 21-I:30-f to read
16 as follows:

17 21-I:30-f Administrative Cost of Certain Programs Administered by the *Division of* Risk
18 [~~Management Unit~~] *and Benefits*; Obligation of Employee. The *division of* risk [~~management~~
19 ~~unit~~] *and benefits* may use moneys in the employee benefit adjustment account, established under
20 RSA 9:17-c, for the purposes of paying the administrative fees for the dependent care assistance
21 program established under RSA 21-I:44-a and the medical and related expenses program
22 established under RSA 21-I:44-b. The *division of* risk [~~management unit~~] *and benefits* may also
23 use such moneys in the event money must be paid to the contracting party in advance to cover the
24 employee's medical expenses, when the employee has not contributed all of such costs from payroll
25 deductions, provided that the employee benefit adjustment account shall be repaid when the
26 employee fulfills his or her obligation.

27 14 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-a, to read
28 as follows:

29 21-I:44-a Dependent Care Assistance Program Established. There is established a dependent
30 care assistance program to be administered by the *division of* risk [~~management unit~~] *and*
31 *benefits* of the department of administrative services with the assistance of the division of
32 accounting services of the department of administrative services and the treasury department.
33 Under this program, an employee may have a certain amount of his or her salary withheld, before
34 taxes, for the purpose of day care expenses.

35 15 Department of Administrative Services; Reference Changed. Amend RSA 21-I:44-b, to read
36 as follows:

37 21-I:44-b Medical and Related Expenses Program Established. There is established a medical

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1 related expenses program to be administered by the **division of risk** [~~management unit~~] **and**
2 **benefits** of the department of administrative services with the assistance of the division of
3 accounting services of the department of administrative services and the treasury department.
4 Under this program, an employee may have a certain amount of his or her salary withheld, before
5 taxes, for the purpose of medical expenses.

6 16 State Agency Insurance; Reference Changed. Amend RSA 9:27 to read as follows:

7 9:27 Insurance.

8 [~~I.~~] Any agency or department of the state may, with the approval of the governor and
9 council and within the limits of its appropriation, secure casualty or liability insurance on any
10 property owned by the state or in connection with any program or activity of the state; provided,
11 however, that all such purchases shall first be reviewed and approved by the **division of risk**
12 [~~management unit~~] **and benefits** of the department of administrative services and that any
13 insurance specifically required by law shall be carried.

14 [~~II. All casualty or liability insurance secured by an agency or department and in effect on~~
15 ~~July 1, 2017, shall be reported to the risk management unit by September 1, 2017.]~~

16 17 Health and Human Services; Reference Changed. Amend RSA 161:4, III to read as follows:

17 III. Liability Insurance. The commissioner of the department of health and human services
18 or designee shall have the authority, after consultation with the insurance department and the
19 **division of risk** [~~management unit~~] **and benefits**, and in accordance with the procedures
20 established by the commissioner of administrative services under RSA 21-I:7-c, V, to purchase
21 personal liability coverage for individuals providing care to adults receiving assistance from the
22 department of health and human services who reside in certified residential care facilities. The
23 amount and nature of this insurance coverage may vary in the discretion of the commissioner of
24 administrative services.

25 18 Services for Youth and Families; Reference Changed. Amend RSA 170-G:3, VI to read as
26 follows:

27 VI. The commissioner shall have authority, after consultation with the insurance
28 department and the **division of risk** [~~management unit~~] **and benefits**, and in accordance with the
29 procedures established by the commissioner of administrative services under RSA 21-I:7-c, V, to
30 purchase insurance coverage for the benefit of individuals providing foster care to children within
31 the jurisdiction of the department. The amount and nature of this insurance coverage may vary in
32 the discretion of the commissioner of administrative services.

33 19 Services for Youth and Families; References Changed. Amend RSA 170-G:3, VII(b) and (c)
34 to read as follows:

35 (b) No payment shall be made under subparagraph (a)(1) or (2) unless the department
36 investigates the claim and the commissioner, or the commissioner's designee, recommends to the
37 **division of risk** [~~management unit~~] **and benefits** that the claim, or some portion of the claim, be

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1 paid. If the **division of risk** [~~management unit~~] **and benefits** determines that the claim meets the
2 requirements of this paragraph and is reasonable in amount, the commissioner of administrative
3 services, or the commissioner's designee, shall authorize such payment.

4 (c) No payment shall be made under subparagraph (a)(3) unless the department
5 investigates the claim and the commissioner, or the commissioner's designee determines the foster
6 parent did not act intentionally, willfully or recklessly, and recommends to the **division of risk**
7 [~~management unit~~] **and benefits** that the claim, or some portion of the claim, be paid. If the
8 **division of risk** [~~management unit~~] **and benefits** determines that the claim meets the
9 requirements of this subparagraph, the attorney general shall be notified and shall select a
10 qualified attorney to provide legal representation and defense to the claimant subject to the dollar
11 limitations of subparagraph (a)(3), the recommendations of the **division of risk** [~~management unit~~]
12 **and benefits**, and the attorney general's own experience and expertise. The commissioner of
13 administrative services, or the commissioner's designee, shall authorize payment of such amounts
14 as are approved by the attorney general.

15 20 University System; References Changed. Amend RSA 187-A:43, VI-VII, to read as follows:

16 VI. Cost analysis, including costs associated with the **division of risk** [~~management unit~~]
17 **and benefits** staff, shall be paid for by the university system. The university system shall pay all
18 associated costs of transferring data into the state group health insurance plan and all costs
19 associated with data collection, data manipulation associated with transferring from one plan to
20 another, and costs of university system changes, including staff costs.

21 VII. The university system shall provide to the **division of risk** [~~management unit~~] **and**
22 **benefits** a file of medical and pharmaceutical claims for the previous 2 years which shall not
23 contain any personally identifiable information.

24 21 Community College System; References Changed. Amend RSA 188-F:68, VI-VII, to read as
25 follows:

26 VI. Cost analysis, including costs associated with the **division of risk** [~~management unit~~]
27 **and benefits** staff, shall be paid for by the community college system. The community college
28 system shall pay all associated costs of transferring data into the state group health insurance plan
29 and all costs associated with data collection, data manipulation associated with transferring from
30 one plan to another, and costs of system changes, including staff costs.

31 VII. The community college system shall provide to the **division of risk** [~~management unit~~]
32 **and benefits** a file of medical and pharmaceutical claims for the previous 2 years which shall not
33 contain any personally identifiable information.

34 22 Board of Claims; Reference Changed. Amend RSA 541-B:11-A to read as follows:

35 541-B:11-a Annual Report. The secretary of state shall provide annually to the **division of risk**
36 [~~management unit~~] **and benefits** a copy of the annual report for the board.

37 23 Salaries; Unclassified State Officers. Amend the following positions in RSA 94:1-a, I(b),

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1 salary grade HH, to read as follows:

2 HH Department of administrative services [~~manager of risks~~] **director of risk** and benefits

3 HH Department of administrative services **director of** financial data [~~manager~~] **management**

4 24 Department of Administrative Services; Intent of Amendment of Risk Management Unit;
5 Continuation of Operations. The amendment to the title of the risk management unit to the
6 division of risk and benefits is not intended to alter the underlying functions, authorities, or
7 personnel of the existing unit or its manager, or the compensation of any existing employee. The
8 division of risk and benefits shall perform all duties previously performed by the risk management
9 unit and the director of the division of risk and benefits shall perform all duties and functions
10 previously performed by the manager of risks. Any and all documents entered into by the risk
11 management unit or any of its subunits, including but not limited to contracts, agreements,
12 requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall
13 be construed to apply to, and shall be deemed to be the action of, the division of risk and benefits.

14 25 Department of Administrative Services; Intent of Amendment of Title of the Manager of
15 Risks; Continuation of Salary and Functions. The unclassified employee serving as the manager of
16 risks prior to the effective date of this section shall, barring resignation or removal from office, be
17 deemed the director of the division of risk and benefits for the remainder of his or her existing term
18 as the manager of risks and benefits. The salary of the director of the division of risk and benefits
19 shall be that allocated in RSA 94:1-a, I(b) to the manager of risks and benefits.

20 26 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating
21 to Risk Management. All provisions of law that remain in effect and refer to the department of
22 administrative services' risk management unit shall be construed so as to apply to the division of
23 risk and benefits. All powers, duties, and obligations of the risk management unit, and all bureaus
24 or other subunits within the unit, shall be transferred to the division of risk and benefits and its
25 subunits without interruption or delay on the effective date of this section. The transfer shall
26 include, but not be limited to, all personnel, equipment, and funding of the former risk management
27 unit and its subunits. The department of administrative services may make such changes to the
28 accounting structure and budgetary allocations for the biennium ending June 30, 2021 as it
29 concludes are necessary or appropriate to effectuate and accommodate the changes made to the
30 department by this act.

31 27 Department of Administrative Services; Intent of Amendment of Financial Data
32 Management Unit; Continuation of Operations. The alteration of the title of the financial data
33 management unit to the division of financial data management is not intended to alter the
34 underlying functions, authorities, or personnel of the existing unit or its manager, or the
35 compensation of any existing employee. The division of financial data management shall perform
36 all duties previously performed by the financial data management unit and the director of the
37 division of financial data management shall perform all duties and function previously performed

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1 by the financial data manager. Any and all documents entered into by the financial data
2 management unit or any of its subunits, including but not limited to contracts, agreements,
3 requests for proposals, requests for bids, requests for quotes, purchase orders, and other items shall
4 be construed to apply to, and be deemed to be the action of, the division of financial data
5 management.

6 28 Department of Administrative Services; Intent of Amendment of Title of the Financial Data
7 Manager; Continuation of Salary and Functions. The unclassified employee serving as the financial
8 data manager as of the effective date of this section shall, barring resignation or removal from
9 office, be deemed the director of the division of financial data management for the remainder of his
10 or her existing term as the financial data manager. The salary of the director of the division of
11 financial data management shall be that allocated in RSA 94:1-a, I(b) to the financial data manager.

12 29 Department of Administrative Services; Continuation of Laws; Transfer of Duties Relating
13 to Financial Data Management. All provisions of law that remain in effect and refer to the
14 department of administrative services' financial data management unit shall be construed so as to
15 apply to the division of financial data management. All powers, duties, and obligations of the
16 financial data management unit, and all bureaus or other subunits within the unit, shall be
17 transferred to the division of financial data management and its subunits without interruption or
18 delay on the effective date of this section. The transfer shall include, but not be limited to, all
19 personnel, equipment, and funding of the former financial data management unit and its subunits.
20 The department of administrative services may make such changes to the accounting structure and
21 budgetary allocations for the biennium ending June 30, 2021 as it concludes are necessary or
22 appropriate to effectuate and accommodate the changes made to the department by this act.

23 30 Department of Administrative Services; Consolidation of Human Resources and Payroll
24 Functions.

25 I. Notwithstanding any law or administrative rule to the contrary, the commissioner of
26 administrative services, with the prior approval of the fiscal committee of the general court and the
27 governor and council, may make such transfers of appropriation items and changes in allocations of
28 funds available for operational purposes to the department of administrative services from any
29 other agency necessary to effectuate the efficient consolidation or deconsolidation of human
30 resources, payroll and business processing functions within state government. Such business
31 processing functions shall include:

32 (a) Accounts receivable;

33 (b) Accounts payable;

34 (c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to
35 the state; and

36 (d) Such additional finance, accounting and other functions and transactions that the
37 commissioner of administrative services determines may potentially achieve substantial efficiencies

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1 from consolidation.

2 II. The commissioner of administrative services may establish the number of total
3 personnel required for human resources, payroll, and business processing functions in the executive
4 branch of state government and, with the prior approval of the governor and council, may eliminate
5 unnecessary positions and may transfer positions to or from the department of administrative
6 services to or from any other agency if the commissioner of administrative services concludes that
7 such transfers or eliminations are necessary to effectuate the efficient consolidation or
8 deconsolidation of human resources, payroll, or business processing functions within state
9 government. Such transfers may, if deemed appropriate by the commissioner of administrative
10 services, include the transfer of all associated books, papers, records, personnel files, and
11 equipment, including, but not limited to, work station and information technology equipment, and
12 may, if deemed appropriate by the commissioner of administrative services, include the transfer of
13 any unexpended appropriations for any of the foregoing, and any unexpended appropriations for
14 salary, payroll, benefits, support costs, or any other costs associated with the transferred personnel.
15 The department of administrative services may also establish new full-time temporary positions
16 within the department, if the commissioner of administrative services deems it necessary to
17 effectuate the efficient consolidation or deconsolidation of human resources, payroll, or business
18 processing functions.

19 III. The commissioner of administrative services may locate personnel whose positions have
20 been transferred in such work spaces as the commissioner determines will efficiently effectuate the
21 consolidation or deconsolidation of functions. Such work spaces may include either space currently
22 owned or rented by the state, or space which may be rented by the commissioner utilizing amounts
23 which may be saved by the state as the result of the consolidation or deconsolidation of functions.

24 IV. If the commissioner of administrative services consolidates, deconsolidates or, pursuant
25 to 2015, 276:2 or other law, has consolidated or deconsolidated, any human resources, payroll, or
26 business processing function and subsequently determines that such consolidation or
27 deconsolidation is not cost effective or beneficial to the interests of the state, the commissioner may,
28 with the prior approval of the fiscal committee of the general court, deconsolidate or reconsolidate,
29 fully or partially, any human resources, payroll, or business processing function within the
30 executive branch of state government. As part of a deconsolidation, the commissioner, after
31 consultation with the heads of such executive branch agencies as may be affected, shall determine
32 positions to be transferred to another agency, shall determine positions to be transferred elsewhere
33 within the department of administrative services, or shall determine positions to be eliminated.

34 V. Any unspent balance remaining of the \$250,000 appropriation made by 2011, 224:86 to
35 the department of administrative services for the biennium ending June 30, 2013, for the purpose of
36 selecting and retaining an independent business processing consultant to evaluate and make
37 recommendations relative to the consolidation of business processing functions within state

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1 government, shall not lapse until June 30, 2021. The department of administrative services may
2 use this balance to fund such projects, functions, or activities as the commissioner of administrative
3 services may direct relating to the efficiency of state government, including, but not limited to, the
4 selection and retention of an independent business processing consultant and/or other projects,
5 functions, or activities relating to the consolidation or deconsolidation of human resource, payroll
6 and business processing functions.

7 31 Department of Administrative Services; State Employee Health Plan; Application. The cost
8 sharing and plan design for unrepresented active state employees who participate in the health
9 plans offered by the state shall be the same as those for individuals covered by the collective
10 bargaining agreement between the state of New Hampshire and the State Employees' Association of
11 New Hampshire, Inc. The fiscal committee of the general court may approve changes to the above
12 plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan
13 designs for represented active state employees who participate in the health plans offered by the
14 state shall be in accordance with the provisions of the collective bargaining agreements between the
15 state and the employee organizations representing those employees.

16 32 Department of Administrative Services; Health Coverage Shared Responsibility. Agencies
17 may use funds in existing class 60 budgets to pay any penalties imposed under the employer shared
18 responsibility for health coverage under section 4980H of the Internal Revenue Code.

19 33 All Agencies; Administrative Services; Electronic Mail. Unless restricted by law or
20 administrative rule, upon request of an intended recipient, an agency may provide documents by
21 electronic mailing in lieu of mail.

22 34 Department of Administrative Services; Heating Systems Savings. Amend RSA 21-I:19-ff to
23 read as follows:

24 21-I:19-ff State Heating System Savings Account. There is hereby established the state heating
25 system savings account for the transfer of unexpended state heating system appropriations due to
26 reduced heating system costs resulting from the 26 state buildings served by the Concord Steam
27 project authorized in 2017, 2. Notwithstanding RSA 21-I:19-e, at the end of each state fiscal year,
28 the commissioner of administrative services shall identify the unexpended appropriations in the
29 accounts and class lines for the 26 state buildings served by the replacement of the Concord Steam
30 facility. The commissioner shall deposit such sums into the account established by this section.
31 Funds in the state heating system savings account shall be nonlapsing and appropriated to the
32 department of administrative services for the biennium ending June 30, 2019, *the biennium*
33 *ending June 30, 2021*, and the fiscal year ending [2020] *June 30, 2022* and may be used to pay
34 principal and interest on bonds and notes issued to fund the capital project for the heating of state
35 facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in
36 downtown Concord.

37 35 State Heating System Facilities. Any unspent balance remaining on the \$18,000,000

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1 appropriation made by 2017, 2 to the department of administrative services for the fiscal year
2 ending June 30, 2017, for the purpose of the purchase and replacement of all systems providing
3 heat to state facilities located at the Governor Hugh J. Gallen state office park and state-owned
4 buildings in downtown Concord that were obtaining steam from Concord Steam corporation, as well
5 as the decommissioning of the steam plant located at 105 Pleasant Street in Concord, including but
6 not limited to system design, construction, hazardous material remediation, and project
7 administration and management, as required, shall not lapse until June 30, 2020. As indicated in
8 2017, 2, this project shall be managed by the division of public works design and construction and
9 funds may be expended to fund any temporary personnel for the purpose of project administration,
10 management, or clerk of the works. The commissioner of the department of administrative services
11 is also authorized to employ a classified, full-time, permanent project manager in the division of
12 public works design and construction, whose initial salary and benefit cost shall be from funds
13 appropriated pursuant to 2017, 2. The governor is authorized to draw a warrant for said sum out of
14 any money in the treasury not otherwise appropriated, and said funds shall not lapse until June 30,
15 2020.

16 36 Department of Administrative Services; Funding and Staffing Resource Limitations.

17 I. Due to inadequate funding and staffing resources at the department of administrative
18 services, the commissioner of the department of administrative services may suspend the
19 obligations or requirements under RSA 21-I:7-c as it applies to addressing performance and
20 financial legislative budget assistant audit findings from 2006, 2011, and 2014 regarding
21 management of the employee and retiree health benefit program, including establishing rules and
22 operational policies for the program, for each fiscal year of the biennium ending June 30, 2021.

23 II. Due to inadequate funding and staffing resources at the department of administrative
24 services, the commissioner of the department of administrative services may suspend the following
25 requirements or obligations of the department for each fiscal year of the biennium ending June 30,
26 2021:

27 (a) The provisions relating to identification and implementation of energy efficiency
28 projects in compliance with the governor's executive order 2016-03.

29 (b) The provisions relating to data analysis and the development of performance metrics
30 for buildings and vehicles to monitor energy and water usage, use of fossil fuels, and greenhouse
31 gas emissions in compliance with governor's executive order 2016-03.

32 37 Department of Administrative Services; Establishment of Additional Surplus Fund. Amend
33 RSA 21-I:11, I, (a)(6)(B) to read as follows:

34 (B) Be maintained by the treasurer ~~as a~~ **in one of 2** separate, restricted ~~fund~~
35 **funds:**

36 (i) **The surplus distribution section administrative assessments fund,**
37 **into which shall be deposited funds received by the department by virtue of the disposition**

1 *of surplus property; and*

2 *(ii) The federal surplus food fund, into which shall be deposited*
3 *funds received by the department by virtue of the disposition of federal surplus food.*

4 38 Surplus Distribution Accounts. Amend RSA 6:12, I(b)(92) to read as follows:

5 (92) Moneys deposited in the 2 surplus ~~[distribution section administrative~~
6 ~~assessments fund]~~ *funds* under RSA 21-I:11, I(a)(6)(B):

7 *(A) The surplus distribution section administrative assessments fund;*
8 *and*

9 *(B) The federal surplus food fund.*

10 39 Department of Administrative Services; Fund Restrictions. Amend the introductory
11 paragraph of RSA 21-I:11-a, I to read as follows:

12 I. Expenditures from the funds established by RSA 21-I:11, I(a)(6)(B), shall be restricted to
13 defraying the following costs *of the respective programs* incurred as a result of transferring
14 donated commodities or surpluses from the consignee point of delivery or point of origin to the
15 ultimate point of consumption:

16 40 New Section; Department of Administrative Services; Building Maintenance Fund. Amend
17 RSA 21-I by inserting after section 11-c the following new section:

18 21-I:11-d Building Maintenance Fund. Each agency or branch for which the department of
19 administrative services is charged with providing building maintenance services pursuant to RSA
20 21-I:11, I(c), RSA 21-I:12, II(c), or other law, shall pay to the department an annual assessment of
21 50 cents per square foot of such space which the agency or branch occupies. The department of
22 administrative services may make transfers from appropriate agency accounts to address such
23 assessments. Collected amounts shall be deposited in the building maintenance fund, which shall
24 be nonlapsing and appropriated to the department of administrative services for the purposes of
25 covering costs associated with continuing maintenance of buildings, space, and other property
26 which it is charged with maintaining.

27 41 New Subparagraph; Application of Receipts; Building Maintenance Fund. Amend RSA 6:12,
28 I(b) by inserting after subparagraph (343) the following new subparagraph:

29 (344) Moneys deposited in the building maintenance fund established under RSA
30 21-I:11-d.

31 42 Judicial Appointments; Number Limited; Conversion Suspended.

32 I. For the biennium ending June 30, 2021, the number of judges serving on the superior
33 court shall not exceed 22 and the number of full-time judges serving on the circuit court shall not
34 exceed 35.

35 II. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time
36 judicial position, is hereby suspended for the biennium ending June 30, 2021.

37 43 Judicial Branch; Transfer Among Accounts and Classes. Notwithstanding any provision of

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1 law to the contrary, and subject to approval of the fiscal committee of the general court, for the
2 biennium ending June 30, 2021, the supreme court may transfer funds within and among all
3 accounting units within the judicial branch as the supreme court deems necessary and appropriate
4 to address budget reductions or to respond to changes in federal laws, regulations, or programs, and
5 otherwise as necessary for the efficient management of the judicial branch. If the supreme court
6 intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA
7 9:17-d, prior approval of the fiscal committee of the general court shall be required for transfers of
8 \$100,000 or more.

9 44 Department of Corrections; Transfer Authority. The following classes within the
10 department of corrections shall be exempt from the transfer restrictions in RSA 9:17-a, 9:17-c,
11 classes 10-personal services-perm classified, 11-personal services-unclassified, 12-personal services-
12 unclassified, 18-overtime, 19-holiday pay, 50-personal service-temp/appointed and 60-benefits. The
13 department may transfer funding in these classes within and among all accounting units provided
14 that any transfer shall require prior approval of the fiscal committee of the general court and
15 governor and council. The provisions of this paragraph shall remain in effect for the biennium
16 ending June 30, 2021.

17 45 New Section; Cost of Care Reimbursement Account Established. Amend RSA 622 by
18 inserting after section 58 the following new section:

19 622:58-a Cost of Care Reimbursement Fund Established. There is established the cost of care
20 reimbursement fund, which shall be administered by the commissioner of the department of
21 corrections. This fund shall be nonlapsing and continually appropriated to the commissioner for the
22 purpose of the general care of those persons under departmental control and upkeep of the prison
23 facilities including equipment. The commissioner shall deposit all funds received from the
24 department of justice as specified in RSA 622:58 into this fund.

25 46 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after
26 subparagraph (343) the following new subparagraph:

27 (344) Moneys deposited in the cost of care reimbursement fund under RSA 622:58-a.

28 47 Department of Corrections; Cost of Care Reimbursement Moneys. Amend RSA 622:58 to
29 read as follows:

30 622:58 Deposit of Recovered Moneys. All moneys recovered under this subdivision shall be
31 deposited in the ~~[general fund]~~ **cost of care reimbursement fund under RSA 622:58-a.**

32 48 Repeal. RSA 622:7-b, relative to victim's fund, is repealed.

33 49 Application of Receipts; Victims' Fund. Amend RSA 6:12, I(b)(23) to read as follows:

34 (23) The assessments collected under RSA 106-L:10 and 651:63, V ~~[and the~~
35 ~~surecharges on state commissary purchases under RSA 622:7-b designated for the victims' assistance~~
36 ~~fund which]~~ shall be credited to the victims' assistance fund until that fund exceeds \$900,000, at
37 which time moneys in excess of \$900,000 shall be credited to the general fund.

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1 50 Department of Corrections; Unclassified Position Established; Director of Nursing.

2 I. The unclassified position of director of nursing is hereby established in the department of
3 corrections and shall be qualified for that position by reason of education and experience and shall
4 be nominated by the commissioner of the department of corrections for the appointment by the
5 governor and the executive council, who shall serve at the pleasure of the commissioner. The
6 director of nursing shall oversee the uniform integration of nursing practice and care into the
7 comprehensive medical and behavioral health system operated by the department of corrections as
8 well as ensuring adherence of nurses to nursing practice laws, rules, standards, and policies. This
9 position shall also establish an organizational reporting structure to ensure that all nurses receive
10 adequate and appropriate supervision. Direct reports shall include the assistant nursing director
11 and all nurse coordinators.

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

15 III. Upon completion of this action and appointment of the position identified in paragraph
16 I, classified position #16287 shall be abolished to allow for the transition of this classified position
17 with its available appropriations into the new unclassified position. Funding shall be transferred
18 into expenditure class 011, within accounting unit 02-46-46-465010-8234. The incumbent in the
19 abolished classified position shall be offered the opportunity to seek the commissioner's nomination
20 for the unclassified director of nursing position.

21 51 Department of Corrections; Unclassified Positions Established.

22 I. The following positions are hereby established in the department of corrections and shall
23 be qualified for the position by reason of education and experience and shall be nominated by the
24 commissioner of corrections for appointment by the governor and council, who shall serve at the
25 pleasure of the commissioner. The chief pharmacist shall oversee the pharmacy unit and supervise
26 the pharmacist I-IV as well as perform such duties that the commissioner from time to time may
27 authorize:

- 28 (a) Department of corrections, chief pharmacist.
- 29 (b) Department of corrections, pharmacist I.
- 30 (c) Department of corrections, pharmacist II.
- 31 (d) Department of corrections, pharmacist III.
- 32 (e) Department of corrections, pharmacist IV.

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

36 III. Upon completion of this action and appointment of the positions identified in paragraph
37 I, the following positions shall be abolished to allow for the transition of these classified positions

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1 with their available appropriations into the unclassified positions. Funding shall be transferred
2 into expenditure class 011, within accounting unit 02-46-46-465010-8236. The incumbents in the
3 abolished classified positions shall be offered the opportunity to seek the commissioner's nomination
4 for the unclassified positions:

- 5 (a) Chief pharmacist #19851.
- 6 (b) Pharmacist #12997.
- 7 (c) Pharmacist #19553.
- 8 (d) Pharmacist #19848.
- 9 (e) Pharmacist #16290.

10 52 State Commission for Human Rights. Amend RSA 354-A:3, I to read as follows:

11 I. There is hereby created a commission to be known as the New Hampshire commission for
12 human rights, ***which shall be administratively attached to the department of justice***
13 ***pursuant to RSA 21-G:10***. Such commission shall consist of 7 members, who shall be appointed by
14 the governor, with the consent of the council, and one of whom shall be designated as chair by the
15 governor. The term of office of each member of the commission shall be for 5 years.

16 53 Boxing and Wrestling Commission. Amend RSA 285:2 to read as follows:

17 285:2 Establishment of Commission. There is hereby established a boxing and wrestling
18 commission which shall oversee amateur and professional fighting sports in the state. ***The***
19 ***commission shall be administratively attached to the department of state pursuant to RSA***
20 ***21-G:10***.

21 54 Annual Grant for Leased Space; Charter Schools. Amend the introductory paragraph of
22 RSA 198:15-hh, I to read as follows:

23 I. The amount of the annual grant for a lease to any school district duly organized, any city
24 maintaining a school department within its corporate organization, any cooperative school district
25 as defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-
26 A:1, shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred,
27 for the cost of leasing permanent space in a building or buildings not owned by the school district or
28 school administrative unit which is used for the operation of a high school vocational technical
29 education program, to the extent approved by the state board of education. For the purposes of this
30 section, the amount of the annual grant for a lease to a vocational technical education center shall
31 be calculated in the same manner as a cooperative school district. The amount of the annual grant
32 for a chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of
33 the annual lease payment incurred for the cost of leasing space; ***provided that no annual grant***
34 ***for leased space provided to a chartered public school in accordance with this section***
35 ***shall exceed \$30,000 in any fiscal year***. The total amount of grants to schools pursuant to this
36 section shall not exceed the state appropriation for leased space. If the amount appropriated is
37 insufficient therefor, the appropriation shall be prorated proportionally among the schools eligible

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1 for a grant. Such lease agreements shall be eligible for grants under this section, provided all of the
2 following conditions apply:

3 55 Meals and Rooms Tax; Distribution to Cities and Towns. For the fiscal years ending June
4 30, 2020 and June 30, 2021, the state treasurer shall fund the distribution of revenue to cities and
5 towns pursuant to the formula for determining the amount of revenue returnable to cities and
6 towns under RSA 78-A:26, I and II at no more than the amount of the fiscal year 2019 distribution.

7 56 Senior Volunteer Program; Suspension. RSA 161-F:40 and RSA 161-F:41, relative to the
8 senior volunteer program shall be suspended for the biennium ending June 30, 2021.

9 57 Congregate Housing; Suspension. RSA 161-F:37, relative to the administration of
10 congregate housing, shall be suspended for the biennium ending June 30, 2021.

11 58 Department of Health and Human Services; Social Services Block Grant Cost of Living
12 Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending
13 June 30, 2021, the department of health and human services shall raise the income eligibility for
14 elderly and adult clients under the social services block grant program each January, by the
15 percentage amount of the cost of living increase in social security benefits on a yearly basis provided
16 such amount is consistent with federal law and regulations relative to the social services block
17 grant income eligibility.

18 59 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to
19 read as follows:

20 II.(a) The total billings to all counties made pursuant to this section shall not exceed the
21 amounts set forth below for state fiscal years [~~2018-2019~~] **2020-2021**:

22 (1) State fiscal year [~~2018~~] **2020**, [~~\$117,573,000~~] **\$122,798,125**.

23 (2) State fiscal year [~~2019~~] **2021**, [~~\$119,925,000~~] **\$125,743,078**.

24 60 Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children;
25 Definitions. Amend RSA 167:6, VII to read as follows:

26 VII. For purposes hereof, a person shall be eligible for medical assistance as categorically
27 needy or as medically needy. A person shall be eligible as categorically needy if [~~he~~] **such person**
28 receives financial assistance under RSA 167:6, I, IV, V or VI, or is otherwise eligible to receive such
29 assistance but does not, **or is otherwise eligible, but does not due to receiving a finding of**
30 **clinical ineligibility for federal cash benefits under paragraph VI**. A person shall be eligible
31 as medically needy if [~~he~~] **such person** meets the categorical, age, and technical requirements
32 under RSA 167:6, I, IV, V or VI, and if his **or her** income and assets meet the standards as
33 prescribed for the medically needy program. A person shall also be eligible as categorically needy or
34 as medically needy who is eligible for medical assistance pursuant to the mandates of federal law or
35 regulation or pursuant to optional state coverage groups which are allowed by federal regulation
36 and defined by the commissioner of the department of health and human services in accordance
37 with rules adopted under RSA 541-A, but who does not receive assistance or would not be otherwise

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1 eligible to receive assistance under paragraph I, IV, V, or VI.

2 61 Prospective Repeal Regarding Eligibility for Services Extended. Amend 2011, 209:6, I, as
3 amended by 2013, 140:1, I, as amended by 2015, 276:41, I, as amended by 2017, 156:85, I to read as
4 follows:

5 I. Section 5 of this act shall take effect July 1, [~~2019~~] **2021**.

6 62 Department of Health and Human Services; Suspension of Direct and Indirect Graduate
7 Medical Education Payments. The commissioner of the department of health and human services
8 shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and
9 Medicaid Services to suspend the provision of direct and indirect graduate medical education
10 payments to hospitals as provided in 42 C.F.R. section 413.75 for the biennium ending June 30,
11 2021. Upon approval of the state plan amendment, and as of the effective date of the state plan
12 amendment, any obligations for payment of direct and indirect graduate medical education shall be
13 suspended for the biennium ending June 30, 2021.

14 63 Department of Health and Human Services; Public Safety and Welfare; Medicaid
15 Enhancement for Children and Pregnant Women. If the New Hampshire granite advantage health
16 care program established under RSA 126-AA is repealed effective December 31, 2023 or earlier, the
17 commissioner of the department of health and human services shall reinstate Medicaid coverage
18 and open enrollment for children and pregnant women under RSA 167:68. The commissioner of the
19 department of health and human services shall adopt rules, pursuant to RSA 541-A, to establish the
20 eligibility levels for Medicaid coverage under RSA 167:68 identical to the eligibility levels which
21 were in effect prior to the effective date of the New Hampshire granite advantage health care
22 program.

23 64 Health and Human Services; Suspension of Catastrophic Aid Payments to Hospitals. The
24 commissioner of the department of health and human services shall submit a Title XIX Medicaid
25 state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend
26 catastrophic aid payments to hospitals. Upon approval of the state plan amendment, and as of the
27 effective date of the state plan amendment, any obligations for catastrophic aid payments to
28 hospitals shall be suspended for the biennium ending June 30, 2021.

29 65 Department of Health and Human Services; Prospective Repeal Regarding the Exemption
30 from Certain Transfer Procedures Extended. Amend 2018, 163:11, IV to read as follows:

31 IV. Section 10 of this act shall take effect June 30, [~~2019~~] **2021**.

32 66 Department of Health and Human Services; Program Eligibility; Additional Revenues. For
33 the biennium ending June 30, 2021, the department of health and human services shall not
34 authorize, without prior consultation with the house health, human services and elderly affairs
35 committee and the senate health and human services committee and the approval of the fiscal
36 committee of the general court and governor and council, any change to program eligibility
37 standards or benefit levels that might be expected to increase or decrease enrollment in the

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1 program or increase expenditures from any source of funds; provided, however, that no such prior
2 approval shall be required if a change to a federal program in which the state is participating as of
3 the effective date of this section is required by federal law.

4 67 Appropriation; Department of Safety, Division of Fire Standards and Training and
5 Emergency Medical Services. There is hereby appropriated to the department of safety, division of
6 fire standards and training and emergency medical services, the sum of \$500,000, for the biennium
7 ending June 30, 2021, for the purpose of providing grants to local firefighters for medical
8 examinations conducted pursuant to RSA 281-A:17. The sum shall be a charge against the fire
9 standards and training and emergency medical services fund established pursuant to RSA 21-P:12-
10 d, and shall not lapse.

11 68 Commissioner of Health and Human Services; Quarterly Reports. During the biennium
12 ending June 30, 2021, the commissioner of health and human services shall make quarterly reports
13 to the governor, the speaker of the house of representatives, and the senate president on the status
14 of estimated Medicaid payments in relation to actual costs. Further contents of the such reports
15 shall be as specified by the governor.

16 69 Department of Health and Human Services; Unfunded Positions; Authorization.
17 Notwithstanding any other provision of law to the contrary, the department of health and human
18 services may fill unfunded positions during the biennium ending June 30, 2021, provided that the
19 total expenditure for such positions shall not exceed the amount appropriated for personnel
20 services.

21 70 Repeal. RSA 151-E:18, regarding presumptive eligibility for nursing facility services, is
22 repealed.

23 71 New Section; Department of Health and Human Services; Developmental Services;
24 Establishing Certain Funds and Transfers of Certain Appropriations. Amend RSA 171-A by
25 inserting after section 8-a the following new section:

26 171-A:8-b Establishing Certain Dedicated Funds and Transfers of Certain Appropriations.

27 I. There is hereby established the developmental services fund. The fund, from
28 appropriations provided in accounting unit 05-95-93-930010-7100, shall be used to carry out the
29 provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to
30 the commissioner for the purposes of this chapter.

31 II. There is hereby established the acquired brain disorder services fund. The fund, from
32 appropriations provided in accounting unit 05-95-93-930010-7016, shall be used to carry out the
33 provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to
34 the commissioner for the purposes of this chapter.

35 III. There is hereby established the in-home support waiver fund. The fund, from
36 appropriations provided in accounting unit 05-95-93-930010-7110, shall be used to carry out the
37 provisions of this chapter. The fund shall be nonlapsing and shall be continually appropriated to

1 the commissioner for the purposes of this chapter.

2 IV. The funds in paragraphs I through III shall only be transferred between these funds
3 and/or accounting units for those particular services for the purposes of this chapter.

4 72 New Subparagraphs; Department of Health and Human Services; Developmental Services;
5 Certain Accounts. Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new
6 subparagraphs:

7 (344) Moneys deposited in the developmental services fund established under RSA
8 171-A:8-b, I.

9 (344) Money deposited in the acquired brain disorder services fund established
10 under RSA 171-A:8-b, II.

11 (344) Money deposited in the in-home support waiver fund established under RSA
12 171-A:8-b, III.

13 73 Department of Health and Human Services; Transfer of Certain Trust Funds.

14 I. The trust established in *In Re: Laconia State School Trust Funds*, Docket Number 317-
15 2017-EQ-599 (6th Circuit-Probate Division-Concord) shall be dissolved upon the final distribution of
16 funds pursuant to the court order issued in that case.

17 II. Distributions shall be made from the trust to former residents of Laconia state school
18 pursuant to court order. When there are no longer any surviving former residents of Laconia state
19 school, any funds remaining in the trust shall be distributed to persons receiving services from the
20 state developmental services system, in accordance with the court order, until all of the funds in the
21 trust are fully expended.

22 74 Study Committee on Outdated Non-regulatory Boards, Commissions, Councils, and Advisory
23 Bodies.

24 I. There is hereby established a committee to review all non-regulatory boards,
25 commissions, councils, and advisory bodies which exist in statute to determine which such non-
26 regulatory boards, commissions, councils, and advisory bodies should be repealed.

27 II.(a) The committee shall be composed of 5 members as follows:

28 (1) Three members of the house of representatives, appointed by the speaker of the
29 house of representatives.

30 (2) Two members of the senate, appointed by the president of the senate.

31 (b) The governor shall appoint 2 persons who shall represent the executive branch and
32 shall serve as an advisory council to the members of the committee. The advisory council shall
33 advise and assist the members in the completion of the committee's duties.

34 III. Members of the committee shall receive mileage at the legislative rate when attending
35 to the duties of the committee. The first meeting of the committee shall be called no later than 30
36 days after the effective date of this section. The first-named house member shall call the first
37 meeting of the committee. Three members of the committee shall constitute a quorum.

1 IV. In determining which non-regulatory boards, commissions, councils, and advisory
2 bodies should be repealed, the committee shall consider the following:

- 3 (a) Frequency of meetings.
- 4 (b) Attendance records and the level of difficulty in achieving quorum for meetings.
- 5 (c) Whether there is duplication of purpose or activities.
- 6 (d) Any other factors which the committee deems relevant.

7 V. The committee shall report its findings and any recommendations for legislation,
8 including recommendations for repeal of non-regulatory boards, commissions, councils, or other
9 advisory bodies to the president of the senate, the speaker of the house of representatives, the
10 senate clerk, the house clerk, the governor, and the state library on or before November 1, 2019.

11 75 Department of Health and Human Services; Plan to Close the Cliff Effect for Individuals
12 and Families who Receive Public Benefits.

13 I. The purpose of this section is to coordinate poverty reduction strategies across agencies
14 and employers to provide necessary support mechanisms to ensure the long-term success for New
15 Hampshire's families and children for economic independence achieved through employment, and to
16 demonstrate successful outcomes for families and children for identifying supportive transitions
17 from public benefits to self-sufficiency while enhancing New Hampshire's workforce. Families
18 include parents, grandparents, caretaker relatives, and other individuals caring for children
19 acknowledging that the opioid crisis has impacted the care of New Hampshire's children.

20 II. In this section, "cliff effect" means the experience of individuals or families who receive
21 public benefits when new or increased income results in a reduction or loss of public benefits, but
22 the increased income does not fully compensate for or exceed the loss of public benefits. This results
23 in the individual and or family with less public benefits and an increase in out-of-pocket expenses
24 that eliminates any financial gain from the new or increased income.

25 III. The department of health and human services shall develop a plan to close the cliff
26 effect so New Hampshire individuals and families are afforded a full opportunity to participate in
27 the New Hampshire workforce. The plan shall include the development and implementation of a
28 "benefits cliff calculator" to measure the effect of increased income for individuals or families who
29 receive public benefits and shall include related policy options such as, but not limited to, an earned
30 income disregard, transportation accessibility, and incentives for employment retention based on an
31 updated economic analysis.

32 IV. No later than 30 days after the effective date of this section, the commissioner of the
33 department of health and human services shall convene a working group consisting, at a minimum
34 of, representatives of the following departments or agencies: the commissioner of the department of
35 employment security or designee, the commissioner of the department of education or designee, the
36 commissioner of the department of business and economic affairs or designee, the chancellor of the
37 community college system of New Hampshire or designee, the executive director of the New

1 Hampshire housing finance authority or designee, a representative of a philanthropic agency
2 appointed by the governor, a representative from a community action program appointed by the
3 governor, a private employer appointed by the governor, an individual who is receiving or who has
4 received public benefits appointed by the governor, a member of the house of representatives
5 appointed by the speaker of the house of representatives, and a member of the senate appointed by
6 the senate president.

7 V. The meetings of the working group shall be subject to RSA 91-A. The department, in
8 consultation with the working group, shall prepare a plan to close the cliff effect for individuals and
9 families receiving public benefits. The plan shall include, but not be limited to, policy change
10 recommendations, the development of a benefits cliff calculator which may be used by public and
11 private employers to navigate and close the cliff effect.

12 VI. The working group shall submit an initial report on the plan including policy
13 recommendations to the speaker of the house of representatives, the senate president, and the
14 governor on or before December 1, 2019, and quarterly thereafter for the remainder of the biennium
15 ending June 30, 2021.

16 VII. The sum of \$1 for the fiscal year ending June 30, 2020 and the sum of \$1 for the fiscal
17 year ending June 30, 2021 are hereby appropriated to the department of health and human services
18 for the purposes of developing and implementing the plan required in this section. The governor is
19 authorized to draw a warrant for said sums out of any money in the treasury not otherwise
20 appropriated.

21 76 Department of Health and Human Services; Plan for Patients Civilly Committed to the
22 Secure Psychiatric Unit.

23 I. The department of health and human services shall develop a plan for repurposing space
24 at the New Hampshire hospital made available by the transfer of certain children and by the
25 accelerated discharge of patients at that facility who no longer need a hospital level of care. The
26 plan shall consider renovation of all or part of the space to make it appropriate for persons now
27 housed at the secure psychiatric unit, along with necessary changes in clinical, security, and other
28 activities at New Hampshire hospital.

29 II. The plan shall be developed in consultation with the advisory council on patients civilly
30 committed to the secure psychiatric unit, established in RSA 622:52-a, and shall be completed no
31 later than June 1, 2020.

32 III. During the plan's development, the department shall review and consider the following:

33 (a) Other states that have facilities which simultaneously serve all categories of civilly
34 committed persons.

35 (b) Input from the attorney general, the commissioner of the department of
36 administrative services, advocacy organizations, professional associations, and the public.

37 77 New Section; Advisory Council on Patients Civilly Committed to the Secure Psychiatric

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1 Unit. Amend RSA 622 by inserting after section 52 the following new section:

2 622:52-a Advisory Council on Patients Civilly Committed to the Secure Psychiatric Unit.

3 I. There is hereby established an advisory council on patients civilly committed to the
4 secure psychiatric unit to assist the commissioner of the department of health and human services
5 with the planning necessary to end the practice of placing civilly committed persons at the secure
6 psychiatric unit. The members of the advisory council shall be:

7 (a) Five members of the house of representatives, appointed by the speaker of the house
8 of representatives.

9 (b) Two members of the senate, appointed by the senate president.

10 (c) The commissioner of the department of health and human services, or designee.

11 (d) The commissioner of the department of corrections, or designee.

12 (e) The director of medical and forensic services, department of corrections, or designee.

13 (f) The chief operating officer of the New Hampshire hospital, or designee.

14 (g) One member representing New Hampshire Legal Assistance, appointed by that
15 organization.

16 (h) One member of the American Civil Liberties Union of New Hampshire, appointed by
17 that organization.

18 (i) A representative of the National Alliance on Mental Illness New Hampshire,
19 appointed by such organization.

20 (j) A representative of the New Hampshire Psychiatric Society, appointed by the society.

21 (k) A representative of the New Hampshire Community Behavioral Health Association,
22 appointed by such organization.

23 (l) A representative of Advocates for Ethical Mental Health Treatment, appointed by
24 such organization.

25 (m) A representative of the Community Support Network, Inc, appointed by that
26 organization.

27 (n) Two members of the public, one of whom shall be a family member of a person who
28 was civilly committed to the secure psychiatric unit, appointed by the governor.

29 II. The advisory council shall assist the commissioner of the department of health and
30 human services in the development of plans for ending the practice of placing civilly committed
31 persons at the secure psychiatric unit pursuant to RSA 622:45.

32 III. Legislative members shall receive mileage at the legislative rate while attending to the
33 duties of the advisory council.

34 IV. The members of the advisory council shall elect a chairperson from among the
35 members. The first meeting of the advisory council shall be called by the first-named house
36 member. The first meeting of the advisory council shall be held within 30 days of the effective date
37 of this section. Nine members of the advisory council shall constitute a quorum.

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1 V. The advisory council shall submit an annual report on November 1 of each year,
2 commencing November 1, 2019, and a final report on November 1, 2022, detailing its activities and
3 findings, together with any recommendations for proposed legislation, to the speaker of the house of
4 representatives, the president of the senate, the chairpersons of the house criminal justice and
5 public safety and the health, human services and elderly affairs committees, the chairpersons of the
6 senate judiciary committee and the health and human services committee, the state library, and the
7 governor.

8 78 Repeal. RSA 622:52-a, relative to the advisory council on patients civilly committed to the
9 secure psychiatric unit, is repealed.

10 79 Revenue Sharing; Suspension. RSA 31-A, relative to revenue sharing with cities and towns
11 shall be suspended for the biennium ending June 30, 2021.

12 80 Liquor Commission; Processing of Merchant Cards. For the biennium ending June 30, 2021,
13 the liquor commission, for purposes of supporting merchant card activity, may:

14 I. Implement necessary business strategies in the event of a disaster or loss of services to
15 insure the continuity of the commission's business operations, including the processing of merchant
16 cards, which includes the ability to transfer funds from accounting unit 01-03-03-030010-7677 in
17 consultation with the commissioner of the department of information technology. The commissioner
18 shall report to the fiscal committee of the general court within 30 days any instances where it would
19 need to implement such business strategies, including any costs and loss of revenue associated with
20 the disaster or loss of services and the implementation of such business strategies.

21 II. Enter into contracts for technical and hosting services to support retail operations and
22 merchant card processing. The commission shall comply with RSA 176:18 for any contracts entered
23 into to support retail operations and merchant card processing.

24 III. Hire information technology technical support personnel to support its merchant card
25 activity and related technical support operations in retail stores.

26 81 Public Utilities Commission; Implementation of Energy Efficiency Resource Standard. For
27 the biennium ending June 30, 2021, the public utilities commission shall not expend any funding on
28 the implementation of an energy efficiency resource standard or change the system benefits charge
29 without prior approval of the fiscal committee of the general court, except as consistent with or
30 authorized by Order No. 25,932 issued by the public utilities commission, dated August 2, 2016.

31 82 Department of Education; Acceptance of Gifts. For the biennium ending June 30, 2021, the
32 department of education may, subject to the approval of the governor and council, accept gifts,
33 contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and
34 other organizations or institutions for the purpose of funding appropriations for New Hampshire
35 scholars made in accounting unit 06-56-56-562010-7534.

36 83 Repeal. RSA 78-A:26, I(b), relative to disposition of income from meals and rooms tax
37 revenue, is repealed.

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1 84 Application of Receipts. Amend RSA 6:12, I(b)(21) to read as follows:

2 (21) The money received under [~~RSA 78-A:26, I(b) and~~] RSA 230:52, II, which shall
3 be credited to the division of travel and tourism development, department of business and economic
4 affairs.

5 85 Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. Amend RSA 12-O
6 to insert after section 11-a the following new section:

7 12-O:11-b Division of Travel and Tourism Budget; Meals and Rooms Tax Revenue. The budget
8 of the division of travel and tourism, including the travel and tourism development fund established
9 by RSA 12-O:16, shall be funded at an amount no less than 3.15 percent of the net income identified
10 by RSA 78-A:26, I for the most recently completed fiscal year.

11 86 Integrated Land Development Permits; Procedure Suspended. Due to budgetary and
12 staffing constraints, RSA 489, establishing a procedure to obtain an integrated land development
13 permit from the department of environment services, is suspended for the biennium ending June
14 30, 2021.

15 87 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for
16 the biennium ending June 30, 2021, except for projects with a substantial completion date on or
17 before December 1, 2018, no state aid grants shall be made for any new infrastructure projects that
18 would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M.
19 Nothing in this section shall affect the provision of the future water supply land protection grants
20 under RSA 486-A if funding is available for such purposes.

21 88 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the biennium
22 ending June 30, 2021, the state shall reimburse the sheriff's office for court security at the rates
23 provided in the collective bargaining agreement applicable to per diem court security officers
24 employed by the judicial branch to attend any official business, for any person employed as a bailiff
25 by the sheriff's office.

26 89 Department of Health and Human Services; Foster Grandparent Program. The
27 reimbursements to the foster grandparent program through the senior volunteer grant program,
28 established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2021.

29 90 Treasury Department; Revenue Information Management System Account. Amend RSA 21-
30 J:1-b, II to read as follows:

31 II. The revenue increase from existing taxes attributable to the RIMS collected by the
32 department and deposited in the revenue information management system account shall be no
33 greater than \$4,000,000 each fiscal year beginning in the fiscal year ending June 30, [~~2022~~] **2020**,
34 and ending [~~in the fiscal year ending June 30, 2031~~] **when deposits total \$40,000,000**. The
35 commissioner shall report annually on the methodology used to determine the revenue increase to
36 the capital budget overview committee and house and senate ways and means committees.

37 91 Capital Appropriations. Amend the footnote to 2017, 228:1, XIX to read as follows:

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1 *To provide funds for the appropriations made in subparagraph A, the state treasurer is hereby
2 authorized to borrow upon the credit of the state not exceeding the sum of \$24,160,000 and for said
3 purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in
4 accordance with RSA 6-A. Payments of principal and interest on the bonds and notes for the
5 \$6,000,000 state appropriation shall be made from the general fund for fiscal years 2018, 2019,
6 2020, and 2021. Beginning with fiscal year 2022, payments of principal and interest on the bonds
7 and notes for the appropriation of \$24,160,000 shall be made from revenue credited to a revenue
8 information management system account established within RSA 21-J by legislation during the
9 2017 regular legislative session. [~~If no such dedicated fund for a revenue information management~~
10 ~~system account within RSA 21-J becomes law during the 2017 regular legislative session, the~~
11 ~~appropriation for the project shall be reduced to the \$6,000,000 of state funds authorized in~~
12 ~~subparagraph A with payments of principal and interest on the bonds and notes to be made from~~
13 ~~the general fund]~~ ***Notwithstanding the prescribed commencement of principal repayment***
14 ***from the revenue information management system replacement account, the repayment of***
15 ***principal from the general fund shall total \$6 million, plus interest.***

16 92 Department of Natural and Cultural Resources; Forest Lands. Amend RSA 227-G:5, I (b) to
17 read as follows:

18 (b) The forest management and protection fund shall be a nonlapsing fund administered
19 by the treasurer of the state of New Hampshire. The fund shall be expended at the discretion of the
20 director of the division and the commissioner. Any funds in excess of that appropriated from the
21 fund may be expended by the commissioner, with prior approval of the fiscal committee ***pursuant***
22 ***to RSA 9:16-a*** and governor and council, in accordance with RSA 227-G:5, I(a). Revenues shall be
23 derived from the proceeds of the sale of timber and other forest products from state-owned
24 forestlands, less 13 percent which shall be deposited into the general fund. Revenues shall also be
25 derived from the lease of state-owned forestlands, or billable services provided by the division of
26 forests and lands, if the revenues are not dedicated to any other purpose. Revenues for the fund
27 shall also be derived from administrative fines collected pursuant to RSA 227-J:1.

28 93 New Subparagraphs; Governor's Commission on Alcohol and Drug Abuse Prevention,
29 Treatment, and Recovery. Amend RSA 12-J:1, IV(a) by inserting after subparagraph (6) the
30 following new subparagraphs:

31 (7) A representative of the New Hampshire Hospital Association, appointed by the
32 association.

33 (8) A representative of the state's faith-based community.

34 94 Commission Member; Faith-Based Community. The governor's commission on alcohol and
35 drug abuse and prevention, treatment, and recovery under RSA 12-J shall convene a meeting of the
36 state's faith-based communities to include but not be restricted to the following representatives: the
37 Roman Catholic Diocese of Manchester, the Jewish Federation of New Hampshire, New Hampshire

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1 Council of Churches, New Hampshire Alliance, Islamic Society of New Hampshire, and Community
2 Interfaith Councils for representation from Non-Abrahamic religions. At the meeting of this group,
3 those attending shall choose a member to serve for a 3-year term on the commission as provided in
4 RSA 12-J:1, IV(a)(8).

5 95 New Chapter; Family and Medical Leave Insurance. Amend RSA by inserting after chapter
6 282-A the following new chapter:

7 CHAPTER 282-B

8 FAMILY AND MEDICAL LEAVE INSURANCE

9 282-B:1 Findings. The general court finds that family and medical leave insurance will help
10 New Hampshire attract and retain workers, including younger workers, will enable parents to bond
11 with biological, adopted, or foster children, will help meet the needs of an aging population, will
12 advance the health of New Hampshire's workforce and workplace stability, and will enhance worker
13 retention and productivity. The general court therefore finds that it is in the public interest to
14 establish a system of family and medical leave insurance (FMLI) with benefits to be provided to
15 qualified workers on a limited basis.

16 282-B:2 Definitions. In this chapter:

17 I. "Benefit year" means the 12-month period beginning with the first day of the calendar
18 week in which the individual next files an application for FMLI benefits after the expiration of the
19 individual's last preceding application year.

20 II. "Calendar quarter" has the same meaning as in RSA 282-A:5.

21 III. "Commissioner" means the commissioner of the department of employment security.

22 IV. "Department" means the department of employment security.

23 V. "Employer" has the same definition as relevant provisions of RSA 282-A:8, except as
24 provided in RSA 282-A:9.

25 VI. "Employment" means wages paid for services by an employer that is covered by this
26 chapter.

27 VII. "Family member" means a spouse or domestic partner under RSA 457, son, daughter,
28 parent, stepparent, grandparent, or step grandparent related through birth, marriage, adoption,
29 foster care, or legal guardianship.

30 VIII. "Family and medical leave" means leave from work:

31 (a) Because of the birth of a child of the employee, within the past 12 months; or

32 (b) Because of the placement of a child with the employee for adoption, legal
33 guardianship, or fostering, within the past 12 months; or

34 (c) Because of a serious health condition of a family member; or

35 (d) Because of a serious health condition of the employee that isn't related to
36 employment; or

37 (e) Because of any qualifying exigency arising from the foreign deployment with the

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1 Armed Forces, or to care for a service member with a serious injury or illness as permitted under
2 the federal Family and Medical Leave Act, 29 U.S.C. section 2612(a)(1)

3 IX. "FMLI" means family and medical leave insurance.

4 X. "Federal Family and Medical Leave Act" means the federal Family and Medical Leave
5 Act of 1993, 29 U.S.C. section 28.

6 XI. "Serious health condition" means any illness covered by the federal Family and Medical
7 Leave Act including treatment for addiction as prescribed by a treating clinician, consistent with
8 American Society of Addiction Medicine criteria, as well as treatment for a mental health condition,
9 consistent with American Psychiatric Association criteria.

10 XII. "Fund" means the family and medical leave insurance fund as described in RSA 282-
11 B:4.

12 282-B:3 Employer Applicability.

13 I. This chapter applies to the state and nongovernmental employers beginning January 1,
14 2020, provided that any employer may instead exercise a business option of: participating in a self-
15 insured plan, self-insuring, purchasing insurance, providing benefits, or any combination thereof,
16 upon employer application and certification by the commissioner or authorized representative that
17 the employer will provide an equivalent benefit to all of its employees. If the employer is subject to
18 a collective bargaining agreement, this chapter shall apply to the employer upon the effective date
19 of the first successor collective bargaining agreement following January 1, 2020 to permit the
20 employer and the union to negotiate the premium rate share under RSA 282-B:3, II. Political
21 subdivisions of the state may opt into this chapter upon certification by the authorized
22 representative that this chapter's insurance benefits are at least equivalent to the benefits provided
23 under the collective bargaining agreement, provided the applicable bargaining unit has first ratified
24 this option. Beginning January 1, 2020, this chapter shall be a mandatory subject of bargaining for
25 collective bargaining agreements. Employees not covered by a collective bargaining agreement in a
26 political subdivision of the state may opt into this chapter if the political subdivision has not.

27 II. All employers subject to this chapter shall remit FMLI premium payments on a calendar
28 quarter basis. These quarterly insurance premium payments shall amount to 0.5 percent of wages
29 per employee per week for each week of the preceding quarter. Employers may withhold or divert
30 no greater than 0.5 percent of wages per week per employee to satisfy this paragraph, provided that
31 such employers provide employees, before employment commences, a department approved
32 information sheet containing conspicuous language explaining the costs and benefits of the
33 insurance.

34 III. The penalties for falsity by employers shall be in accordance and consistent with RSA
35 282-A:166. The process for failing to adequately report shall be in accordance and consistent with
36 RSA 282-A:151-152 and 282-A:166-a, and any resulting appeals shall be processed in accordance
37 and consistent with RSA 282-A:94-98.

1 282-B:4 Family and Medical Leave Insurance Fund; Administration. The department shall
2 create and administer a family and medical leave insurance fund for deposits of insurance payments
3 paid pursuant to RSA 282-B:3, and accept any other deposit of moneys as authorized by law or by
4 the commissioner or authorized representative. No FMLI fund moneys shall be commingled with
5 unemployment insurance fund moneys. The department may withdraw or deduct from the FMLI
6 fund where there are qualifying FMLI benefit payments or for any amounts reasonably necessary to
7 implement and administer the provisions of this chapter or to repay any start-up loan.

8 282-B:5 Employer and Employee Responsibilities.

9 I. An employee shall both file an application with the department, including any applicable
10 medical certification or birth certificate, and provide his or her employer with written notice of
11 intent to take a leave of absence at least 30 days before the leave will begin unless the leave was not
12 reasonably foreseeable or the time of the leave changes due to circumstances that were not
13 reasonably foreseeable, provided, however, that the employee shall provide notice as soon as
14 practicable. An employee's failure to provide required notice may delay or reduce benefits.

15 II. Any employee of an employer covered under the federal Family and Medical Leave Act
16 who takes leave under this chapter shall be restored to the position he or she held in the application
17 period or to an equivalent position by his or her employer. Employers shall continue to provide
18 health insurance to employees during the leave, but employees remain responsible for any
19 employee-shared costs associated with the health insurance benefits. Employers shall not retaliate
20 against any employee solely for exercising his or her rights under this chapter.

21 III. An employer may require that leave taken under this chapter be taken concurrently or
22 otherwise coordinated with leave allowed under the terms of a collective bargaining agreement or
23 employer policy. The employer shall give individuals in its employ written notice of this
24 requirement.

25 282-B:6 Eligibility Process, Calculation, and Appeals.

26 I. An employee shall be limited to up to 12 weeks of FMLI in any one application period.
27 An employee shall have had premium payments remitted as a percent of his or her wages for at
28 least 6 months to be eligible for benefits and shall have worked in employment resulting in wages in
29 the amount of at least 1,040 multiplied by the applicable minimum wage, in either the "base period"
30 or "alternative base period," as those terms are defined in RSA 282-A:2.

31 II. An employee shall be eligible for FMLI for reasons identified in paragraph I and RSA
32 282-B:2, IX.

33 III. The calculation of weekly FMLI benefits shall be the highest quarter of wages in either
34 the base period or alternate base period as defined in RSA 282-A:2, then divided by 13 and
35 multiplied by 0.6, provided that no such calculation of FMLI benefits shall be less than \$125 per
36 week or greater than 0.85 of the average weekly wage in New Hampshire. The calculation for
37 partial FMLI benefits shall be in a manner consistent with RSA 282-A:14.

1 IV. The process for FMLI benefits claims, violations, and any resulting appeals shall be in
2 accordance and consistent with RSA 282-A:42 through RSA 282-A:68 and RSA 282-A:118.
3 Processing of benefits claims and benefit payment may be administered by a third party selected
4 through a request for proposals issued by the department. The standard and process for handling
5 overpayments shall be in accordance and consistent with RSA 282-A:29, RSA 282-A:141-RSA 282-
6 A:156 and RSA 282-A:165. In addition, an individual shall be disqualified from FMLI benefits
7 beginning with the first day of the calendar week, and continuing for the next 26 weeks, in which
8 the individual has been found to willfully made a false statement or misrepresentation regarding a
9 material fact, or willfully failed to report a material fact, to obtain benefits under this chapter.

10 282-B:7 Limitations. Nothing in this chapter shall diminish an employer's obligation to comply
11 with a collective bargaining agreement or employer policy, nor does this chapter, or any decision by
12 the commissioner or authorized representative under this chapter, limit the ability of employers to
13 provide FMLI benefits or benefits beyond what is required by this chapter.

14 282-B:8 Report and Outreach.

15 I. The department shall make public and provide semi-annual reports to the governor,
16 senate president, speaker of the house of representatives, and the advisory council established
17 pursuant to RSA 282-A:128 involving a summary to include but not be limited to, compliance with
18 this chapter, payments into and out of the fund, fund balance, usage rates including for low wage
19 employees, and retention of employees who received FMLI benefits.

20 II. The department shall develop and implement an outreach program to ensure that
21 individuals who may be eligible to receive FMLI benefits under this chapter are made aware of
22 these benefits. Outreach information shall explain in an easy to understand format, eligibility
23 requirements, the claims process, weekly benefit amounts, maximum benefits available, notice
24 requirements, reinstatement and non-discrimination rights, confidentiality, and coordination of
25 leave under this chapter and other laws, collective bargaining agreements, and employer policies.

26 282-B:9 Rulemaking. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to
27 this chapter. In adopting rules, the commissioner shall maintain consistency with the rules adopted
28 to implement the federal Family and Medical Leave Act, to the extent such rules are not in conflict
29 with this chapter.

30 282-B:10 Sustainability Mechanism. The commissioner shall continuously monitor the
31 solvency of the fund. Should the commissioner determine at any time that the solvency of the fund
32 is in jeopardy, or that the fund is in excess of necessary funds, the commissioner shall provide the
33 advisory council with data supporting such solvency determination and may prospectively, effective
34 in a future calendar quarter, increase or reduce FMLI premiums in RSA 282-B:3, II, decrease the
35 benefits payable in RSA 282-B:6, III, or decrease the allowable length of leave in RSA 282-B:6, I, or
36 any combination thereof, provided such prospective changes are cumulatively no greater than or
37 less than 10 percent of those required under this chapter. If the commissioner thereafter

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1 determines such changes are no longer necessary for fund solvency the commissioner shall reverse
2 such changes. Advance notice of any and all changes pursuant to this paragraph shall be provided
3 to all covered employers and employees.

4 282-B:11 Family and Medical Leave Insurance Program; Funding Transfer and Repayment.
5 The state treasurer shall transfer funds from the general fund to the department of employment
6 security for payment of the initial administrative and implementation costs associated with this
7 chapter. Within the first 5 years after the family and medical leave insurance program becomes
8 operational, the department shall repay the general fund transfer in installments from funds
9 deducted from the family medical leave insurance fund.

10 96 Advisory Council. Amend RSA 282-A:128 to read as follows:

11 282-A:128 Advisory Council. There is hereby created within the unemployment compensation
12 bureau an advisory council on unemployment compensation *and family medical leave*
13 *insurance*, hereinafter called the advisory council. The advisory council shall consist of 9 members
14 to be appointed, with the exception of the legislative members, by the governor with the consent
15 and advice of the governor's council. Three of the appointees of this advisory council shall be
16 persons who, because of their vocations, employment or affiliations, shall be classed as representing
17 the point of view of employers; 3 shall be persons who, because of their vocations, employment or
18 affiliations, shall be classed as representing the point of view of employees; one shall be a senator
19 appointed by the senate president; one shall be a representative [~~from the labor, industrial and~~
20 ~~rehabilitative services committee~~] appointed by the speaker of the house; the remaining appointee,
21 who shall be designated as chairman, shall be a person whose training and experience qualify him
22 *or her* to deal with the problems of unemployment compensation. Such advisory council shall meet
23 no later than 45 days after each calendar quarter and aid the commissioner in formulating policies
24 and discussing problems related to the administration of this chapter *and RSA 282-B* and in
25 assuring impartiality and freedom from political influence in the solution of such problems.
26 Advisory council meetings shall provide opportunity for public comment. *The advisory council*
27 *shall quarterly review and evaluate family medical leave insurance and, after 2 years of*
28 *administration, the commissioner shall assess utilization, finances, and benefit levels and*
29 *provide the general court with rate adjustment or fiscal recommendations.*

30 97 New Subparagraph; State Treasurer; Application of Receipts. Amend RSA 6:12, I(b) by
31 inserting after subparagraph (343) the following new subparagraph:

32 (344) Moneys deposited in the family and medical leave insurance fund established
33 in RSA 282-B:4.

34 98 Repeal. RSA 6:12, I(b)(237), relative to the moneys deposited in the civil legal services fund,
35 is repealed.

36 99 Civil Legal Assistance. Amend RSA 525-A:1 and 525-A:2 to read as follows:

37 525-A:1 [~~Civil Legal Assistance~~] *Statement of Purpose*. Funds appropriated to New

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1 Hampshire Legal Assistance for the purposes of civil legal assistance shall be used ~~[only for the~~
2 ~~provision of civil legal representation to low-income persons in this state. New Hampshire Legal~~
3 ~~Assistance shall make reports to the judicial council by June 30 and December 31 of each year on its~~
4 ~~use of state funds] **to enable the state to fund civil legal services to low-income persons in**~~
5 ~~**the state.**~~

6 525-A:2 Civil Legal Services [Fund]. ~~[There is established in the office of the state treasurer a~~
7 ~~separate fund to be known as the civil legal services fund. The money in this fund shall be~~
8 ~~distributed to] **Funds appropriated to** New Hampshire Legal Assistance ~~[to]~~ **shall** be used to
9 ~~[establish and operate offices in the cities of Nashua and Concord to]~~ provide civil legal services to
10 low-income persons in ~~[the cities of Nashua and Concord and the surrounding areas, and to provide~~
11 ~~additional attorneys, paralegals, or both, to the staff of the New Hampshire Legal Assistance offices~~
12 ~~in Manchester, Claremont, Portsmouth, and Littleton] **the state.** These civil legal services shall~~
13 include services related to such issues as housing, social security and other government benefits,
14 health care, domestic violence, and consumer issues. New Hampshire Legal Assistance shall report
15 semi-annually to the judicial council as to its use of these funds ~~[in accordance with RSA 525-A:1].~~~~

16 100 Health Facilities Licensure; Applicability of Moratorium. Amend RSA 151:2, VI(a) to read
17 as follows:

18 VI.(a) No new license shall be issued for, and there shall be no increase in licensed capacity
19 of, any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility,
20 including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. This
21 moratorium shall not apply to any rehabilitation facility whose sole purpose is to treat individuals
22 for substance use disorder or mental health issues **or to any continuing care facility for which**
23 **a certificate of authority has been issued by the insurance commissioner pursuant to RSA**
24 **420-D:2.**

25 101 New Chapter; Sports Betting. Amend RSA by inserting after chapter 287-H the following
26 new chapter:

27 CHAPTER 287-I
28 SPORTS BETTING

29 287-I:1 Definitions. In this chapter:

30 I. "Agent" means a party who is authorized by contract or agreement with the commission
31 to conduct a sports book.

32 II. "Authorized sports bettor" means an individual 18 years of age or older who is physically
33 present in the state of New Hampshire when placing a sports wager with the commission or an
34 authorized agent of the commission and is not a prohibited sports bettor.

35 III. "Collegiate sports event" means a sports or athletic event participated in or offered or
36 sponsored by a public or private institution that offers educational services beyond the secondary
37 level.

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1 IV. "Commission" means the lottery commission.

2 V. "Director" means the executive director of the lottery commission or designee.

3 VI. "High school sports event" " means a sports or athletic event participated in or offered
4 or sponsored by a public or private institution that offers educational services at the secondary
5 level.

6 VII. "In-play sports wager" means a sports wager on a sports event after the sports event
7 has begun and before it ends.

8 VIII. "Mobile sports wagering platform" means the combination of hardware, software, and
9 data networks used to manage, administer, record, or control sports wagers.

10 IX. "Professional sports event" means an event at which 2 or more persons participate in a
11 sports or athletic event and receive compensation in excess of actual expenses for their participation
12 in such event.

13 X. "Prohibited sports bettor" means:

14 (a) Any member or employee of the commission and any spouse, child, sibling, or parent
15 residing in the same household as a member or employee of the commission.

16 (b) Any principal or employee of any agent.

17 (c) Any contractor of the commission or its agent when such contract relates to the
18 conduct of sports wagering.

19 (d) Any contractor or employee of an entity that conducts sports wagering in another
20 jurisdiction when the bettor possesses confidential nonpublic information as a result of his or her
21 contract or employment relating to the wager being placed.

22 (e) Any amateur or professional athlete if the sports wager is based in whole or part on
23 a sport or athletic event overseen by the athlete's governing sports body.

24 (f) Any sports agent, owner or employee of a team, player, umpire, referee, coach, union
25 official, or official of a sports governing body if the sports wager is based in whole or part on a sport
26 or athletic event overseen by the governing body which oversees the individual's sport.

27 (g) Any individual placing a wager as an agent of or proxy for a prohibited sports bettor.

28 (h) Any person under the age of 18.

29 XI. "Prohibited sports event" means:

30 (a) A collegiate sports event in which one of the participants is a collegiate team of a
31 college institution that is primarily located in New Hampshire;

32 (b) A collegiate sports event that takes place in New Hampshire;

33 (c) Any high school sports event in any location;

34 (d) Any amateur sports event where the participants are primarily under the age of 18;
35 provided that "prohibited sports event" does not include the games of a collegiate sports tournament
36 in which a New Hampshire college team participates, nor does it include any games of a collegiate
37 sports tournament that occurs outside New Hampshire even though some of the individual games

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1 or events are held in New Hampshire; and provided further that sports wagers are permitted on
2 collegiate sports tournament games in which a New Hampshire college team participates only if the
3 outcome of the wager is based on the outcome of all games within the tournament.

4 XII. "Sports governing body" means the organization that prescribes final rules and
5 enforces codes of conduct with respect to a sporting event and participants therein.

6 XIII. "Sports book" means the business of accepting wagers on any sports event by any
7 system or method of wagering.

8 XIV. "Sports wager" means cash or cash equivalent paid by an individual to participate in
9 sports wagering.

10 XV. "Sports wagering" means wagering on sporting events or any portion thereof, or on the
11 individual performance statistics of athletes participating in a sports event, or combination of sports
12 events, by any system or method of wagering, including but not limited to in person communication
13 and electronic communication through Internet websites accessed via a mobile device or computer
14 and mobile device applications. The term sports wagering shall include, but not be limited to, single
15 game bets, teaser bets, parlays, over-under bets, money line bets, books, exchange wagering, in
16 game wagering, in-play bets, proposition bets, and straight bets.

17 XVI. "Tier I sports wager" means a sports wager that is placed before the start of the sports
18 event and is determined solely by the final score or final outcome of that single sports event.

19 XVII. "Tier II sports wager" means an in-play sports wager.

20 XVIII. "Tier III sports wager" means a sports wager that is neither a tier I or tier II wager.

21 287-I:2 Sports Book Authorized. The commission is authorized to operate a sports book for the
22 purposes of accepting and paying sports wagers by authorized bettors within the state in
23 conformance with the requirements of this chapter.

24 287-I:3 Commission Agents. The commission shall conduct a sports book for sports wagering
25 through agents selected through a competitive bid process and approved by the governor and
26 executive council. Any such contract shall be based on the state receiving a percentage of revenue
27 from sports wagering activities within the state. The commission shall ensure that an agent
28 demonstrates financial stability, responsibility, good character, honesty, and integrity. In selecting
29 an agent, the commission shall consider, at a minimum, the experience and background of the
30 agent, the agent's ability to serve proposed locations for sports book retail operations, the agent's
31 mobile and Internet capabilities, the agent's contribution to economic development within the state,
32 the agent's commitment to prevention of problem gambling, to responsible gaming, and to integrity
33 in betting. The commission shall select a group of bidders who best meet the criteria set forth in
34 this paragraph and select from that group the agent or agents whose bid provides the state with the
35 highest percentage of revenue from the sports wagering activities covered by the bid, provided that
36 the commission determines that the bidder's commitment to return said revenue percentage to the
37 state is consistent with the bidder's commitment to meet all other criteria specified in the bid

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1 request and in applicable law. All agents shall be subject to criminal and financial background
2 checks as prescribed by the commission. The commission may retain vendors to support the
3 commission in operating a sports book.

4 287-I:4 Commission Directed Sports Wagering. The commission is further authorized to
5 directly offer lottery games to authorized bettors within the state in the form of tier III sports
6 wagers through the commission's lottery retailers subject to the provisions of this chapter.

7 287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized
8 to operate physical sports book retail locations within the state for the purposes of accepting tier I
9 and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The
10 sports book retail locations may be co-located with other commercial businesses or general
11 commercial retail locations. No more than 10 sports book retail locations may be in operation at any
12 given time.

13 287-I:6 Local Option for Operation of Sports Book Retail Locations.

14 I. Any town or city may allow the operation of a sports book retail location according to the
15 provisions of this subdivision, in the following manner, excepting that nothing in this section shall
16 be construed to prohibit Internet or mobile wagering or lottery games involving tier III sports
17 wagers in the jurisdiction, if so authorized by the passage of this statute.

18 (a) In a town, the question shall be placed on the warrant of an annual town meeting
19 under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative
20 body may vote to place the question on the official ballot for any regular municipal election, or, in
21 the alternative, shall place the question on the official ballot for any regular municipal election
22 upon submission to the legislative body of a petition signed by 25 of the registered voters.

23 (b) The selectmen, aldermen, or city council shall hold a public hearing on the question
24 at least 15 days but not more than 30 days before the question is to be voted on. Notice of the
25 hearing shall be posted in at least 2 public places in the municipality and published in a newspaper
26 of general circulation at least 7 days before the hearing.

27 (c) The wording of the question shall be substantially as follows: "Shall we allow the
28 operation of sports book retail locations within the town or city?"

29 II. If a majority of those voting on the question vote "Yes", sports book retail locations may
30 be operated within the town or city.

31 III. If the question is not approved, the question may later be voted upon according to the
32 provisions of paragraph I at the next annual town meeting or regular municipal election.

33 IV. A municipality that has voted to allow the operation of sports book retail locations may
34 consider rescinding its action in the manner described in paragraph I of this section.

35 V. An unincorporated place may allow the operation of a physical sports book retail location
36 by majority vote of the county delegation, after a public hearing is held.

37 VI. The commission shall maintain a list of municipalities where sports book retail locations

1 may be placed into operation.

2 287-I:7 Mobile Sports Wagering Authorized. The commission and its agent are authorized to
3 operate a sports book through a mobile sports wagering platform by mobile devices or over the
4 Internet. With respect to mobile sports wagering, the commission, either independently, or through
5 its agent, shall provide:

6 I. Age verification measures to be undertaken to block access to and prevent sports wagers
7 by persons under the age of 18 years.

8 II. Identity verification through secure online databases or by examination of photo
9 identification.

10 III. That electronic data related to sports wagers must be initiated and received within the
11 geographic borders of the state of New Hampshire and may not be intentionally routed outside of
12 the state. The incidental intermediate routing of electronic data shall not determine the location or
13 locations in which a bet or wager is initiated, received, or otherwise made.

14 IV. Wager limits for daily, weekly, and monthly amounts for each player and account
15 consistent with the best practices in addressing problem gambling.

16 V. A voluntary self-exclusion program for players to self-exclude themselves from wagering
17 for set periods of time.

18 VI. Security mechanisms to ensure the confidentiality of wagering and personal and
19 financial information except as otherwise authorized by this chapter.

20 287-I:8 Sports Wagering Supervision. The commission shall create a division of sports
21 wagering which will be responsible for ensuring compliance with the requirements of this chapter
22 and any rules adopted by the commission in accordance with the authorities granted under this
23 chapter. In addition, the division, under the direction of the director and commission, shall ensure
24 that the commission's agents and vendors comply with the following obligations:

25 I. Each agent or vendor engaged in sports wagering shall submit a security and internal
26 control report for the division's review and approval prior to conducting any sports wagering within
27 the state and every year thereafter. This report shall address all aspects of security and controls
28 including physical security, personnel security, and computer systems security including:

29 (a) Surveillance plans for all retail sports book locations, including surveillance
30 coverage and direct access for the commission to the surveillance system.

31 (b) User access controls for sports book personnel.

32 (c) Segregation of duties within the sports book.

33 (d) Employment background checks and policies.

34 (e) Automated and manual risk management procedures.

35 (f) Procedures for identifying and reporting fraud and suspicious conduct.

36 (g) Procedures to establish connectivity with monitoring services or sports governing
37 bodies relating to suspicious activity.

1 (h) Any and all monitoring systems utilized by the agent or vendor to report and receive
2 information on suspicious betting activities.

3 (i) Systems and procedures to prevent prohibited sports bettors from placing wagers.

4 (j) Description of anti-money laundering compliance standards.

5 (k) Descriptions of all integrated third-party systems or components and the security
6 procedures relating to those systems.

7 II. For each wagering computer system used to conduct sports wagering, including all
8 mobile sports wagering platforms within the state, the agent or vendor providing such system shall
9 provide a detailed computer system security report to be approved by the commission prior to the
10 acceptance of wagers and each year thereafter. The report shall address the issues set forth in the
11 security and internal control report along with the following:

12 (a) Documented system security testing performed by a licensed third-party contractor
13 approved by the commission;

14 (b) A description of all software applications that comprise the system;

15 (c) A procedure for third-party auditing of financial transactions received by the system;

16 (d) A description of all types of wagers supported by the system;

17 (e) Unique identification and verification systems for wagers;

18 (f) Procedures to prevent past posting of wagers;

19 (g) A list of data recorded relating to each wager;

20 (h) System redundancy to ensure recording of wagers during a system outage;

21 (i) A mechanism to provide read only access to the commission to the back office system
22 for the purposes of reviewing and auditing wagering activities;

23 (j) Integration with an independent control system to ensure integrity of system
24 wagering information;

25 (k) Capabilities for canceling existing wagers, freezing or suspending wagering across
26 the platform, or for specific events; and

27 (l) Any other issue identified by the division upon review of the proposed gaming
28 system.

29 III. Each agent engaged in sports wagering shall submit house rules for the division's
30 review and approval prior to conducting any sports wagering within the state and every year
31 thereafter. These house rules shall include at a minimum:

32 (a) The method for calculation and payment of winning wagers.

33 (b) The effect of schedule changes for a sports event.

34 (c) The method of notifying bettors of odds or proposition changes.

35 (d) Acceptance of wagers at terms other than those posted.

36 (e) Expiration dates for winning tickets.

37 (f) Rules for payment of wagers made after a material error in setting odds or a

1 proposition for an event by the sports book.

2 (g) Method of contacting the agent or vendor for questions or complaints.

3 (h) Description of those persons who are prohibited from wagering with the agent or
4 contractor if broader than the prohibited bettors list set forth in this section.

5 (i) The method and location for posting and publishing the approved house rules.

6 IV. Each agent or vendor engaged in sports wagering shall submit accounting controls for
7 the division's review and approval prior to conducting any sports wagering within the state and
8 every year thereafter. These accounting controls shall include at a minimum:

9 (a) A process for documenting and verifying beginning of day cash balance;

10 (b) Processes for recording collection of wagers, payment of wagers, and cancellation of
11 wagers issued;

12 (c) Processes for handling cash within sports book retail locations including segregation
13 of duties related to counting and storage of cash; and

14 (d) The establishment of a segregated account related to New Hampshire sports
15 wagering activities.

16 V. The commission's agent shall submit a responsible gaming plan for the division's review
17 and approval prior to conducting any sports wagering within the state and every year thereafter.
18 This plan should include identification of posting and materials related to problem gaming,
19 resources to be made available to bettors expressing concerns about problem gaming, house imposed
20 player limits, and self-exclusion programs.

21 VI. The commission's agent shall maintain a cash reserve available to pay wagers as
22 determined by the commission.

23 VII. The commission's agent or vendor shall not accept any wager on a sports event unless
24 it has received approval from the commission to conduct that type or category of wager. A type of
25 wager refers to the method of determining the outcome of the wager. The category refers to the
26 kind of event being wagered on. The commission shall approve wager categories and types in a
27 reasonable time frame. Once a particular category or wager type is approved for its first use it may
28 be used on multiple events without further approval.

29 VIII. The commission shall only approve wagers on categories of events where:

30 (a) The outcome can be verified;

31 (b) The outcome can be generated by a reliable and independent process; and

32 (c) The event is conducted in conformity with applicable laws.

33 IX. Wagers made under this section shall be made with:

34 (a) Cash;

35 (b) Cash equivalent;

36 (c) PayPal;

37 (d) Debit card;

- 1 (e) ACH;
- 2 (f) Promotional funds; and
- 3 (g) Any other means approved by the executive director.

4 X. Any agent or contractor who sends or receives electronic data related to sports wagers is
5 responsible to ensure that any transfer of that data is initiated and completed within the state of
6 New Hampshire and that only incidental intermediate routing of the electronic data occurs outside
7 of the state. The agent and contractor shall be responsible for periodically reviewing their
8 information technology systems and networks to ensure compliance with this section.

9 287-I:9 Proceeds to Education Fund. The proceeds received by the commission from sports
10 wagering, less the administrative costs of the commission, prizes paid, and payments for problem
11 gambling services, shall be deposited in the education trust fund established in RSA 198:39.

12 287-I:10 Limitations on Sports Wagers. The commission and its agents are prohibited from the
13 following activities:

14 I. Accepting or making payment relating to sports wagers made by prohibited sports
15 bettors.

16 II. Accepting sports wagers on prohibited sports events.

17 III. Accepting sports wagers from persons who are physically outside of the state of New
18 Hampshire at the time of the sports wager.

19 287-I:11 Disclosure of Data Source. The commission and agents shall publicly disclose the
20 source of the data that will be used to determine the outcome of a tier II or tier III wager.

21 287-I:12 Risk Management. The commission's agent may take any risk management strategies
22 as authorized by the director.

23 287-I:13 Maintaining Sports Integrity. The commission and agent may participate in national
24 and international monitoring services and associations and may share betting information with
25 those entities and sports governing bodies in order to ensure the integrity of sports wagers and
26 sports events. The director may restrict, limit, or exclude wagering on a sports event if he or she
27 determines that such an action is necessary to ensure the integrity of the sports book.

28 287-I:14 Financial Reports. The commission may seek financial and compliance reports from
29 its agent periodically and may conduct audits of these reports to ensure that the state receives the
30 agreed upon revenue sharing proceeds.

31 287-I:15 Compliance Reviews. The commission shall retain oversight of its agent to ensure that
32 all sports wagering activities are conducted in accordance with this statute and any rules adopted
33 by the commission.

34 287-I:16 Fantasy Sports Exempted. Nothing in this chapter shall apply to fantasy sports
35 contests authorized pursuant to RSA 287-H.

36 287-I:17 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to the
37 operation, conduct, location, and oversight of sports books. The commission may enact emergency

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1 rules, which will take effect upon approval.

2 102 Bets Void. Amend RSA 338:2 to read as follows:

3 338:2 Bets Void. ***Except as authorized by the lottery commission***, all bets and wagers upon
4 any question where the parties have no interest in the subject except that created by the wager are
5 void; and either party may recover any property by him ***or her*** deposited, paid, or delivered upon
6 such wager or its loss, and repel any action brought for anything, the right or claim to which grows
7 out of such bet or wager.

8 103 Education Trust Fund; Sports Betting Added. Amend RSA 198:39, I(k) to read as follows:

9 (k) Funds collected and paid over to the state treasurer by the lottery commission
10 pursuant to RSA 284:44, ~~[and]~~ RSA 284:47, ***and RSA 287-I***.

11 104 New Subparagraph; Gambling; Exceptions. Amend RSA 647:2, V by inserting after
12 subparagraph (e) the following new subparagraph:

13 (f) Sports wagering as defined by RSA 287-I:1, XV.

14 105 New Chapter; Council for Responsible Gambling. Amend RSA by inserting after chapter
15 338-A the following new chapter:

16 CHAPTER 338-B

17 COUNCIL FOR RESPONSIBLE GAMBLING

18 338-B:1 Definitions. In this chapter, "council" means the council for responsible gambling.

19 338-B:2 Statement of Purpose. Education, prevention, and treatment relating to gambling
20 disorders are an integral part of a responsible gaming environment within the state.

21 338-B:3 Establishment. There is established the council for responsible gambling which shall
22 promote education, prevention, and treatment of problem gambling within the state.

23 338-B:4 Membership.

24 I. The council shall consist of 5 members appointed by the governor and executive council
25 and shall be qualified in the field of addiction or mental health services with a focus on problem
26 gambling and shall be residents of the state. A member may be removed by the governor and
27 executive council only for cause shown in accordance with RSA 4:1. The members shall elect one of
28 their number as chairperson. Three members of the council shall constitute a quorum.

29 II. Members shall serve 3 year terms and until their successors are appointed; provided
30 that for the initial appointments only, one member shall be appointed to a term of one year, 2
31 members shall be appointed to a term of 2 years and 2 members shall be appointed to a term of 3
32 years. Any vacancy shall be filled for the unexpired terms.

33 III. Members of the council shall receive mileage at the rate of state employees when
34 attending meetings of the council or performing duties on behalf of the council.

35 338-B:5 Powers and Duties. The council shall have the authority to enter into grants and
36 contracts for the purposes of furthering education, prevention, and treatment of problem gambling
37 within the state.

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1 338-B:6 Report of the Council. The council shall submit a biennial report to the governor and
2 executive council on or before October 1 of each even-numbered year. The report shall include a
3 description of the council's activities including a financial report for the relevant time period.

4 338-B:7 Administrative Attachment. The council shall be administratively attached to the
5 lottery commission in accordance with RSA 21-G:10. In addition to the support provided to an
6 administratively attached agency, the lottery commission shall also provide the following to the
7 council:

8 I. Funding in an amount not to exceed \$250,000 per fiscal year to conduct the activities
9 prescribed by this chapter. In accordance with the purpose of this chapter, these payments shall be
10 considered administrative expenses of the lottery commission as set forth in RSA 284:21-j.

11 II. Meeting and office space as reasonably required by the council to conduct the activities
12 prescribed by this chapter.

13 III. Personnel as reasonably required by the council to conduct activities prescribed by this
14 chapter, except that the lottery commission may charge the council for use of such personnel
15 pursuant to an agreement between the lottery commission and the council.

16 106 Operation of Keno Games; Fees for Research. Amend RSA 284:47, II to read as follows:

17 II. A licensee may retain 8 percent of the proceeds from keno games. [~~Of the remaining 92~~
18 ~~percent:~~

19 ~~(a) One percent shall be paid to the department of health and human services to~~
20 ~~support research, prevention, intervention, and treatment services for problem gamblers.~~

21 ~~(b)~~ The remainder, less the administrative costs of the lottery commission and prize
22 payouts, shall be deposited in the education trust fund established in RSA 198:39.

23 107 Tobacco Tax; Definitions. Amend RSA 78:1, XVI to read as follows:

24 XIV. "Tobacco products" means ***any product containing, made, or derived from***
25 ***tobacco or nicotine that is intended for human consumption, including but not limited to***
26 ***cigarettes, *electronic cigarettes*, loose tobacco, smokeless tobacco, and cigars***~~[, but].~~ ***Tobacco***
27 ***products*** shall not include premium cigars ***or any product that has been approved by the***
28 ***United States Food and Drug Administration for sale as a tobacco cessation product and***
29 ***is being marketed and sold exclusively for such approved use.***

30 108 New Paragraph; Electronic Cigarette; Definition. Amend RSA 78:1 by inserting after
31 paragraph XXIV the following new paragraph:

32 XXV. "Electronic cigarette" means any liquid or substance containing nicotine that is
33 intended to be used with or in a device that can be used to produce a vapor or aerosol from such a
34 liquid or substance, including but not limited to, a device manufactured, distributed, marketed, or
35 sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic
36 hookah, or vape pen. "Electronic cigarette" shall also include any such device, and any component,
37 part, or accessory used in the operation of such a device, but only if sold together with any liquid or

1 substance containing nicotine.

2 109 Youth Access to and Use of Tobacco Products; Definition of E-Cigarette. Amend RSA 126-
3 K:2, II-a to read as follows:

4 II-a. "E-cigarette" means any electronic smoking device composed of a mouthpiece, a
5 heating element, a battery, and electronic circuits that [~~provides a vapor of pure~~] **may or may not**
6 **contain** nicotine [~~mixed with propylene glycol to the user as the user simulates smoking~~]. This
7 term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes,
8 or under any other product name.

9 110 Alcoholic Beverages; Definition of E-Cigarette Added. Amend RSA 175:1, XXXI-a and
10 XXXI-aa to read as follows:

11 XXXI-a. ***"E-cigarette" means any electronic smoking device composed of a***
12 ***mouthpiece, a heating element, a battery, and electronic circuits that may or may not***
13 ***contain nicotine. This term shall include such devices whether they are manufactured as***
14 ***e-cigarettes, e-cigars, or e-pipes, or under any other product name.***

15 XXXI-aa. "Farmers' market" means an event or series of events at which 2 or more vendors
16 of agricultural commodities gather for purposes of offering for sale such commodities to the public.
17 Commodities offered for sale must include, but are not limited to, products of agriculture, as defined
18 in RSA 21:34-a. "Farmers' market" shall not include any event held upon any premises owned,
19 leased, or otherwise controlled by any individual vendor selling therein.

20 [~~XXXI-aa.] XXXI-aaa. "Food" means solid nutritive material as distinguished from drink.~~

21 111 Definition of License. Amend RSA 175:1, XXXIX to read as follows:

22 XXXIX. "License" means the authority granted by the commission to engage in the sale of
23 liquor, wine, beverages, [~~or~~] tobacco products, **or e-cigarettes** otherwise unlawful unless evidenced
24 by such document.

25 112 Definition of Retailer. Amend RSA 175:1, LIX-a to read as follows:

26 LIX-a. "Retailer," when used with respect to tobacco products **or e-cigarettes**, means any
27 person who sells tobacco products **or e-cigarettes** to consumers, and any vending machine in which
28 tobacco products are sold.

29 113 Liquor Commission; Liquor Investigator. Amend RSA 176:9, III to read as follows:

30 III. The commissioner, deputy commissioner, assistant, or liquor investigator may enter
31 any place where liquor, beverages, [~~or~~] tobacco products, **e-cigarettes** are sold or manufactured, at
32 any time, and may examine any license or permit issued or purported to have been issued under the
33 terms of this title. They shall make complaints for violations of this title.

34 114 Liquor Licenses and Fees; Licenses Required. Amend RSA 178:1, VI to read as follows:

35 VI. No person shall sell tobacco products **or e-cigarettes** to individuals or the public in any
36 method or manner, directly or indirectly, or keep for sale any tobacco products **or e-cigarettes**
37 without first registering to do business with the secretary of state and obtaining a license for such

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1 activity under the provisions of this title. The commission shall provide a list of persons licensed
2 under this section to the commissioner of the department of revenue administration upon request.

3 115 Licenses Authorized; Sale of Tobacco Products. Amend RSA 178:2, I to read as follows:

4 I. The commission may issue licenses to individuals, partnerships, limited liability
5 companies and partnerships, or corporations but not to unincorporated associations, on applications
6 duly made therefor for the manufacture, warehousing, sale, offer for sale, or solicitation of orders
7 for sale of liquor or beverages and for retail sales of tobacco products **or e-cigarettes** within the
8 state, subject to the limitations and restrictions imposed by this title. The commission shall keep a
9 full record of all applications for licenses, of all recommendations for and remonstrances against the
10 granting of licenses, and of the action taken on such applications.

11 116 Combination License; Sale of Tobacco Products or E-Cigarettes. Amend RSA 178:18 to read
12 as follows:

13 178:18 Combination License.

14 I. Off-premises licenses shall be issued only for grocery and drug stores not holding on-
15 premises licenses. Such licenses shall authorize the licensees to sell fortified wine, table wine, and
16 beverages for consumption only off the premises designated in the licenses and not to other
17 licensees for resale. Such sale shall be made only in the immediate container in which the
18 beverage, wine, or fortified wine was received by the off-premises combination licensee; except that
19 in the case of the holder of a wholesale distributor license, beverages may be sold only in such
20 barrels, bottles, or other containers as the commission may by rule prescribe. Off-premises licenses
21 may also authorize the licensee to sell tobacco products **or e-cigarettes**. There shall be no
22 restriction on the number of combination licenses held by any person. The license shall authorize
23 the licensee to transport and deliver beverages, tobacco products, **e-cigarettes**, and table or
24 fortified wines ordered from and sold by the licensee in vehicles operated under the licensee's
25 control or an employee's control.

26 II. All sales of tobacco, **e-cigarettes**, beverages, fortified wines, and table wine shall be
27 recorded on cash registers. No additional registers shall be added during the remainder of the year
28 without prior approval of the commission. No rebate shall be allowed for cash registers
29 discontinued during the license year.

30 III. The commission may suspend the tobacco, **e-cigarettes**, or alcohol sales portion of the
31 license separately under the provisions of RSA 179:57; any revocation shall revoke the entire
32 license.

33 117 Retail Wine License; Sale of Tobacco Products. Amend RSA 178:19 to read as follows:

34 178:19 Retail Wine License.

35 I. A retail wine license may be issued by the commission to any person operating a retail
36 outlet in this state which shall allow the licensee to sell tobacco products, **e-cigarettes**, fortified
37 wines, and table wines directly to individuals at retail on the premises for consumption off the

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1 premises; provided, however, that persons holding any license authorizing the sale of liquor or wine
2 by the glass under this chapter shall sell the wines authorized pursuant to this section in a separate
3 area of the premises from the areas licensed for on-premises consumption. A separate license shall
4 be required with respect to each place of business of an applicant. The license shall authorize the
5 licensee to transport and deliver fortified and table wines ordered from and sold by the commission
6 and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

7 II. All sales of wine, [~~and~~] tobacco products, **and e-cigarettes** shall be recorded on cash
8 registers. No additional registers shall be added during the remainder of the year without prior
9 approval of the commission. No rebate shall be allowed for cash registers discontinued during the
10 license year.

11 III. On-premises licensees licensed under this chapter shall maintain separate rooms for
12 storage, shelving, display, and sale of tobacco products, **e-cigarettes**, and fortified and table wine
13 for consumption off the premises. Such rooms shall be equipped with at least one cash register
14 which shall be capable of separately registering wine sales, and such rooms shall have an attendant
15 at all times while open for business. Wine purchased for resale by virtue of the retail wine license
16 shall be purchased on separate invoices from that wine intended for consumption in the dining room
17 or lounge, and separate sales records shall be maintained for this purpose.

18 IV. The commission may suspend the tobacco, **e-cigarette**, or alcohol sales portion of the
19 license separately under the provisions of RSA 179:57; any revocation shall revoke the entire
20 license.

21 118 Retail Tobacco License; Sale of E-Cigarettes. Amend RSA 178:19-a to read as follows:

22 178:19-a Retail Tobacco License.

23 I. The commission may issue a retail tobacco license to a person engaged in the business of
24 retail sales and distribution of tobacco products **or e-cigarettes** in this state. Each retail outlet
25 shall have a separate license regardless of the fact that one or more outlets may be owned or
26 controlled by a single person.

27 II. A retail tobacco license shall be prominently displayed on the premises described in it.

28 III. The commission, when issuing or renewing a retail tobacco license, shall furnish a sign
29 which shall read or be substantially similar to the following: "State Law prohibits the sale of
30 tobacco products **or e-cigarettes** to persons under age 18. Warning: violators of these provisions
31 may be subject to a fine."

32 119 Beer Specialty License; Tobacco Products and E-Cigarette Sales. Amend RSA 178:19-d, I to
33 read as follows:

34 I. A beer specialty license may be issued by the commission to any person operating a retail
35 outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer
36 specialty license shall allow the licensee to sell beverage, wine, [~~and~~] tobacco, **and e-cigarettes**
37 products directly to individuals at retail on the premises for consumption off the premises; beer may

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1 be sold in such barrels, bottles, or other containers as the commission may by rule prescribe.

2 120 Beer Specialty License; Sale of Tobacco Products and E-Cigarettes. Amend RSA 178:19-d,
3 V-VI to read as follows:

4 V. All sales of beer, ~~and~~ tobacco products, **and e-cigarettes** shall be recorded on cash
5 registers. No additional registers shall be added during the remainder of the year without prior
6 approval of the commission. No rebate shall be allowed for cash registers discontinued during the
7 license year.

8 VI. The commission may suspend the tobacco, **e-cigarette**, or alcohol sales portion of the
9 license separately under the provisions of RSA 179:57.

10 121 Board of Veterinary Medicine; Transfer to Office of Professional Licensure and
11 Certification. Amend RSA 332-B:3 to read as follows:

12 332-B:3 Board; Compensation.

13 I. There shall be a board of veterinary medicine consisting of 7 members: 5 veterinarians,
14 the state veterinarian, and one public member. The members, other than the state veterinarian,
15 shall be appointed by the governor, with the approval of the council, to a term of 5 years, and until a
16 successor is appointed. No appointed member of the board shall be appointed to 2 consecutive 5-
17 year terms. Vacancies shall be filled for the remainder of the term and in the same manner as the
18 original appointment. Any appointed member of the board may be removed by the governor after a
19 hearing by the board determines cause for removal. The state veterinarian ~~may~~ **shall** serve as an
20 ex officio member, provided any duties of the state veterinarian relative to this chapter shall be
21 agreed upon in writing by the board and the commissioner of agriculture, markets, and food and
22 which agreement may include:

23 (a) ~~[Supervision of the board's administrative office and employees]~~ **Recording and**
24 **producing meeting minutes for regular board meetings;**

25 (b) ~~[Assistance with administrative activities]~~ **Representing the board on the**
26 **advisory council established in RSA 318-B:38;**

27 (c) Submission of periodic reports to the board; and

28 (d) Participation in complaint investigations.

29 II. When a vacancy has occurred, or is due to occur in a veterinary position on the board,
30 the New Hampshire Veterinary Medical Association shall nominate 3 qualified persons and forward
31 the nominations to the governor. The governor may make appointments from those nominated by
32 the association, but shall not be required to appoint one of those so nominated.

33 III. Each appointed member of the board shall be paid \$75 for each day or portion of a day
34 of at least 3 consecutive hours in which the member is engaged in the work of the board, in addition
35 to such reimbursement for travel and other expenses as is normally allowed to state employees.

36 IV. ~~[The board shall be an administratively attached agency, under RSA 21-G:10, to the~~
37 ~~department of agriculture, markets, and food.]~~ **All administrative, clerical, and business**

1 ***processing functions of the board shall be transferred to the office of professional***
2 ***licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.***

3 122 State School Organization; Professional Standards Board. Amend RSA 186:60, I(a) to read
4 as follows:

5 (a) The ~~[director of the division]~~ ***commissioner of the department*** of education
6 ~~[analytics and resources]~~, or designee, who shall be the executive secretary of the board;

7 123 Council for Teacher Education; Commissioner Designee. Amend RSA 190:2 to read as
8 follows:

9 190:2 Members. The council for teacher education shall consist of: the commissioner of
10 education, ***or his or her designee***, and the chairman of the department of education of the
11 university of New Hampshire; 3 members appointed by them for terms not exceeding 3 years, one
12 from a private educational institution, one from the professional personnel of the public schools and
13 one layman; and the presidents of Keene state college and Plymouth state university, or staff
14 members designated by them; provided that additional members may be appointed by these 7 for
15 such terms as they may determine. Members of the council shall be entitled to reimbursement by
16 the state board of education for mileage and expenses incurred in the performance of their required
17 duties. The state board of education shall furnish the council with suitable meeting facilities,
18 administrative assistance, and necessary supplies.

19 124 Department of Environmental Services; Modification of Qualifications for Director of
20 Division of Water. Amend RSA 21-O:2, III(a) to read as follows:

21 (a) The commissioner shall, after consulting with the water council, nominate for
22 appointment by the governor and council a director of the division of water. The nominee shall
23 have a baccalaureate or master's degree from an accredited college or university~~[, hold a valid~~
24 ~~license or certificate of registration to practice civil, sanitary, or environmental engineering issued~~
25 ~~by the lawfully constituted registration board of any state of the United States,]~~ and shall have a
26 minimum of 5 years' responsible experience in the administration of sanitary or environmental
27 engineering programs in the public or private sector.

28 125 Department of Environmental Services; Certified Application Preparer Program. Amend
29 RSA 482-A:3, XX(a)-(b) to read as follows:

30 (a) The department shall develop a voluntary certified application preparer program for
31 submission of applications for all qualifying minimum impact projects. The commissioner shall
32 adopt rules to establish the qualifications to become a certified application preparer and to identify
33 qualifying minimum impact projects. The qualifications established shall include that the
34 individual is a permitted septic system designer or is licensed or certified by the office of
35 professional licensure and certification as a certified wetland scientist, certified soil scientist,
36 professional engineer, licensed land surveyor, or any other professional designated by the
37 department, and shall include training and continuing education requirements. ~~[Qualifying~~

1 ~~minimum impact projects shall include, but not necessarily be limited to, all projects which the~~
2 ~~department has designated as minimum impact projects in its wetlands rules.]~~

3 (b) Applications for qualifying minimum impact projects submitted by a certified
4 application preparer shall not require technical review by the department. ~~[and the]~~ *The*
5 department shall issue a ~~[permit]~~ **decision on the application** within 10 days of receipt of a
6 complete application[-], **as follows:**

7 (1) ***If the application is approvable and is submitted with a waiver of review***
8 ***by the appropriate conservation commissions, the department's approval shall be final***
9 ***upon issuance.***

10 (2) ***If the application is approvable but is not submitted with a waiver of***
11 ***review by the appropriate conservation commissions, the department's approval shall be***
12 ***conditional pending expiration of the 14-day period for conservation commission***
13 ***intervention established in RSA 482-A:11, III(a). If the department receives a timely notice***
14 ***of intervention from a conservation commission, the application shall be converted to a***
15 ***regular application, with credit given for the fee paid with the application.***

16 (3) ***If the application is not approvable as a minimum impact project but***
17 ***might be approvable as a minor impact or major impact project, the application shall***
18 ***automatically be converted to an application for a standard permit, with credit given for***
19 ***the fee paid with the application.***

20 (4) ***If the application is not approvable as a minimum impact, minor***
21 ***impact, or major impact project, the application shall be denied.***

22 126 Department of Environmental Services; Public Bathing Facilities. RSA 485-A:26 is
23 repealed and reenacted to read as follows:

24 485-A:26 Swimming Pools and Bathing Places Public Bathing Facilities.

25 I. In this section:

26 (a) "Pool" means a man-made structure and associated pump, filter, drain, and
27 electrical equipment that is used for recreational or therapeutic bathing, swimming, diving, or other
28 contact with the water such as by wading, splashing, tubing, or sliding. "Pool" shall include, but is
29 not limited to, swimming pools, therapy pools, spas, special recreation pools, slides, and tubing
30 courses, at hotels, motels, health facilities, water parks, condominium complexes, apartment
31 complexes, youth recreation camps, public parks, and recreational campgrounds or camping parks
32 as defined in RSA 216-I:1, VII. "Pool" shall not include any pool, spa, or other pool that serves 3 or
33 fewer living units and is used only by the residents of the living units and their guests, and does not
34 include baptismal fonts or similar structures owned by a religious organization and used for
35 religious rituals.

36 (b) "Public bathing facility" means a pool that is operated by or for any governmental
37 subdivision, public or private corporation, partnership, association, or educational institution and

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1 that is open to the public, members, or students, whether for a fee or free.

2 II.(a) No person shall construct or install, operate or maintain an artificial swimming pool
3 or bathing place open to and used by the public, or as a part of a business venture, or a public
4 bathing facility unless the construction, design and physical specifications of such pool or bathing
5 place have received prior approval by from the department. The department shall charge a non-
6 refundable registration fee of \$100 for a pool 400 square feet in area and an additional \$25 for every
7 additional 100 square feet. The fee shall be paid to the department upon submission of such plans
8 for review. Fees collected under this paragraph shall be deposited in the public bathing facility
9 program fund.

10 (b) No person shall operate or maintain a public bathing facility unless the facility is
11 registered with the department under this section. The owner of a public bathing facility shall
12 register the facility using a form provided by the department. If all of the requirements for the form
13 are adopted in narrative rules, the form shall not be subject to RSA 541-A.

14 (c) The owner of a public bathing facility that existed as of January 1, 2019 shall
15 register within 60 days of the effective date of this provision. All other public bathing facilities shall
16 register prior to initiating operations. The owner or operator of the facility shall report any changes
17 in the information provided under subparagraph (b) within 10 days of the change.

18 (d) The registration required under this section shall be valid for the life of the facility.
19 The owner shall notify the department in writing that the facility has closed within 30 days of the
20 closure. The notice of closure shall include the date of such closure.

21 III. The commissioner shall adopt rules under RSA 541-A relative to safety standards to
22 protect persons using said facilities. Nothing in this section shall be deemed to affect the powers of
23 local health officers or the department of health and human services, with respect to nuisances.

24 IV. The department may take samples of the water of any such public bathing facility for
25 analysis to determine compliance with water quality requirements. The costs of such sampling and
26 analysis shall be paid by the owner or operator of such facility. The costs recovered for such
27 sampling shall be deposited in the public bathing facility program fund. The costs recovered for
28 analysis shall be consistent with the fee structure established in RSA 131:3-a and deposited as
29 provided in RSA 131:3-a. Any municipality which establishes a program of sampling and analysis
30 which is equivalent to the department's program shall not be subject to additional sampling and
31 analysis by the department.

32 V. There is hereby established a public bathing facility program fund. This separate,
33 nonlapsing fund shall be continually appropriated to the department and used to administer the
34 public bathing facility program under this chapter. Fees collected by the department shall be
35 deposited with the state treasurer to the credit of such fund and may be invested as provided by
36 law. Interest received on such investment shall also be credited to the fund.

37 127 New Subparagraph; Public Bathing Facility Fund. Amend RSA 6:12, I(b) by inserting after

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1 subparagraph 343 the following new subparagraph:

2 (344) Moneys deposited in the public bathing facility program fund under RSA 485-
3 A:26.

4 128 New Section; Public Bathing Facility Compliance Self-Certification. Amend RSA 485-A by
5 inserting after section 26 the following new section:

6 485-A:26-a Public Bathing Facility Compliance Self-Certification.

7 I. The owner of a public bathing facility that is open for 9 months or more in a calendar
8 year shall submit to the department, a self-certification declaration stating that each pool at the
9 facility is in compliance with all applicable public bathing facility requirements.

10 II. The owner of a public bathing facility that is open fewer than 9 months in a calendar
11 year shall submit to the department, prior to opening a self-certification declaration stating that
12 each pool at the facility is in compliance with all applicable public bathing facility requirements.

13 III. The self-certifications required by paragraphs I and II shall be on a form provided by
14 the department. If all of the requirements for the form are adopted in narrative rules, the form
15 shall not be subject to RSA 541-A.

16 IV.(a) The owner of a public bathing facility shall pay a non-refundable fee of \$250 per pool
17 up to a maximum of \$1,500 per public bathing facility with each self-certification, to cover
18 department expenses for conducting the self-certification program and hiring of program staff.

19 (b) If the self-certification fee is not paid within 30 days of the due date, a late fee shall
20 accrue at the rate of \$50 per 3-month period or portion thereof that the fee is not paid. The
21 commissioner may waive all or any portion of the late payment fee for good cause.

22 (c) Political subdivisions of the state shall be exempt from the fee for submitting a self-
23 certification declaration, but not from the requirement to submit the self-certification.

24 V.(a) The owner of a public bathing facility that is open for 9 months or more in a calendar
25 year and that existed as of January 1, 2019 shall file the initial self-certification within 60 days of
26 the effective date of this provision.

27 (b) The owner of a public bathing facility that is open fewer than 9 months in a calendar
28 year and that existed as of January 1, 2019 shall file the initial self-certification prior to initiating
29 operations in 2020.

30 129 Public Bathing Facilities; Injunctions; Emergency Closures. RSA 485-A:27 is repealed and
31 reenacted to read as follows:

32 485-A:27 Injunction; Emergency Closures.

33 I. Any person operating or maintaining a recreation camp, youth skill camp, or public
34 swimming pool, or bathing place facility without the same having been approved by the department
35 may be enjoined by the superior court or any justice of the court upon petition brought by the
36 attorney general.

37 II. Whenever the department determines that conditions at a public bathing facility

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1 jeopardize the health and safety of patrons of the facility, the department shall issue an emergency
2 closure notice. The department shall apply the following procedure in determining whether to issue
3 an emergency closure notice:

4 (a) The department shall perform an on-site inspection to determine whether each pool
5 at the facility is in compliance with the following standards established in rules adopted by the
6 commissioner pursuant to RSA 541-A:

7 (1) Bacteriological, chemical, and physical water quality standards; and

8 (2) Patron safety requirements relating to emergency response, emergency rescue
9 equipment, first aid kits, suction outlet covers/grates, and security fencing.

10 (b) If the department determines that a pool at the facility is not in compliance with the
11 standards and safety requirements specified in subparagraph (a) and that the deficiencies threaten
12 the health or safety of patrons of the facility, the department shall issue an emergency closure
13 notice to the owner of the facility or the owner's on-site representative. The notice shall identify
14 which pool must be closed and specify the reason for the emergency closure.

15 (c) Upon receipt of an emergency closure notice, the owner shall immediately close the
16 identified pool. The owner shall not reopen the pool until each deficiency cited in the emergency
17 closure notice has been corrected and the department has confirmed the corrections.

18 (d) If an owner believes an emergency closure notice has been issued in error, the owner
19 shall notify the department in writing, which may be sent by email, fax, United States Postal
20 Service delivery, or private delivery. The written notice shall identify each reason why the owner
21 or operator believes the emergency closure notice is not appropriate. The department shall provide
22 the owner or operator with an opportunity for an adjudicative hearing within 10 days of receiving
23 the written notice.

24 130 New Section; Public Bathing Facilities; Certified Operators Required. Amend RSA 485-A
25 by inserting after section 27 the following new section:

26 485-A:27-a Certified Operator Training Required.

27 I. Effective January 1, 2022, a public bathing facility shall be operated only under the
28 supervision of an individual who has successfully completed a the certified pool and spa operator
29 certification program offered by the Association of Pool and Spa Professionals, National Swimming
30 Pool Foundation, or other pool and spa operator certification programs approved by the department.

31 II.(a) By January 1, 2022, each owner of a public bathing facility that is open for 9 months
32 or more in a calendar year shall submit to the department the name and daytime telephone number
33 including area code of each certified pool operator engaged by the owner to supervise the pool at the
34 facility. The submission of this information shall occur as part of the self-certification in RSA 485-
35 A:26-a.

36 (b) For facilities that begin operation after January 1, 2022, the information in
37 subparagraph (a) shall be submitted prior to beginning operation.

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1 public health and safety issues for the protection of persons attending recreation camps regulated
2 under RSA 170-E:56, I.

3 170-E:55 Definitions.

4 I. "Recreation camp" means any place set apart for recreational purposes for boys and girls.
5 It shall not apply to private camps owned or leased for individual or family use, or to any camp
6 operated for a period of less than 10 days in a year.

7 II. "Youth skill camp" means a nonprofit or for-profit program that lasts 8 hours total or
8 more in a year for the purpose of teaching a skill to minors. Such camps include, but are not limited
9 to, the teaching of sports, the arts, and scientific inquiry.

10 170-E:56 Recreation Camp License; Youth Skill Camp Certification of Criminal Background
11 Check.

12 I. No person shall for profit or for charitable purposes operate any recreation camp, as
13 defined in RSA 170-E:55, I, designed or intended as a vacation or recreation resort, without a
14 license issued by the department. Such license shall be conditioned upon the maintenance of clean,
15 healthful sanitary conditions and methods, as determined and approved by said department, good
16 only for the calendar year in which it is issued and subject to suspension or revocation at any time
17 for cause. The fee for such license shall be \$200 which shall be paid into the recreation camp and
18 youth skill camp fund established in RSA 170-E:57.

19 II.(a) No person or entity shall for profit or for charitable purposes operate any youth skill
20 camp, as defined in RSA 170-E:55, II without maintaining an appropriate policy regarding
21 background checks for camp owners, employees and volunteers who may be left alone with any
22 child or children. Certification of background checks shall be made to the department
23 demonstrating that no individual has a criminal conviction for any offense involving:

24 (1) Causing or threatening direct physical injury to any individual; or

25 (2) Causing or threatening harm of any nature to any child or children.

26 (b) Any person or entity required to perform background checks and provide
27 certification to the department pursuant to subparagraph (a) shall pay a fee of \$25 to the
28 department. All such fees collected by the department shall be deposited into the recreation camp
29 and youth skill camp fund established in RSA 170-E:57.

30 (c) Subparagraphs (a) and (b) shall not apply to any person or entity which owns
31 property used to operate a youth skill camp or any buildings or structures on such property used in
32 the operation of a youth skill camp, provided such person or entity obtains written certification
33 signed by the youth skill camp operator stating that background checks in accordance with this
34 paragraph have been completed.

35 (d) Nothing in this section shall preclude more stringent requirements for background
36 checks on the part of camp owners, directors, or operators.

37 (e) Such policies shall be made available to the department and shall include the

1 frequency of the background checks and the sources used to conduct the background checks. The
2 department shall provide information on each youth skill camp's policy on the department's website.

3 (f) If an employee or volunteer has been the subject of a background check performed by
4 another person or entity within 12 months, the previous background check may, with the signed
5 and written consent of the employee or volunteer, be shared with the operator of the youth skill
6 camp and may be used to satisfy the requirements of this paragraph, notwithstanding any other
7 law providing for the confidentiality of such information.

8 170-E:57 Recreation Camp and Youth Skill Camp Fund. There is established the recreation
9 camp and youth skills camp fund. This fund shall be nonlapsing and continually appropriated to
10 the commissioner of the department of health and human services, for the purpose of paying costs
11 associated with administering the provisions of this subdivision.

12 170-E:58 Statement of Health for Recreational Camps. Notwithstanding any law or rule to the
13 contrary, any physical examination which is required before a child may enter a recreational camp
14 may be conducted by a physician, an advance practice registered nurse, or a physician assistant.

15 170-E:59 Possession and Use of Epinephrine Auto-Injectors at Recreation Camps. A recreation
16 camp shall permit a child with severe, potentially life-threatening allergies to possess and use an
17 epinephrine auto-injector, if the following conditions are satisfied:

18 I. The child has the written approval of the child's physician and the written approval of
19 the parent or guardian. The camp shall obtain the following information from the child's physician:

20 (a) The child's name.

21 (b) The name and signature of the licensed prescriber and business and emergency
22 numbers.

23 (c) The name, route, and dosage of medication.

24 (d) The frequency and time of medication administration or assistance.

25 (e) The date of the order.

26 (f) A diagnosis and any other medical conditions requiring medications, if not a
27 violation of confidentiality or if not contrary to the request of the parent or guardian to keep
28 confidential.

29 (g) Specific recommendations for administration.

30 (h) Any special side effects, contraindications, and adverse reactions to be observed.

31 (i) The name of each required medication.

32 (j) Any severe adverse reactions that may occur to another child, for whom the
33 epinephrine auto-injector is not prescribed, should such a pupil receive a dose of the medication.

34 II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse
35 shall receive copies of the written approvals required by paragraph I.

36 III. The child's parent or guardian shall submit written verification from the physician
37 confirming that the child has the knowledge and skills to safely possess and use an epinephrine

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1 auto-injector in a camp setting.

2 IV. If the conditions provided in this section are satisfied, the child may possess and use the
3 epinephrine auto-injector at the camp or at any camp-sponsored activity, event, or program.

4 V. In this section, "physician" means any physician or health practitioner with the
5 authority to write prescriptions.

6 170-E:60 Use of Epinephrine Auto-Injector. Immediately after using the epinephrine auto-
7 injector, the child shall report such use to the nurse or another camp employee to enable the nurse
8 or camp employee to provide appropriate follow-up care.

9 170-E:61 Availability of Epinephrine Auto-Injector. The recreational camp nurse or, if a nurse
10 is not assigned to the camp, the recreational camp administrator shall maintain for the use of a
11 child with severe allergies at least one epinephrine auto-injector, provided by the child or the child's
12 parent or guardian, in the nurse's office or in a similarly accessible location.

13 170-E:62 Immunity. No recreational camp or camp employee shall be liable in a suit for
14 damages as a result of any act or omission related to a child's use of an epinephrine auto-injector if
15 the provisions of RSA 170-E:59 have been met, unless the damages were caused by willful or
16 wanton conduct or disregard of the criteria established in that section for the possession and self-
17 administration of an epinephrine auto-injector by a child.

18 170-E:63 Possession and Use of Asthma Inhalers at Recreation Camps. A recreation camp shall
19 permit a child to possess and use a metered dose inhaler or a dry powder inhaler to alleviate
20 asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, if the following
21 conditions are satisfied:

22 I. The child has the written approval of the child's physician and the written approval of
23 the parent or guardian. The camp shall obtain the following information from the child's physician:

24 (a) The child's name.
25 (b) The name and signature of the licensed prescriber and business and emergency
26 numbers.

27 (c) The name, route, and dosage of medication.

28 (d) The frequency and time of medication administration or assistance.

29 (e) The date of the order.

30 (f) A diagnosis and any other medical conditions requiring medications, if not a
31 violation of confidentiality or if not contrary to the request of the parent or guardian to keep
32 confidential.

33 (g) Specific recommendations for administration.

34 (h) Any special side effects, contraindications, and adverse reactions to be observed.

35 (i) The name of each required medication.

36 (j) At least one emergency telephone number for contacting the parent or guardian.

37 II. The recreational camp administrator or, if a nurse is assigned to the camp, the nurse

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1 shall receive copies of the written approvals required by paragraph I.

2 III. The child's parent or guardian shall submit written verification from the physician
3 confirming that the child has the knowledge and skills to safely possess and use an asthma inhaler
4 in a camp setting.

5 IV. If the conditions provided in this section are satisfied, the child may possess and use the
6 inhaler at the camp or at any camp sponsored activity, event, or program.

7 V. In this section, "physician" includes any physician or health practitioner with the
8 authority to write prescriptions.

9 170-E:64 Immunity. No recreational camp or camp employee shall be liable in a suit for
10 damages as a result of any act or omission related to a child's use of an inhaler if the provisions of
11 RSA 170-E:63 have been met, unless the damages were caused by willful or wanton conduct or
12 disregard of the criteria established in that section for the possession and self-administration of an
13 asthma inhaler by a child.

14 170-E:65 Injunction. Any person operating or maintaining a recreation camp or youth skill
15 camp without the same having been approved by the department may be enjoined by the superior
16 court or any justice of the court upon petition brought by the attorney general.

17 170-E:66 Penalty; Administrative Fines.

18 I. Whoever violates any of the provisions of this subdivision, or rules adopted under this
19 subdivision shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other
20 person.

21 II. The commissioner, after notice and hearing, may impose an administrative fine not to
22 exceed \$2,000 for each offense upon any person who violates any provision of this subdivision, any
23 rule adopted under this subdivision, or any license or approval issued under this subdivision. Re-
24 hearings and appeals from a decision of the commissioner under this paragraph shall be in
25 accordance with RSA 541. Any administrative fine imposed under this section shall not preclude
26 the imposition of further penalties under this chapter. The proceeds of administrative fines levied
27 pursuant to this paragraph shall be deposited in the general fund. The commissioner shall adopt
28 rules, under RSA 541-A, relative to:

29 (a) A schedule of administrative fines which may be imposed under this paragraph; and

30 (b) Procedures for notice and hearing prior to the imposition of an administrative fine.

31 136 Water Pollution and Waste Disposal; Safety Regulations for Pools and Bathing Places.
32 Amend the subdivision heading preceding RSA 485-A:23 to read as follows:

33 Safety Regulations for [~~Camps,~~] Pools[~~;~~] and Bathing Places

34 137 Water Pollution and Waste Disposal; Injunction. Amend RSA 485-A:27 to read as follows:

35 485-A:27 Injunction. Any person operating or maintaining a [~~recreation camp, youth skill~~
36 ~~camp,~~] public swimming pool[~~;~~] or bathing place without the same having been approved by the
37 department may be enjoined by the superior court or any justice of the court upon petition brought

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1 by the attorney general.

2 138 Repeal. The following are repealed:

3 I. RSA 485-A:6, IX, relative to rulemaking for camp licenses and camp safety standards.

4 II. RSA 485-A:23, relative to safety regulations for camps, pools, and bathing places;
5 definitions.

6 III. RSA 485-A:24, relative to safety regulations for camps, pools, and bathing places;
7 recreation camp license; youth skill camp certification of criminal background check.

8 IV. RSA 485-A:24-a, relative to safety regulations for camps, pools, and bathing places;
9 recreation camp and youth skill camp fund.

10 V. RSA 485-A:25, relative to safety regulations for camps, pools, and bathing places;
11 rulemaking.

12 VI. RSA 485-A:25-a, relative to safety regulations for camps, pools, and bathing places;
13 statement of health for recreational camps.

14 VII. RSA 485-A:25-b, relative to safety regulations for camps, pools, and bathing places;
15 possession and use of epinephrine auto-injectors at recreation camps.

16 VIII. RSA 485-A:25-c, relative to safety regulations for camps, pools, and bathing places;
17 use of epinephrine auto-injector; availability of epinephrine auto-injector.

18 IX. RSA 485-A:25-d, relative to safety regulations for camps, pools, and bathing places;
19 availability of epinephrine auto-injector.

20 X. RSA 485-A:25-e, relative to safety regulations for camps, pools, and bathing places;
21 immunity.

22 XI. RSA 485-A:25-f, relative to safety regulations for camps, pools, and bathing places;
23 possession and use of asthma inhalers at recreation camps.

24 XII. RSA 485-A:25-g, relative to safety regulations for camps, pools, and bathing places;
25 immunity.

26 139 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 216-I:1, VII to read
27 as follows:

28 VII. "Recreational campground or camping park" means a parcel of land on which 2 or more
29 campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes
30 only, and not for permanent year-round residency, excluding recreation camps as defined in ~~[RSA~~
31 ~~485-A:23]~~ **RSA 170-E:55, I.**

32 140 Cross Reference Changed; Safety Regulations for Camps. Amend RSA 275:35 to read as
33 follows:

34 IX. Employees of a recreation camp or a youth skill camp licensed pursuant to ~~[RSA 485-~~
35 ~~A:24]~~ **RSA 170-E:56.**

36 141 Department of Military Affairs and Veterans Services. Amend the chapter heading of RSA
37 110-B to read as follows:

1 ~~[THE MILITIA]~~ **DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES**

2 142 Department of Military Affairs and Veterans Services; The Militia. Amend RSA 110-B:1 to
3 read as follows:

4 110-B:1 ***Department of Military Affairs and Veterans Services.***

5 ***I. The department shall consist of the militia, which shall include the army***
6 ***national guard, air national guard, the inactive national guard, the state guard, and the***
7 ***unorganized militia, and veterans services, which shall include the division of veterans***
8 ***services, the state veterans cemetery, the division of community based military programs,***
9 ***the veterans council, and the military leadership team.***

10 ***II. The department shall be led by an adjutant general.***

11 ***110-B:1-a*** Composition of the Militia.

12 I. The militia shall be divided into 3 classes, namely the national guard, the state guard,
13 and the unorganized militia.

14 II. The national guard shall consist of an army national guard, an air national guard, and
15 an inactive national guard. As used in this chapter, the term "national guard" shall mean and refer
16 to the army national guard and the air national guard unless otherwise indicated.

17 III. The state guard shall consist of those persons serving in accordance with the provisions
18 of RSA 111.

19 IV. The unorganized militia shall consist of all able-bodied residents of the state who are 18
20 years of age or older, who are, or have declared their intention to become, citizens of the United
21 States, and who are not serving in the national guard or the state guard.

22 V. When authorized by the laws and regulations of the United States, there shall be an
23 additional section of the state guard to be known as the New Hampshire naval militia.

24 143 The Adjutant General. Amend RSA 110-B:8, II and III to read as follows:

25 II. The adjutant general shall be the chief of staff to the governor and shall be the executive
26 head of the ~~[adjutant general's]~~ department ***of military affairs and veterans services.*** The
27 adjutant general may perform any act authorized by this chapter or by the regulations issued
28 pursuant thereto through or with the aid of such officers of the national guard or other personnel as
29 the adjutant general may designate. The adjutant general shall exercise and perform all powers,
30 functions and duties which are or may be imposed by the laws and regulations of the United States.
31 It shall be the duty of the adjutant general to direct the planning and employment of the forces of
32 the national guard in carrying out their state military mission; to establish unified command of
33 state forces whenever they shall be jointly engaged; to submit such written reports to the governor
34 as the governor may prescribe; and to perform such other duties as the governor may direct.
35 Whenever the governor and those who would act in succession to the governor under the
36 constitution and laws of the state shall be unable to perform the duties of commander-in-chief, the
37 adjutant general shall command the militia.

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1 IV. The division of community based military programs shall collaborate, coordinate, and
2 communicate with military and civilian provider groups in the delivery of services to New
3 Hampshire veterans, service members, and their families.

4 V. The military leadership team and veterans council shall serve as advisory bodies and
5 shall provide advice and guidance to the adjutant general regarding the delivery of services to
6 veterans and military service members and their families.

7 110-B:84 Division of Veterans Services. The division of veterans services under the supervision
8 of a director of veterans services shall:

9 I. Assist veterans who are residents of this state or their dependents to secure all benefits
10 or preferences to which they may be entitled under any state or federal laws or regulations. The
11 division shall employ such assistance as may be necessary, within the limits of the appropriation
12 made therefor, subject to the rules of the state division of personnel.

13 II. Biennially, beginning July 1, 2019, publish and distribute a state veteran's handbook
14 which shall include the following information:

15 (a) Points of contact for all federal, state, local, and nonprofit veterans agencies,
16 departments, councils, hospitals, clinics, and other organizations offering services, benefits, and
17 programs to New Hampshire veterans, including addresses, telephone numbers, and e-mail
18 addresses.

19 (b) A description of the services, benefits, and programs offered by each entity listed
20 under subparagraph (a).

21 III. Accept and expend for purposes of publishing and distributing the state veterans
22 handbook, any donations, grants, bequests, and contributions which become available for such
23 purposes.

24 110-B:85 Director of the Division of Veterans Services.

25 I. The adjutant general shall, with the approval of the governor and council, appoint a
26 director of the division of veterans services, who shall be a veteran as defined in RSA 21:50.

27 II. The director shall:

28 (a) Supervise the activities of a statewide service delivery structure which assists
29 veterans and family members in identifying eligibility for veterans benefits, filing claims,
30 coordinating benefits with other state and federal agencies, and reviewing claims decisions for
31 appeals or waivers of unfavorable decisions.

32 (b) Identify and develop legislative proposals to improve delivery of services, review and
33 monitor legislation introduced by others, testify at hearings, and prepare legislative fiscal note work
34 sheets. The director shall coordinate, implement, and administer programs mandated by the
35 legislature.

36 (c) Prepare the agency budget and administer and monitor expenditures for the division
37 of veterans services.

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1 (d) Develop and coordinate agency programs in conjunction with the United States
2 Department of Veterans Affairs as well as other federal, state, local, and private organizations.

3 (e) Represent the adjutant general at various state and national conventions,
4 conferences, and public functions and provide supervision to the division of veterans services' public
5 relations program.

6 (f) Perform such other duties as the adjutant general shall determine.

7 110-B:86 Copies of Public Records. When a copy of any public record is required by the
8 Department of Veterans Affairs to be used in determining the eligibility of any person to participate
9 in benefits made available by the United States Department of Veterans Affairs, the official
10 custodian of such public record shall without charge provide the applicant for such benefits or any
11 person acting on his or her behalf or the authorized representative of the United States Department
12 of Veterans Affairs with a certified copy of such record; provided, however, that in any case where
13 the copy is made by a town clerk whose official income is derived in part or entirely from fees a
14 charge for services hereunder shall be made and the town shall reimburse the clerk for the charges.

15 110-B:87 Donations and Bequests. The division of veterans services may receive, on behalf of
16 the state, all donations and bequests that may be made to support the delivery of state office of
17 veterans services programs.

18 110-B:88 Division of Community Based Military Programs. The division of community based
19 military programs, under the supervision of an administrator of community based military
20 programs shall facilitate military and civilian partnerships by collaborating, coordinating, and
21 communicating with military and civilian provider groups in the delivery of services to New
22 Hampshire veterans, service members, and their families. The administrator shall:

23 I. Develop and implement innovative, effective, and sustainable provider engagement
24 projects to increase education, outreach, and engagement with military-access resources.

25 II. Integrate military and civilian community and coalition networks and strengthen
26 military-civilian community supports by integrating those supports into civilian structures.

27 III. Advocate for federal and state funding to target system changes to improve services.

28 IV. Ensure cost efficiency through decreased overlap, service redundancy and increased
29 service fidelity.

30 V. Develop and provide oversight for New Hampshire's care coordination, including
31 services and supports addressing substance misuse, homelessness, suicide prevention, mental
32 health, sexual military trauma, unemployment, domestic violence, education, and legal support.

33 VI. Authorize, evaluate, and monitor the administration of federal and state grants.

34 VII. Initiate and facilitate state planning processes to improve access, navigation, and
35 coordination of military-civilian services and support.

36 VIII. Compile and analyze program statistics and metrics to evaluate the effectiveness of
37 the system of care, initiatives, and special projects, including the efforts of legislative, statewide,

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1 and community coalitions across the state.

2 110-B:89 State Veterans Council Established.

3 I. There shall be a state veterans council of 4 members to be appointed by the governor and
4 council, 3 of whom shall be veterans as defined by RSA 21:50. The fourth member shall be a family
5 member of a veteran or family member of a currently serving member of the armed forces. All
6 council members shall be citizens of New Hampshire. Of the first appointments of veterans under
7 this section one shall be appointed for a term of 3 years, one for a term of 2 years, one for a term of
8 one year and thereafter each shall be appointed for a term of 3 years. The family member shall be
9 appointed for a term of 3 years. Each member of the council shall hold office until a successor is
10 appointed and qualified. Any vacancy in the council shall be filled by the governor and council for
11 the unexpired term.

12 II. The members of the council shall meet not less than semi-annually to review activities of
13 the division of veterans services and provide guidance to and make recommendations for
14 improvement on the adequacy and delivery of veterans programs to the adjutant general. The
15 adjutant general may designate one of the members to serve as liaison to the state veterans
16 advisory committee.

17 110-B:90 Military Leadership Team. There is hereby established a military leadership team
18 which shall serve in an advisory capacity and shall provide advice and guidance to the adjutant
19 general regarding the delivery of services to veterans and military service members in New
20 Hampshire. The military leadership team shall choose a chairman, vice-chairman, and a secretary
21 from their membership. The team may, by a majority vote of its members, adopt bylaws governing
22 the management and operation of the team. The military leadership team shall consist of the
23 following members:

24 I. The adjutant general, or designee.

25 II. The director of the division of veterans services, or designee.

26 III. The members of the veterans council.

27 IV. The administrator of the division of community based military programs.

28 V. Representatives of organizations which provide services to veterans and military service
29 members in New Hampshire, appointed by the adjutant general.

30 VI. Members of the private sector who have an interest in serving service members,
31 veterans and their families, appointed by the adjutant general.

32 VII. A family member of veteran or currently serving member of the armed forces,
33 appointed by the adjutant general.

34 146 Aid for Veterans' Programs. Amend RSA 115-A:2, VII to read as follows:

35 VII. "[~~Office~~] **Division** of veterans services" means the [~~state office~~] **division** of veterans
36 services established pursuant to [~~RSA 115~~] **RSA 110-B:83**.

37 147 Replace Term. Replace "office of veterans services" or "state office of veterans services"

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1 with "division of veterans services" in the following RSA sections: RSA 21:50, I(b)(24); 72:29, VII;
2 94:1-a, I(b), Grade CC; 115-A:2, VII; 115-A:10; 115-A:14; 115-A:17; 115-A:21; 115-B:5; 115-D:2, I(e);
3 261-C:2, III; 261-C:3; 261-C:4, II; 261-C:7; 358-A:2, XVII; 465:3; 465:5; 465:11; 651:4-b, II(a).

4 148 Repeal. RSA 115, relative to the state office of veterans services, is repealed.

5 149 Sale of Property; National Guard Armory in Berlin. The adjutant general and the
6 department of military affairs and veterans services are authorized to offer for sale the national
7 guard armory land and buildings in the city of Berlin. The adjutant general and the department
8 shall submit quarterly reports on the progress of the sale to the fiscal committee of the general
9 court. Any sale of such land and buildings shall be subject to the requirements of RSA 4:40. All
10 proceeds from the sale may be used for the purchase of a new armory in general proximity to the
11 current armory in Berlin, and any proceeds from the sale that are not used for such a purchase
12 shall lapse to the general fund.

13 150 Department of Business and Economic Affairs; Rest Areas and Welcome Centers. Amend
14 RSA 12-O:18, I to read as follows:

15 I. The department of business and economic affairs shall be responsible for the staffing of
16 rest areas and welcome centers along the state's highways. There is established in the department
17 a bureau of visitor service *within the office of the commissioner* to administer this function. The
18 commissioner may consult with the local chambers of commerce relative to said function, and shall
19 have the authority to enter into contracts with private or public entities for said function as the
20 commissioner deems appropriate.

21 151 Labor; Workers' Compensation; Safety Provisions; Administrative Penalty. Amend RSA
22 281-A:64, VIII to read as follows:

23 VIII. The commissioner may assess an administrative penalty of up to \$250 a day on any
24 employer not in compliance with the written safety program required under paragraph II of this
25 section, the joint loss management committee required under paragraph III of this section, or the
26 directives of the department under paragraph IV of this section. Each violation shall be subject to a
27 separate administrative penalty. All penalties collected under this paragraph shall be deposited in
28 the ~~general fund~~ **department of labor restricted fund established pursuant to RSA 273:1-b.**

29 152 Labor; Workers' Compensation; Definitions. Amend RSA 281-A:2, VI(d) to read as follows:

30 (d) If the commissioner finds that an employer has misrepresented the relationship
31 between the employer and the person providing services, the commissioner may assess a civil
32 penalty of up to \$2,500; in addition, such employer may be assessed a civil penalty of \$100 per
33 employee for each day of noncompliance. The fines may be assessed from the first day of the
34 infraction but not to exceed one year. Notwithstanding any provision of law to the contrary, any
35 person with control or responsibility over decisions to disburse funds and salaries and who
36 knowingly violates the provisions of this subparagraph shall be held personally liable for payments
37 of fines. All funds collected under this subparagraph shall be ~~continually appropriated and~~

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1 ~~deposited into a nonlapsing workers' compensation fraud fund dedicated to the investigation and~~
2 ~~compliance activities required by this section and related sections pertaining to labor and insurance~~
3 ~~law.] **deposited into the department of labor restricted fund established pursuant to RSA**~~
4 **273:1-b.** The commissioner of labor shall appoint as many individuals as necessary to carry out the
5 department's responsibilities under this section.

6 153 Repeal. RSA 6:12, I(b)(267), relative to moneys deposited in the workers' compensation
7 fraud fund, is repealed.

8 154 Administration of Transportation Laws; Certification of Current Workers' Compensation
9 Coverage Required. Amend RSA 228:4-b, IV to read as follows:

10 IV. All funds collected under this section shall be deposited into the ~~[general fund]~~
11 **department of labor restricted fund established pursuant to RSA 273:1-b.**

12 155 New Subdivision; Governor's Finish Line New Hampshire Scholarship Program. Amend
13 RSA 188-F by inserting after section 68 the following new subdivision:

Governor's Finish Line New Hampshire Scholarship Program

14 188-F:69 Governor's Finish Line New Hampshire Scholarship Program.

15 I. The community college system of New Hampshire may establish and administer the
16 governor's finish line New Hampshire scholarship program with funds appropriated from the
17 general court. The program shall provide tuition grants, after federal grants and other aid, for
18 eligible students who have already completed 30 credits.

19 II. The program shall be open to any student attending an institution within the
20 community college system who is over 25 years of age and is enrolled in a field which the
21 community college system has identified as being in high demand by employers in the state.

22 III. The community college system shall establish procedures for the administration of the
23 program, identification of high demand fields of employment, and the criteria by which a student
24 shall qualify and be selected for a scholarship, provided that such procedures and criteria shall be
25 consistent with this section.

26 156 Program Transferred. The governor's scholarship program established in the office of
27 strategic initiatives pursuant to RSA 4-C:31-35 is hereby transferred to the department of
28 education. Any administrative rules for the governor's scholarship program shall continue in effect
29 and shall be enforced by the commissioner of the department of education until such rules expire or
30 are repealed or amended in accordance with applicable law.

31 157 New Subdivision; Governor's Scholarship Program. Amend RSA 21-N by inserting after
32 section 12 the following new subdivision:

Governor's Scholarship Program

33 21-N:13 Definitions. In this subdivision:

34 I. "Postsecondary educational institution or training program" means any institution within
35 the university system of New Hampshire as defined in RSA 187-A, any institution within the
36
37

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1 community college system of New Hampshire as defined in RSA 188-F, any private postsecondary
2 institution approved to operate in this state, or any postsecondary training or certificate program
3 within this state that is approved by the department, and is a not-for-profit institution that is
4 eligible to receive federal Title IV funds.

5 II. "Department" means the department of education.

6 III. "Program" means the governor's scholarship program.

7 21-N:14 Program Established. There is hereby established the governor's scholarship program
8 in the department of education which shall be administered by the department. The program shall
9 provide scholarships which a recipient shall apply to the costs of an education at a postsecondary
10 educational institution or training program. The department shall determine any additional
11 criteria regarding how and when scholarship funds shall be distributed, and may elect to distribute
12 funds to an individual in a lump sum or over a period of months or years.

13 21-N:15 Eligibility.

14 I. Any person who meets the following requirements shall be eligible for a scholarship:

15 (a) A person shall meet the residency requirements of RSA 193:12, and be a graduate of
16 a high school, public academy, chartered public school, or a high school-level home education
17 program as defined in RSA 193-A, have completed at least 3 years of high school in this state, be
18 pursuing a certificate, associate, or bachelor degree at a public or private postsecondary educational
19 institution in this state, and be eligible to receive a Pell grant; or

20 (b) A person shall be a graduate of a preparatory high school outside of this state while
21 a dependent of a parent or legal guardian who is a legal resident of this state and who has custody
22 of the dependent, and be eligible to receive a Pell grant; or

23 (c) A person shall have a parent or guardian who has served in or has retired from the
24 United States Army, Navy, Air Force, Marine Corps, or Coast Guard within the last 4 years and is a
25 resident of this state, and be eligible to receive a Pell grant; or

26 (d) A person shall be a graduate of a high school, public academy, chartered public high
27 school, or a high school-level home education program outside of this state but have maintained his
28 or her primary residence in this state for not less than 5 years preceding the date of application for
29 a scholarship, and be eligible to receive a Pell grant.

30 II. A person shall meet the qualifications for academic performance or work experience as
31 established by the department.

32 III. A person shall not have been adjudicated delinquent or convicted or pled guilty or nolo
33 contendere to any felonies or any second or subsequent alcohol or drug-related offenses under the
34 laws of this or any other state, or under the laws of the United States, except that an otherwise
35 eligible person who has been adjudicated delinquent or has been convicted or pled guilty or nolo
36 contendere to a second or subsequent alcohol or drug-related misdemeanor offense shall be eligible
37 or continue to be eligible for a scholarship after the expiration of one academic year from the date of

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1 adjudication, conviction, or plea.

2 21-N:16 Governor's Scholarship Fund Established.

3 I. There is hereby established in the state treasury the governor's scholarship fund which
4 shall be kept distinct and separate from all other funds. The fund shall provide scholarships for the
5 benefit of eligible residents of the state pursuing programs of study or training at a postsecondary
6 educational institution or training program within the state.

7 II. The comptroller shall credit to the fund any appropriations relating to the governor's
8 scholarship program made to the department of education, division of educator support and higher
9 education for each fiscal year. The state treasurer shall invest the fund in accordance with RSA 6:8.
10 Any earnings on fund moneys shall be added to the fund.

11 III. All moneys in the fund shall be nonlapsing.

12 IV. The department may institute promotional programs and solicit and receive gifts or
13 donations of any kind for the purpose of supporting educational scholarships from the fund. The
14 department may accept gifts to the fund including, but not limited to, cash gifts, and real or
15 personal property, without the approval of the governor and council.

16 V. All gifts, grants, and donations of any kind shall be credited to the fund.

17 21-N:17 Procedures.

18 I. All scholarship funds shall be distributed by the postsecondary educational institution.
19 The institution shall include the scholarship in the student's financial aid package and may seek
20 subsequent reimbursement. The state shall provide the reimbursements twice per year to each
21 institution for the number of eligible students enrolled in the current semester or term who are
22 receiving a scholarship in the amount of \$1,000. An institution shall submit the list of scholarship
23 students to the department or its designee no later than November 30 and April 30 of each academic
24 year, and shall be reimbursed within 30 days of those submittal dates.

25 II. An eligible person may receive a scholarship in the amount of \$1,000 per year provided
26 he or she maintains at least a 2.0 grade point average. An eligible person who earned the New
27 Hampshire scholar designation at the time of high school graduation shall be eligible to receive a
28 scholarship in the amount of \$2,000 per year provided he or she maintains at least a 2.5 grade point
29 average. In all cases the postsecondary educational institution shall agree not to reduce any merit
30 or need based grant aid that would have otherwise been provided to the eligible person. An eligible
31 person may receive an annual scholarship for a maximum of 4 years.

32 III. In the event the state does not reimburse a postsecondary educational institution for
33 scholarship amounts paid to an eligible person receiving an award, the institution shall agree not to
34 seek additional payments from the eligible person and to absorb the loss of funds without any
35 consequence to the student.

36 IV. The department shall determine procedures for distributing scholarship funds to an
37 eligible person enrolled in an approved training program.

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1 158 Application of Receipts; Governor's Scholarship Program. Amend RSA 6:12, I(b)(336) to
2 read as follows:

3 (336) Moneys deposited into the governor's scholarship fund established in ~~[RSA 4-~~
4 ~~C:34]~~ ***RSA 21-N:16***.

5 159 Repeal; Governor's Scholarship Program. RSA 4-C:31-35, relative to the governor's
6 scholarship program, are repealed.

7 160 New Section; Department of Transportation; Bulk Disposal of Highway or Turnpike
8 Funded Real Estate. Amend RSA 4 by inserting after section 39-e the following new section:

9 4:39-f Bulk Disposal of Highway or Turnpike Funded Real Estate. Notwithstanding RSA 4:39-
10 c, the bulk disposal of real estate purchased with state or federal highway funds, or both, or with
11 turnpike funds shall occur as follows:

12 I. The commissioner of the department of transportation may recommend the bulk disposal
13 of real estate purchased with state or federal highway funds or both, or turnpike funds. The
14 request for bulk disposal shall be presented for review and approval by the long range capital
15 planning and utilization committee before submission to the governor and council for approval.
16 Upon determination that the property is no longer needed by the state, the governor and council
17 shall first offer it to the government of the town, city, or county in which the property is located. If
18 the town, city, or county refuses the offer, the governor and council may sell, convey, transfer, or
19 lease the real property.

20 II. Sales of real property under this section shall be at not less than current market value of
21 the subject property, as may be determined by the governor and council.

22 III. The proceeds due back to the department of transportation from a sale, conveyance, or
23 transfer under this section shall be credited as restricted revenue to the highway fund, or the
24 turnpike fund, or whichever fund provided money for the original purchase. The funds shall be
25 nonlapsing and continually appropriated to the department to be used for right-of-way property
26 management, maintenance, operations, or betterment of state roads and bridges.

27 IV. The commissioner of the department of transportation shall, at least once annually,
28 report to the long range capital planning and utilization committee on the status of all real estate
29 previously approved under this section.

30 V. As used in this section "bulk disposal" means multiple properties within the department
31 of transportation's real estate inventory, which are valued and presented to the long range capital
32 planning and utilization committee as a whole for review and approval to be sold to multiple buyers.

33 161 Number Plates; Official Cover Plates. Amend RSA 261:90 to read as follows:

34 261:90 Official Cover Plates. Upon payment of a fee, the director may issue and shall designate
35 official cover plates with the reproduction of the state seal thereon to be affixed to a vehicle of
36 United States senators from this state, representatives to congress from this state, the governor,
37 members of the governor's council, the president of the senate, members of the senate, the speaker

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1 of the house of representatives, members of the house of representatives, the attorney general, the
2 secretary of state, the state treasurer, the President of the United States and members of his or her
3 executive staff, **and** any ambassador or member of the foreign diplomatic corps~~], and members of~~
4 ~~the Maine-New Hampshire Interstate Bridge Authority].~~ The fee for official cover plates shall be \$1
5 in addition to any other number plate manufacturing fee otherwise required. The official cover
6 plates, exclusive of the seal, shall be white with green lettering, which shall alternate with red
7 lettering every other biennium. Official cover plates shall have the title of the person requesting
8 the plates, except for members of the governor's council whose plates shall have their council
9 district numbers embossed on them, and members of the general court, whose plates shall have
10 their house seat numbers or their senate district numbers embossed on them unless the president of
11 the senate, for members of the senate, or the speaker of the house of representatives, for members
12 of the house of representatives, shall designate a title for their plates. The president of the senate,
13 or a designee, and the speaker of the house of representatives, or a designee, shall provide the
14 director with input as needed on the cover plate design for members of the general court. The
15 director shall not issue more than 2 sets of official cover plates to any person. Official cover plates
16 may be attached only to vehicles registered in the name of the person issued the plates or the name
17 of the spouse of a member of the general court, or any vehicle being operated by a member of the
18 general court. Nothing herein shall be construed as affecting the issuance of regular motor vehicle
19 plates and the payment of the registration fee therefor. Official cover plates shall be manufactured
20 at the state prison and the prison shall provide the plates to the department at the prison's cost.

21 162 Repeal; Maine-New Hampshire Interstate Bridge Authority. The following are repealed:

22 I. RSA 234:43-66, relative to the Maine-New Hampshire Interstate Bridge Authority and
23 the Portsmouth-Kittery Bridge, also known as the Sarah Mildred Long Bridge.

24 II. RSA 234:67-69, relative to the Sarah Mildred Long Bridge.

25 III. RSA 100-A:3, VIII, relative to New Hampshire retirement system membership for
26 employees of the Maine-New Hampshire Interstate Bridge Authority.

27 163 Executive Branch Code of Ethics; Complaints. Amend RSA 21-G:31, VI to read as follows:

28 VI. In proceedings under this subdivision, the committee shall have the power to issue
29 subpoenas and administer oaths. Such subpoena powers may be exercised for the committee by the
30 chairperson or legal counsel to the committee. The fees for witnesses ~~[shall be consistent with RSA~~
31 ~~516:16 and]~~ shall be borne by the committee or the party requesting the subpoena.

32 164 Insurance Holding Companies; Examination. Amend RSA 401-B:6, V to read as follows:

33 V. Compelling Production. In the event the insurer fails to comply with an order, the
34 commissioner shall have the power to examine the affiliates to obtain the information. The
35 commissioner shall also have the power to issue subpoenas, to administer oaths, and to examine
36 under oath any person for purposes of determining compliance with this section. Upon the failure
37 or refusal of any person to obey a subpoena, the commissioner may petition a court of competent

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1 jurisdiction, and upon proper showing, the court may enter an order compelling the witness to
2 appear and testify or produce documentary evidence. Failure to obey the court order shall be
3 punishable as contempt of court. Every person shall be obliged to attend as a witness at the place
4 specified in the subpoena, when subpoenaed, anywhere within the state. He or she shall be entitled
5 to the same fees and mileage, if claimed, as a witness in RSA 516:13[.] **and** RSA 516:14[~~and RSA~~
6 ~~516:16~~], which fees, mileage, and actual expense, if any, necessarily incurred in securing the
7 attendance of witnesses, and their testimony, shall be itemized and charged against, and be paid by,
8 the company being examined.

9 165 Payment of Witnesses in Criminal Cases. Amend RSA 592-A:12 to read as follows:

10 592-A:12 ~~[Payment of]~~ Witnesses in Criminal Cases. Any person who attends any court for the
11 state in criminal cases pursuant to subpoena ~~[shall be paid the witness fees provided by RSA 516:16.~~
12 ~~Any such person]~~ shall sign a witness log, which shall be available in the office of the clerk of court,
13 on which the individual shall provide the following information: name, mailing address, and the
14 name of the case for which the person was subpoenaed. The prosecuting agency shall review the
15 log each day and certify that each individual appeared as indicated on the log. ~~[The attorney~~
16 ~~general shall pay all witness fees to all such persons who are entitled to such fees.]~~

17 166 Parole Revocation. Amend RSA 651-A:17 to read as follows:

18 651-A:17 Parole Revocation. Any parolee arrested under RSA 651-A:15-a shall be entitled to a
19 hearing before the board within 45 days, in addition to any preliminary hearing which is required
20 under RSA 504-A:5. The parolee shall have the right to appear and be heard at the revocation
21 hearing. The board shall have power to subpoena witnesses~~[, pay said witnesses such fees and~~
22 ~~expenses as allowed under RSA 516:16,]~~ and administer oaths in any proceeding or examination
23 instituted before or conducted by it, and to compel, by subpoena duces tecum, the production of any
24 accounts, books, contracts, records, documents, memoranda, papers or tangible objects of any kind.
25 If the board, after a hearing, finds that the parolee has violated the conditions of parole, violated the
26 law, or associated with criminal companions and in its judgment should be returned to the custody
27 of the commissioner of corrections, the board shall revoke the parole. A prisoner whose parole is
28 revoked shall be recommitted to the custody of the commissioner of corrections. This provision shall
29 not apply to a parolee who has accepted an option, offered by a probation/parole officer, to
30 participate in an intermediate sanction program and has waived his or her right to counsel and to a
31 preliminary hearing under RSA 504-A:5.

32 167 Arbitration of Disputes; Witnesses. Amend RSA 542:5 to read as follows:

33 542:5 Witnesses; Summoning; Compelling Attendance. When more than one arbitrator is
34 agreed to, all the arbitrators shall sit at the hearing of the case unless, by consent in writing, all
35 parties shall agree to proceed with the hearing with a less number. Any person may be summoned
36 as provided in RSA 516[.] to attend before the arbitrators as a witness ~~[and the fees for such~~
37 ~~attendance shall be the same as the fees of witnesses in the superior court].~~ If any person or

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1 persons so summoned to testify shall refuse or neglect to attend, upon petition the court in and for
2 the county in which such arbitrators are sitting may compel the attendance of such person or
3 persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the
4 same manner now provided in RSA 516.

5 168 Midwifery; Powers and Duties of the Council. Amend RSA 326-D:4, II to read as follows:

6 II. The council shall have the power to subpoena witnesses and administer oaths in any
7 hearing or disciplinary proceedings, and to compel, by subpoena duces tecum, the production of
8 papers and records. ~~[Witnesses summoned before the council shall be paid the same fees as~~
9 ~~witnesses summoned to appear before the superior court, and such summons shall have the same~~
10 ~~effect as though issued for appearance before such court.]~~

11 169 Alcoholic Beverages; Hearings and Investigations. Amend RSA 179:56, I to read as follows:

12 I. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its
13 proceedings and to regulate the mode and manner of all investigations and hearings before it. All
14 hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such
15 investigation or hearing the commission shall not be bound by the technical rules of evidence. The
16 commission may subpoena witnesses and administer oaths in any proceeding or examination
17 instituted before or conducted by it, and may compel, by subpoena, the production of any accounts,
18 books, contracts, records, documents, memoranda, and papers of any kind whatever. ~~[Witnesses~~
19 ~~summoned before the commission shall be paid the same fees as witnesses summoned to appear~~
20 ~~before the superior court, and such]~~ A summons issued by any justice of the peace shall have the
21 same effect as though issued for appearance before such court.

22 170 Repeal. The following are repealed:

23 I. RSA 21-J:26, relative to witness fees for witnesses summoned to appear before the
24 commissioner of the department of revenue administration.

25 II. RSA 153:20, relative to witness fees for witnesses summoned to appear before the state
26 fire marshal.

27 III. RSA 326-H:17, III, relative to witness fees for witnesses summoned before the board of
28 dieticians.

29 IV. RSA 365:11, relative to witness fees for witnesses summoned before the public utilities
30 commission.

31 V. RSA 516:16, relative to fees of witnesses for attendance and travel.

32 VI. RSA 516:16-a, relative to defaults and witness fees for law enforcement officers.

33 VII. RSA 665:13, relative to witness fees for witnesses summoned before the ballot law
34 commission.

35 171 Granite Workforce. 2018, 342:3 through 342:8 are repealed and reenacted to read as
36 follows:

37 342:3 Granite Workforce; Pilot Program Established.

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1 I. The commissioner of the department of health and human services shall use allowable
2 funds from the Temporary Assistance to Needy Families (TANF) program along with other
3 available funds, including but not limited to, the job training fund established under RSA 282-
4 A:138-a to create a network of assistance to remove barriers to work for eligible low income families
5 as well as low income individuals and to provide subsidies to employers in high need areas, as
6 determined by the department of employment security based upon workforce shortages. The funds
7 shall be used to fund the granite workforce program, which shall operate as part of the New
8 Hampshire granite advantage health care program established in RSA 126-AA. The program shall
9 be jointly administered by the department of health and human services and the department of
10 employment security. No cash assistance shall be provided to eligible participants through granite
11 workforce.

12 II. To be eligible for granite workforce, applicants shall be enrolled in the New Hampshire
13 granite advantage health care program.

14 III. Allowable funds from the TANF program shall only be used to provide services outlined
15 herein and employment supports to individuals enrolled in the New Hampshire granite advantage
16 health care program that are:

17 (a) Parents aged 19 through 64 responsible for a dependent child under the age of 18; or

18 (b) Childless adults between 19 and 24 years of age.

19 IV. Authorized funding from the job training program along with other available funds
20 shall be used to provide services outlined herein and employment supports to individuals enrolled in
21 the New Hampshire granite advantage health care program that are between 25 and 64 years of
22 age.

23 V. An eligible recipient, participating in the granite workforce program, whose wages
24 subsequently cause the household to exceed 138 percent of the federal poverty level shall continue
25 to receive granite workforce program services as needed, including the subsidy for employers,
26 provided the recipients wages do not cause the household to exceed 250 percent of the federal
27 poverty level. After the second employer subsidy is paid on behalf of a granite workforce recipient,
28 the recipient shall no longer be eligible for granite workforce services as long as household income
29 exceeds 138 percent of the federal poverty level.

30 VI. The department of employment security shall determine eligibility and entry into the
31 program, using nationally recognized assessment tools for vocational and job readiness assessments.
32 Vocational assessments shall include educational needs, vocational interest, personal values, and
33 aptitude. The department shall use the assessment results to work with the participant to produce
34 a long term career plan for moving into the middle class and beyond.

35 VII. No person shall participate in the granite workforce program unless he or she is also
36 enrolled in the New Hampshire granite advantage health care program, as established in RSA 126-
37 AA.

1 VIII. Except as otherwise provided in paragraphs II, III, and IV regarding program
2 eligibility, administrative rules governing the New Hampshire employment program, adopted under
3 RSA 541-A, shall apply to the granite workforce pilot program.

4 342:4 Granite Workforce; Subsidies for Employers.

5 I. After 3 months of the employment of the participant in a paying job and receiving
6 verification of the continued employment and wages from the employer, the department of
7 employment security shall authorize payment to the employer a subsidy equal to 50 percent of the
8 employee's wages for the prior month, not to exceed \$2,000.

9 II. After 9 months of the continued employment of the participant in a paying job and
10 receiving verification of the continued employment and wages from the employer, the department of
11 employment security shall authorize payment to the employer a subsidy equal to 50 percent of the
12 employee's wages for the prior month, not to exceed \$2,000.

13 III. If an overpayment is made, the employer shall reimburse the department that amount
14 upon being notified by the department.

15 342:5 Granite Workforce; Referral for Barriers to Employment.

16 I. The department of health and human services, in consultation with the department of
17 employment security, shall issue a request for applications for community providers interested in
18 offering case management services to participants with barriers to employment.

19 II. Participants shall be identified by the department of employment security using an
20 assessment process that screens for barriers to employment including, but not limited to,
21 transportation, child care, substance use, mental health, and domestic violence.

22 III. Thereafter, the department of employment security shall refer to community providers
23 those individuals deemed needing assistance with removing barriers to employment. When child
24 care is identified as a barrier to employment, the department of employment security or the
25 community provider shall refer the individual to available child care service programs, including
26 specifically the child care scholarship program administered by the department of health and
27 human services.

28 IV. In addition to employer subsidies authorized under this section, TANF or other funds
29 allocated to the granite workforce program shall be used to pay for other services that eliminate
30 barriers to work as established through rulemaking.

31 342:6 Granite Workforce; Network of Education and Training.

32 I. If after the assessment conducted by the department of employment security additional
33 job training, education, or skills development is necessary prior to job placement, the department of
34 employment security shall address those needs by:

35 (a) Referring individuals to training and apprenticeship opportunities offered by the
36 community college system of New Hampshire;

37 (b) Referring individuals to the department of business and economic affairs to utilize

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1 available training funds and support services;

2 (c) Referring individuals to education and employment programs for youth available
3 through the department of education; or

4 (d) Referring individuals to training available through other colleges and training
5 programs.

6 II. All industry specific skills and training will be provided for jobs in high need areas, as
7 determined by the department of employment security based upon workforce shortages.

8 342:7 Granite Workforce; Job Placement. Upon determining the participant is job ready, the
9 department of employment security shall place individuals into jobs with employers in high need
10 areas, as determined by the department of employment security based upon workforce shortages.
11 This includes, but is not limited to, high labor need jobs in the fields of healthcare, advanced
12 manufacturing, construction/building trades, information technology, and hospitality. Training and
13 job placement shall focus on:

14 I. Supporting health care/safety issues: training/jobs to combat the opioid crisis, including
15 nurses, nursing assistants, clinicians, social workers, and treatment providers at the licensed
16 alcohol and drug addictions counselor and licensed mental health counselor levels. Additionally,
17 jobs to address long term care needs, home healthcare services, and expanding mental/behavioral
18 health services.

19 II. Advanced manufacturing to meet employer needs: training/jobs that include computer
20 aided drafting and design, electronic and mechanical engineering, precision welding, computer
21 numerical controlled precision machining, robotics, and automation.

22 III. Construction/building trades to address critical infrastructure needs: training/jobs for
23 building roads, bridges, municipality infrastructure, and ensuring safe drinking water.

24 IV. Information technology: training/jobs to allow businesses to excel in an ever increasing
25 network dependent business environment.

26 V. Hospitality training/jobs to address the workforce shortage and support New
27 Hampshire's tourism industry, to include but not be limited to hotel workers, restaurant workers,
28 campground workers, lift operators, state park workers, and amusement park workers.

29 342:8 Reporting Requirement; Measurement of Outcomes.

30 I. The department of health and human services shall prepare a report on the outcomes of
31 the granite workforce program using appropriate standard common performance measures.
32 Program partners, as a condition of participation, shall be required to provide the department with
33 the relevant data. Metrics to be measured shall include, but are not limited to:

34 (a) Degree of participation.

35 (b) Progress with overcoming barriers.

36 (c) Entry into employment.

37 (d) Job retention.

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1 (e) Earnings gain.

2 (f) Movement within established federal poverty level measurements, including the
3 Supplemental Nutrition Assistance Program (SNAP) and the New Hampshire granite advantage
4 health care program under RSA 126-AA.

5 (g) Attainment of education or training, including credentials.

6 II. The report shall be issued to the speaker of the house of representatives, the president of
7 the senate, the governor, the commission to evaluate the effectiveness and future of the New
8 Hampshire granite advantage health care program established under RSA 126-AA:4, and the state
9 library on or before December 1, 2019.

10 172 Department of Natural and Cultural Resources; Exemption from Transfer Restrictions.
11 Amend RSA 9:16-a, II-a(d) as follows:

12 (d) The following account units within the department of natural and cultural resources
13 shall be exempt from the transfer restrictions in subparagraphs (a), (b), and (c): 03-35-35-351510-
14 3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414,
15 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-
16 35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-
17 351510-3777, 03-35-35-351510-3717, [~~and~~] 03-35-35-351510-3703, **and 03-35-35-351510-4016.**

18 173 Motor Vehicles; Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as
19 follows:

20 I. Such defendant shall receive, in addition to the summons, a uniform fine schedule
21 entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for
22 violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The
23 defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment
24 at the time the summons is issued; except if, for cause, the summoning authority wishes the
25 defendant to appear personally. Defendants summoned to appear personally shall do so on the
26 arraignment date specified in the summons, unless otherwise ordered by the court. Defendants
27 who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall
28 enter their plea on the summons and return it with payment of the fine plus penalty assessment to
29 the director of the division of motor vehicles within 30 days of the date of the summons. The
30 director of the division of motor vehicles may accept payment of the fine by credit card in lieu of
31 cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of
32 the portion of the fine amount which is credited [~~as agency income~~] **to the highway fund** and not
33 out of the penalty assessment charged by the district court. The director of the division of motor
34 vehicles shall remit the penalty assessments collected to the state treasurer to be credited and
35 continually appropriated to the state general fund and to the victims' assistance fund and the
36 judicial branch information technology fund in the percentages and manner prescribed in RSA 106-
37 L:10. Fines shall be paid over to the state treasurer, and shall be credited [~~as agency income by the~~

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1 ~~department of safety]~~ **to the highway fund** within 14 days of their receipt [~~and shall not lapse to~~
2 ~~the general fund until the second year of each biennium~~].

3 174 Business Finance Authority Revenue Bonds; Additional State Guarantees. Amend RSA
4 162-I:9-b, I(a) to read as follows:

5 I.(a) The governor and council may award an unconditional state guarantee of the principal
6 of and interest on bonds issued under this chapter. The full faith and credit of the state shall be
7 pledged for any such guarantee, but the total amount of bonds guaranteed by the state under this
8 section [~~shall not exceed in the aggregate at any time \$10,000,000, plus interest, provided that such~~
9 ~~amount shall be increased to \$20,000,000 plus interest on January 1, 1993, to \$30,000,000 plus~~
10 ~~interest on January 1, 1994, to \$40,000,000 plus interest on January 1, 1995, and to \$50,000,000~~
11 ~~plus interest on January 1, 1996. In addition, the amount of bonds guaranteed by the state under~~
12 ~~this section]~~ shall not cause the contingent credit limit under RSA 162-A:22 to be exceeded. The
13 governor, with the advice and consent of the council, is authorized to draw his warrant for such
14 sum as may be necessary out of any money in the treasury not otherwise appropriated, for the
15 purpose of honoring any guarantee awarded under this section. The state's guarantee shall be
16 evidenced on each guaranteed bond by an endorsement signed by the state treasurer in
17 substantially the following form:

18 The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the
19 principal and interest on the within bond and for the performance of such guarantee the full faith
20 and credit of the state are pledged.

21 _____
22 State Treasurer

23 175 Repeal. RSA 162-I:9-b, II, relative to the total amount of state guarantees issued by the
24 business finance authority, is repealed.

25 176 Business Finance Authority; Unified Contingent Credit Limit. Amend RSA 162-A:22 to
26 read as follows:

27 162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under
28 RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17,
29 [~~RSA 162-I:9-a,~~] and RSA 162-I:9-b shall not exceed in the aggregate at any time \$50,000,000 plus
30 interest, provided that such amount shall be increased to \$80,000,000 plus interest on January 1,
31 1993, to \$95,000,000 plus interest on January 1, 1994, and to \$115,000,000 plus interest on May 1,
32 2015. [~~After May 1, 2015, an amount not to exceed \$30,000,000 plus interest may be used solely for~~
33 ~~bonds guaranteed pursuant to RSA 162-I:9-a, and an amount not to exceed the remaining~~
34 ~~\$85,000,000 plus interest may be used solely for bonds issued pursuant to sections other than RSA~~
35 ~~162-I:9-a.]~~

36 177 Repeal. The following are repealed:

37 I. RSA 12-G:33, relative to submission of a comprehensive development plan by the Pease

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1 development authority.

2 II. RSA 12-G:35, relative to loans to Pease development authority to enable the authority to
3 obtain matching funds.

4 178 Office of Professional Licensure and Certification; Fees. Amend RSA 310-A:1-e, I(b) to read
5 as follows:

6 (b) There is hereby established the office of professional licensure and certification fund
7 into which the fees collected under subparagraph (a) shall be deposited. ~~[The fund shall be a~~
8 ~~separate, nonlapsing fund, continually appropriated to the office for the purpose of paying all costs~~
9 ~~and salaries associated with the office]~~ **After paying all costs and salaries associated with the**
10 **office, moneys in this fund shall lapse to the general fund at the close of each fiscal year.**

11 179 New Paragraphs; Department of Justice; Director of the Office of Victim/Witness
12 Assistance. Amend RSA 21-M:3 by inserting after paragraph X the following new paragraphs:

13 XI. The attorney general, subject to the approval of the governor and council, may appoint
14 a director of the office of victim/witness assistance, within the limits of the appropriation made for
15 the appointment, who shall hold office for a term of 5 years. Any vacancy in such office may be
16 filled for the unexpired term. The director of the office of victim/witness assistance may be removed
17 only as provided by RSA 4:1.

18 XII. The attorney general, subject to the approval of the governor and council, may appoint
19 a director of communications within the limits of the appropriation made for the appointment, who
20 shall hold office for a term of 5 years. Any vacancy in such office may be filled for the unexpired
21 term. The director of communications may be removed only as provided by RSA 4:1.

22 180 Department of Justice; Office of Victim/Witness Assistance. Amend the introductory
23 paragraph in RSA 21-M:8-b, II to read as follows:

24 II. There is hereby established within the criminal justice bureau of the department of
25 justice, the office of victim/witness assistance. **The office shall be supervised by the director of**
26 **victim/witness assistance who shall be appointed by the attorney general in accordance**
27 **with the provisions of RSA 21-M:3, XI and who shall carry out the duties imposed by this**
28 **section under the supervision of the attorney general and perform such other work as the**
29 **attorney general may assign.** The office shall provide information and services to victims and
30 witnesses in criminal cases prosecuted by the attorney general and shall develop and coordinate a
31 statewide victim/witness rights information program. The victim/witness rights information
32 program shall:

33 181 New Paragraph; Department of Justice; Officer-Involved Deadly Force Investigator
34 Position Established. Amend RSA 21-M:8 by inserting after paragraph III the following new
35 paragraph:

36 IV.(a) To assist the attorney general in his or her duty to exercise general supervision of
37 officer-involved use of deadly force investigations and to provide training to local law enforcement

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1 officers, the department of justice may hire an unclassified full-time investigator assigned the
2 bureau, who shall work on officer-involved use of deadly force investigations.

3 (b) There is established within the department of justice an unclassified full-time
4 investigator position for the purpose of working on officer-involved use of deadly force investigations
5 as required in this paragraph. Notwithstanding RSA 14:14-c and RSA 94:1-d, the salary for the
6 full-time investigator position shall be established as a labor grade BB pursuant to RSA 94:1-a, I(a).

7 182 Department of Justice; Position Reclassified and Established.

8 I. The position of administrator II-public/legislative information officer, position number
9 18030, within the department of justice shall be designated as an unclassified position.

10 II. There is established within the department of justice the unclassified position of director
11 of communications. The salary of the director of communications shall be determined after
12 assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for
13 the positions which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion
14 of this action and appointment of the director of communications, position number 18030 shall be
15 abolished to allow for the transition of its available appropriations into the unclassified position of
16 director of communications. Funding shall be transferred into the proper unclassified expenditure
17 class for the attorney general accounting unit. The incumbent in the abolished classified position
18 shall be offered the opportunity to seek the attorney general's nomination for the unclassified
19 position of director of communications.

20 183 Department of Justice; Position Reclassified and Established.

21 I. The position of attorney III-assistant director of charitable trust, position number 10321,
22 within the department of justice shall be designated as an unclassified position.

23 II. There is established within the department of justice the unclassified position of
24 assistant attorney general. The salary of the assistant attorney general is established in RSA 94:1-
25 a, I-c. Upon completion of this action and appointment of the assistant attorney general, position
26 number 10321 shall be abolished to allow for the transition of its available appropriations into the
27 unclassified position of assistant attorney general. Funding shall be transferred into the proper
28 unclassified expenditure class for the charitable trust accounting unit. The incumbent in the
29 abolished classified position shall be offered the opportunity to seek the attorney general's
30 nomination for the unclassified position of assistant attorney general.

31 184 Department of Administrative Services; Rehiring of Laid Off Classified State Employees.

32 I. For purposes of this section, "laid off" means any person in a classified position as
33 described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or
34 who is laid off between July 1, 2019 and June 30, 2021, as a result of reorganization or downsizing
35 of state government.

36 II. It is the intent of the general court that any classified position which becomes available
37 in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state

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1 employee laid off, as defined in paragraph I, if such person is not currently employed by the state of
2 New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she
3 does not receive a promotion as a result of the rehire.

4 III. The head of each department or agency shall submit the name and classification of any
5 individual laid off between July 1, 2019 and June 30, 2021, to the director of the division of
6 personnel within 10 days of the layoff.

7 185 Appropriation; State Treasurer; Municipal Aid. The sum of \$12,500,000 for the fiscal year
8 ending June 30, 2021 is hereby appropriated to the state treasurer for the purpose of providing
9 municipal aid to each city, town, and unincorporated place in the state. The treasurer shall
10 distribute the municipal aid pursuant to the formula established in RSA 31-A:4, notwithstanding its
11 suspension in this act, but without regard to annual appropriation and distribution requirements
12 set forth therein, to each city, town, and unincorporated place in the state by September 1, 2020.
13 The governor is authorized to draw a warrant for said sums out of any money in the treasury not
14 otherwise appropriated. Notwithstanding RSA 31:95-b or any other provision of law no such
15 additional municipal aid shall be considered unanticipated money from the state.

16 186 New Section; Community Development Fund for New Hampshire Established. Amend
17 RSA 162-L by inserting after section 4 the following new section:

18 162-L:4-a Community Development Fund for New Hampshire. There is hereby established in
19 the state treasury the community development fund for New Hampshire, which shall be kept
20 distinct and separate from all other funds. All moneys in the fund shall be nonlapsing and
21 continually appropriated to the community development finance authority. In addition to any state
22 appropriations, the community development finance authority may except gifts, grants, and
23 donations from other sources, including contributions and loans from businesses, for deposit into
24 the fund. The fund shall be used to provide flexible loan capital for community development
25 initiatives and for one-time capital infrastructure revitalization and strategic investments.

26 187 New Subparagraph; Dedicated Funds or Accounts; Community Development Fund.
27 Amend RSA 6:12, I(b) by inserting after subparagraph (343) the following new subparagraph:

28 (344) Moneys deposited in the community development fund for New Hampshire
29 established in RSA 162-L:4-a.

30 188 Appropriation; Community Development Finance Authority; Community Development
31 Fund for New Hampshire. There is hereby appropriated to the community development finance
32 authority the sum of \$1,000,000 for the biennium ending June, 30 2021, for deposit in the
33 community development fund for New Hampshire established in RSA 162-L:4-a. The governor is
34 authorized to draw a warrant for such sum from any money in the treasury not otherwise
35 appropriated.

36 189 State Aid Grant Program; Appropriation to Department of Environmental Services.

37 I. The sum of \$2,877,449 for the fiscal year ending June 30, 2020, is hereby appropriated to

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1 the department of environmental services for the purpose of funding state aid grant programs
2 under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580 with substantial project
3 completion dates on or before December 1, 2018. The governor is authorized to draw a warrant for
4 said sum out of any money in the treasury not otherwise appropriated.

5 II. The sum of \$2,815,482 for the fiscal year ending June 30, 2021, is hereby appropriated to
6 the department of environmental services for the purpose of funding state aid grant programs
7 under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580 with substantial project
8 completion dates on or before December 1, 2018. The governor is authorized to draw a warrant for
9 said sum out of any money in the treasury not otherwise appropriated.

10 190 Department of Justice; Victim/Witness Specialist Positions Reclassified and Established.
11 The positions of victim/witness specialist position numbers 18674, 19419, 9T2817, and 9T2811,
12 within the department of justice shall be designated as unclassified positions. There are hereby
13 established within the department of justice 4 unclassified victim/witness specialist positions. The
14 salary of the victim/witness specialist positions shall be determined after assessment and review of
15 the appropriate temporary letter grade allocation for the positions which shall be conducted
16 pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointments to the
17 unclassified positions, position numbers 18674, 19419, 9T2817, and 9T2811 shall be abolished to
18 allow for the transition of the available appropriations to the unclassified positions. Funding shall
19 be transferred into the proper unclassified expenditure class in the victim witness general
20 accounting unit. The incumbents in the abolished classified positions shall be offered the
21 opportunity to seek the attorney general's nomination for the unclassified victim/witness specialist
22 positions.

23 191 New Paragraphs; Department of Justice; Criminal Justice Bureau; Victim/Witness
24 Specialist Positions Established. Amend RSA 21-M:8 by inserting after paragraph III the following
25 new paragraphs:

26 IV. The attorney general, subject to the approval of the governor and council, may appoint
27 permanent victim/witness specialists within the limits of the appropriation made for the
28 appointments, who shall hold office for a term of 5 years. Any vacancy in such position may be
29 filled for the unexpired term. The victim/witness specialists may be removed only as provided by
30 RSA 4:1.

31 V. The attorney general, subject to the approval of the governor and council, may appoint
32 unclassified, full-time temporary victim/witness specialists within the federal appropriations made
33 for the appointment, who shall hold office subject to continuation of the federal grant funds
34 supporting the victims/witness program. Any vacancy shall be filled in the same manner as the
35 original appointment. The victim/witness specialists may be removed only as provided by RSA 4:1,
36 or if the federal appropriation no longer supports the positions.

37 192 New Paragraph; Department of Justice; Elections Attorney Position Established. Amend

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1 RSA 21-M:8 by inserting after paragraph III the following new paragraph:

2 IV. There is established within the department of justice an unclassified full-time elections
3 attorney. The salary of the elections attorney shall be determined after assessment and review of
4 the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be
5 conducted pursuant to RSA 94:1-d and RSA 14:14-c.

6 193 Department of Natural and Cultural Resources; Curatorial Responsibilities Suspended.
7 Due to inadequate funding and staffing resources at the department of natural and cultural
8 resources, the commissioner of the department of natural and cultural resources may suspend the
9 requirements of RSA 227-C and RSA 12-A relative to curatorial responsibilities, for each year of the
10 biennium ending June 30, 2021.

11 194 Statewide Public Boat Access Fund; Appropriation to Department of Natural and Cultural
12 Resources. Amend RSA 233-A:13 to read as follows:

13 233-A:13 Statewide Public Boat Access Fund Established. There is hereby established a
14 nonlapsing statewide public boat access fund. The \$5 boat registration surcharge collected
15 pursuant to RSA 270-E:5, II(d) and any other public access funds donated to the state shall be
16 placed in this fund. ~~[A]~~ Funds received under this section are continually appropriated to the fish
17 and game department for the purposes of the statewide public boat access program established
18 under this chapter, ***except for sufficient funds which are hereby appropriated to the***
19 ***department of natural and cultural resources for payment of principal and interest on***
20 ***bonds and notes for the Mount Sunapee state park beach boat ramp project.***

21 195 Appropriation; Department of Natural and Cultural Resources; Fort Stark Historic Site.
22 The sum of \$300,000 for the fiscal year ending June 30, 2021, is hereby appropriated to the
23 department of natural and cultural resources for the purpose of redevelopment and improvement
24 projects at the Fort Stark historic site, including alleviating life safety issues that exist due to the
25 type of buildings found at Fort Stark and their current condition, redeveloping the parking area by
26 raising the grade to improve drainage and maximize capacity, providing historical interpretation
27 and administrative rules that apply to the site, and aesthetically enhancing the site through
28 landscape improvements including security lighting, benches, and hardscape. The governor is
29 authorized to draw a warrant for said sum out of any money in the treasury not otherwise
30 appropriated.

31 196 Department of State; Archives and Records Management; Appointment of Director. Amend
32 RSA 5:28 to read as follows:

33 5:28 Appointment of Director. The secretary of state, with the approval of governor and
34 council, shall appoint the director of the division of archives and records management, who shall be
35 known as the state archivist and who shall be an unclassified state employee. The director shall
36 have a minimum of a master's degree in library science ~~[or]~~, history, ***or equivalent*** or 10 years
37 prior experience as an archivist or experience in a related field. The term of office for the state

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1 archivist shall be for 4 years. Any vacancy shall be filled for the unexpired term. The salary of the
2 state archivist shall be as specified in RSA 94:1-a.

3 197 Department and Secretary of State; Election Fund. Amend RSA 5:6-d, I-III to read as
4 follows:

5 I. There is established in the office of the state treasurer a nonlapsing fund to be known as
6 the election fund which shall be kept distinct and separate from all other funds. The election fund
7 is established to meet the requirements of section 254(b) of the Help America Vote Act, Public Law
8 107-252 **and the 2018 Election Reform Program authorized by the Consolidated**
9 **Appropriations Act of 2018, Public Law 115-141, hereafter referred to as the "2018 Election**
10 **Reform Program"**.

11 II. The treasurer shall deposit in the election fund all monies received by the state pursuant
12 to the Help America Vote Act of 2002, Public Law 107-252 **and the 2018 Election Reform**
13 **Program**. The treasurer shall also deposit in the election fund such other funds received under
14 state or federal law, or donated to the state by private parties, for the purposes of conducting
15 elections, voter and election official education, election law enforcement, and related information
16 technology projects and improvements, and shall credit any interest or income earned on monies on
17 deposit to the fund.

18 III. The secretary of state is authorized to accept, budget, and, subject to the limitations of
19 this paragraph, expend monies in the election fund received from any party for the purposes of
20 conducting elections, voter and election official education, the purchase or lease of equipment that
21 complies with the Help America Vote Act of 2002, Public Law 107-252, or with RSA 659:13, V,
22 reimbursing the department of safety for the actual cost of voter identification cards, election law
23 enforcement, **enhancing election technology, making election security improvements**, and
24 improvements to related information technology, including acquisition and operation of an
25 automated election management system. **With the exception of federal and state portions of**
26 **funds associated with the 2018 Election Reform Program**, the secretary of state shall not
27 expend any monies in the election fund unless the balance in the fund following such expenditures
28 shall be at least 12 times the estimated annual cost of maintaining the programs established to
29 comply with the Help America Vote Act of 2002, Public Law 107-252.

30 198 Appropriation; Department of State. The sum of \$155,113 for the biennium ending June
31 30, 2021 is hereby appropriated to the department of state to meet the requirements of the 2018
32 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law
33 115-141, pursuant to RSA 5:6-d. Said sum shall not lapse and may also be used for the purposes of
34 the Help America Vote Act of 2002, Public Law 107-252. The governor is authorized to draw a
35 warrant for said sum out of any money in the treasury not otherwise appropriated.

36 199 Unemployment Compensation; Contribution Rates. Amend RSA 282-A:87, IV(a) to read as
37 follows:

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1 rules under RSA 541-A, relative to the administration of this subdivision.

2 282-A:184 Eligibility for Training Grants.

3 I. In this subdivision, "grant recipient" means the business entity that receives funds from
4 the department and which provides funds to the training provider.

5 II. Only those businesses that are physically located in or intend to be physically located in
6 the state and that are in compliance with state laws and regulations may be grant recipients under
7 this subdivision.

8 III. Only unemployed or underemployed residents of New Hampshire or individuals who
9 work for a business that is located in or intends to locate in the state shall be eligible for training,
10 reemployment services, subsidized employment, and employment supports under this subdivision.

11 IV. A business entity that receives a training grant under this subdivision shall match no
12 less than one dollar for each dollar provided through the grant award. The matching funds shall
13 include only those costs extraordinary to the regular employee expenses incurred by the business
14 and shall be directly related to training.

15 V. Priority shall be given for grants to small businesses for the implementation of
16 technological innovations.

17 VI. Intent to locate within the state shall be established to the satisfaction of the
18 commissioner of the department of employment security. Intent shall be established by:

19 (a) Proof of substantial investment or a binding contractual obligation consistent with
20 such intent;

21 (b) The lease or purchase of real estate or equipment within the state necessary for the
22 planned move; or

23 (c) Such other requirements as may be established under rules adopted by the
24 commissioner of the department of employment security.

25 VII. Submission of documents to substantiate proof of intent by a business to locate within
26 the state shall be in accordance with rules adopted by the commissioner of the department of
27 employment security.

28 VIII. No grant shall be made to the state, including the university system of New
29 Hampshire, except that the New Hampshire department of employment security may expend job
30 training funds to the university system of New Hampshire, state community college system, and
31 other public and private training providers to address job readiness and job placement needs of
32 underserved populations by providing for training, education, reemployment services, subsidized
33 employment, and employment supports for individuals who are not employed, or are
34 underemployed, and not eligible for other state or federal workforce training programs.

35 IX. No grant shall be made to any county, city, town, or other political subdivision which
36 has not currently elected to pay contributions pursuant to RSA 282-A:71, II.

37 X. No grant shall be made to any organization or group of organizations, described in

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1 section 501(c)(3) and exempt under section 501(a) of the Internal Revenue Code, which has not
2 currently elected to pay contributions pursuant to RSA 282-A:69, II except that such entity may be
3 eligible to receive job training funds in connection with training, education, reemployment services,
4 subsidized employment, and employment supports provided for individuals who are unemployed or
5 underemployed and not eligible for other state or federal workforce training programs.

6 282-A:185 Eligible Costs.

7 I. To be eligible for a training grant under this subdivision, a cost shall be necessary and
8 reasonable for the proper and efficient delivery of training to the employees of the grant recipient.

9 II. The following costs shall not be eligible for training grants:

10 (a) Costs resulting from violations of or failure to comply with federal, state, or local
11 laws and regulations.

12 (b) Entertainment costs.

13 (c) Administrative costs.

14 (d) Salaries and wages of employees in training.

15 III. Funds for training grants shall supplement, and not replace, funds available through
16 existing programs conducted by the business entity, or other public or private training programs.

17 IV. The department may use no more than 10 percent, or \$250,000, of any moneys received
18 from the training fund established in RSA 282-A:188, whichever is less, to administer this program.

19 282-A:186 Training Facilities.

20 I. Training provided to unemployed or underemployed individuals through this program
21 shall include training and education opportunities offered by the university system of New
22 Hampshire and the community college system of New Hampshire as well as training available
23 through other colleges and public and private training programs.

24 II. The provider shall be specified in the grant award.

25 282-A:187 Performance; Report.

26 I. The grant review committee shall establish performance criteria. The committee shall
27 submit no later than 60 days after the close of each fiscal year, to the commissioner of the
28 department of business and economic affairs, the commissioner of the department of employment
29 security, the governor, the senate president, the speaker of the house of representatives, and the
30 fiscal committee of the general court, a report indicating the level of performance achieved through
31 the program.

32 II. The department shall evaluate the performance level for each training grant provided to
33 a business.

34 III. The grant recipient shall file the information required under paragraphs I and II, as
35 requested by the commissioner.

36 282-A:188 Training Fund.

37 I. There is hereby created in the state treasury a special fund to be known as the training

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1 fund. Commencing January 1, 2020, the moneys in this fund may be used, solely as determined by
2 the commissioner of employment security in accordance with rules and guidelines adopted by the
3 commissioner of employment security, for funding training under the job training program for
4 economic growth, established under RSA 282-A:181 through RSA 282-A:187. Rulemaking authority
5 relative to administration of the grant award process shall be with the commissioner of employment
6 security pursuant to RSA 282-A:183.

7 II. The commissioner of employment security shall act as the fiscal agent for moneys
8 deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the
9 training fund shall be paid from such fund.

10 III. Any interest earned on the moneys in this fund shall remain in the fund and shall be
11 expended as provided in paragraph I.

12 IV. Any moneys paid into the training fund during a calendar year, which are either not
13 obligated by June 30 of the following year or spent by June 30 of the year thereafter, shall be
14 continually appropriated and shall not lapse.

15 201 Commission to Review and Evaluate Workforce and Job Training Programs in New
16 Hampshire. Amend RSA 273:28, IV(g)(12) to read as follows:

17 (12) Department of [~~business and economic affairs~~] **employment security**, job
18 training program for economic growth pursuant to RSA [~~12-O:30-37~~]-**RSA 282-A:181 through RSA**
19 **282-A:187**.

20 202 Application of Receipts. Amend RSA 6:12, I(b)(74) to read as follows:

21 (74) Moneys deposited in the training fund established by RSA [~~282-A:138-a~~] **282-**
22 **A:188**.

23 203 New Hampshire Workforce Opportunity Fund. Amend RSA 12-O:45, V to read as follows:

24 V. In accordance with RSA [~~12-O:30~~] **282-A:181** through RSA [~~12-O:37~~] **282-A:187**, the
25 commissioner of the department of employment security shall have the authority to make grants to
26 New Hampshire employers for the purpose of training employees in accordance with this chapter,
27 such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any
28 single employer in any grant year the sum of \$70,000, unless first approved by governor and
29 council. The commissioner shall provide the governor and council an information item not less
30 frequently than semi-annually describing all such grants expended pursuant thereto. Such grants
31 shall be made pursuant to a form of agreement that shall be approved by governor and council after
32 review by the attorney general and the commissioner of the department of administrative services.

33 204 Unemployment Compensation Rates. Amend RSA 282-A:87, IV(a)(2) to read as follows:

34 (2) Commencing July 1, 2007, after deduction of all costs incurred in the collection
35 of the administrative contribution, 1/3 of the quarterly administrative contribution collected, not to
36 exceed \$2,000,000 annually, shall be deposited each quarter in the fund established by RSA [~~282-~~
37 ~~A:138-a~~] **282-A:188** and shall be expended only as provided by and for the purposes provided in that

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1 section. The remaining quarterly administrative contribution collected shall be deposited in the
2 fund established by RSA 282-A:140 and shall be expended only as provided by and for the purposes
3 provided in that section, and not for any other purpose.

4 205 Repeal. The following are repealed:

5 I. RSA 12-O:30 through RSA 12-O:37, relative to the job training program for economic
6 growth.

7 II. RSA 282-A:138-a, relative to the training fund.

8 206 Appropriation; Affordable Housing Fund. The sum of \$5,000,000 for the fiscal year ending
9 June 30, 2020, is hereby appropriated to the housing finance authority for deposit in the affordable
10 housing fund established in RSA 204-C:57, for the purpose of providing financing or state matching
11 funds for affordable housing. The appropriation shall be in addition to any other funds
12 appropriated to the housing finance authority. The governor is authorized to draw a warrant for
13 said sum out of any money in the treasury not otherwise appropriated.

14 207 New Section; Special Account. Amend RSA 432 by inserting after section 30 the following
15 new section:

16 432:30-a Special Account. There is established a separate account to which shall be credited all
17 funds appropriated or acquired to provide financial and technical assistance associated with this
18 subdivision. This shall be a nonlapsing account, and funds in said account are hereby appropriated
19 for the purpose of this subdivision.

20 208 Appropriation. Department of Agriculture, Markets and Food. There is hereby
21 appropriated to the department of agriculture, markets and food the sum of \$250,000 for the fiscal
22 year ending June 30, 2020 and \$500,000 for the fiscal year ending June 30, 2021 for deposit in the
23 special account established in RSA 432:30-a. The governor is authorized to draw a warrant for said
24 sum out of any money in the treasury not otherwise appropriated.

25 209 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after
26 subparagraph (343) the following new subparagraph:

27 (344) Moneys deposited in the special account for agriculture development rights
28 under RSA 432:30-a.

29 210 State Demographer. For the biennium ending June 30, 2021, the provisions of RSA 4-C:36
30 and RSA 14:46, VII are hereby suspended. For said biennium, the director of the office of strategic
31 initiatives may provide assistance to the commission on demographic trends established pursuant to
32 RSA 4-C:37, the department of health and human services pursuant to RSA 9:9-e, or the legislative
33 budget assistant pursuant to RSA 9:9-f, in place of the state demographer.

34 211 Board of Tax and Land Appeals; Staff. Amend RSA 71-B:14 to read as follows:

35 71-B:14 Staff. The board shall have upon its staff [2] **at least one** review [~~appraisers~~]
36 **appraiser** who shall be **a** classified state [~~employees~~] **employee** and who shall be competent to
37 review the value of property for tax and eminent domain purposes. In addition, the board shall

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1 have such clerical and technical staff as may be necessary within the limits of appropriation made
2 therefor.

3 212 Coos County Job Creation Tax Credit Extended. Amend RSA 77-E:3-c, II to read as
4 follows:

5 II. ~~[The initial job creation tax credit allowed under this paragraph shall not apply to any~~
6 ~~tax period ending prior to the effective date of this section, or to any tax period ending after~~
7 ~~December 31, 2018.]~~ After being initially granted, the tax credit shall be renewable for 4
8 consecutive additional years, provided that no additional tax credit shall be granted under this
9 chapter for any tax period after December 31, ~~[2022]~~ **2027**.

10 213 Business Profits Tax; Imposition of Tax; 2019. RSA 77-A:2 is repealed and reenacted to
11 read as follows:

12 77-A:2 Imposition of Tax. A tax is imposed at the rate of 7.9 percent upon the taxable business
13 profits of every business organization.

14 214 Business Enterprise Tax; Imposition of Tax; 2019. RSA 77-E:2 is repealed and reenacted to
15 read as follows:

16 77-E:2 Imposition of Tax. A tax is imposed at the rate of .675 percent upon the taxable
17 enterprise value tax base of every business enterprise.

18 215 Repeal of Prospective Amendments. The following are repealed:

19 I. 2017, 156:215; relative to the rate of the business profits tax in 2021.

20 II. 2017, 156:216; relative to the rate of the business enterprise tax in 2021.

21 III. 2017, 156:217, II, relative to the applicability of the 2021 rates changes.

22 216 Applicability. Sections 213 and 214 of this act shall apply to taxable periods ending on or
23 after December 31, 2019.

24 217 Education Trust Fund. Amend the introductory paragraph of RSA 198:39, I to read as
25 follows:

26 I. The state treasurer shall establish an education trust fund in the treasury. Moneys in
27 such fund shall not be used for any purpose other than to distribute adequate education grants to
28 municipalities' school districts and to approved charter schools pursuant to RSA 198:42, **to**
29 **distribute school building aid to school districts and approved chartered public schools**
30 **pursuant to RSA 198:15-b, to distribute tuition and transportation funds to school districts**
31 **for students attending career and technical education programs pursuant to RSA 188-E:9,**
32 **to distribute special education aid to school districts pursuant to RSA 186-C:18, and to**
33 provide low and moderate income homeowners property tax relief under RSA 198:56-198:61~~[, and to~~
34 ~~fund kindergarten programs as may be determined by the general court]~~. The state treasurer shall
35 deposit into this fund immediately upon receipt:

36 218 New Section; The Budget; Transmission to the Legislature; Changes to Statutory Law.
37 Amend RSA 9 by inserting after section 2 the following new section:

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1 9:2-a Transmission to the Legislature; Changes to Statutory Law. Not later than February 15
2 of the first year of each biennial legislative session, the governor shall transmit to the legislature a
3 document to be known as the trailer bill containing any changes to statutory law deemed necessary
4 for the ensuing biennium. This document shall be separate from the document known as the
5 budget as provided in RSA 9:2 and shall not be considered a budget bill as provided in part II,
6 article 18-a of the New Hampshire constitution. This document shall be available in printed format
7 and at least one electronic computer file format in common use at the time.

8 219 Department of Safety; Deputy Director of Administration; Position Established. There is
9 established within the department of safety the unclassified position of deputy director of
10 administration. The deputy director of administration shall be qualified to hold that position by
11 reason of education and experience, and shall be appointed by and serve at the pleasure of the
12 commissioner of safety. The deputy director of administration shall assist the director of
13 administration in carrying out the duties of the department of safety. The salary of the deputy
14 director of administration shall be determined after assessment and review of the appropriate
15 temporary letter grade allocation in RSA 94:1-a, I for the position which shall be conducted
16 pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be appropriated from expenditure class
17 012, within accounting unit 02-23-23-232015-2310.

18 220 New Section; Department of Safety; Deputy Director of Administration. Amend RSA 21-P
19 by inserting after section 6 the following new section:

20 21-P:6-a Deputy Director of Administration.

21 I. The commissioner of safety shall nominate a deputy director of administration for
22 appointment by the governor, with the consent of the council. The deputy director of
23 administration shall serve a term of 4 years, and may be reappointed. The deputy director of
24 administration shall be qualified to hold that position by reason of education and experience.

25 II. The deputy director of administration shall perform such duties as are assigned by the
26 director of administration. The deputy director of administration shall assume the duties of the
27 director of administration in the event that the director of administration is unable for any reason
28 to perform such duties.

29 III. The salary of the deputy director of administration shall be as specified in RSA 94:1-a.

30 221 Assistant Director of Division of Fire Standards and Training and Emergency Medical
31 Services; Membership in New Hampshire Retirement System. Notwithstanding any provision of
32 RSA 100-A to the contrary, the current assistant director of the division of fire standards and
33 training and emergency medical services, department of safety, shall be considered to have been
34 properly enrolled as a member in group II of the New Hampshire retirement system as of his
35 original date of hire with the division of fire standards and training and emergency medical services
36 and he shall retain such membership for the duration of service in his present capacity.

37 222 Motor Vehicles; Copies of Certificates and Motor Vehicle Records. Amend RSA 260:15, II to

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1 read as follows:

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

8 223 Motor Vehicles; Drivers' Licenses; Real ID Compliant; Fee. Amend RSA 263:42, I to read
9 as follows:

10 I. For each original driver's license and examination or driver's license renewal, other than
11 for a commercial vehicle or motorcycle- ***\$60 for a Real ID Act compliant license under RSA***
12 ***263:14-b or \$50 for each other license***; for each license issued under RSA 263:5-f- \$10; for each
13 youth operator's license and examination- \$10 per year, not to exceed \$50; for each license issued to
14 a nonresident alien for less than 5 years- \$10 per year or portion thereof; for each original
15 commercial driver license and examination or commercial driver license renewal- \$60; for each
16 commercial driver license reexamination in a one-year period- \$20; for each commercial vehicle
17 endorsement, renewal of an endorsement, or removal of a restriction- \$10; for each special
18 motorcycle original license and examination or special motorcycle license renewal- \$50; for each
19 original motorcycle endorsement- \$25; for each 3-wheeled motorcycle endorsement- \$25; for each
20 motorcycle endorsement and 3-wheeled motorcycle endorsement renewal- no charge. For each
21 original driver's license issued, \$5 shall be credited to the driver training fund established by RSA
22 263:52. Except as provided in RSA 263:5-f, I, RSA 263:14, and RSA 263:39-a, III, every license shall
23 expire on the licensee's birthdate in the fifth year following the issuance of such license. No fee
24 collected under this paragraph shall be refunded once an examination has been taken or a license
25 issued, except as provided in RSA 263:43.

26 224 Department of Transportation; Capital Corridor Rail Expansion. The department of
27 transportation is hereby authorized to access the Boston Urbanized Area Formula Funding program
28 of the Federal Transit Administration, 49 U.S.C. section 5307, identified in the 2019-2028 Ten Year
29 Transportation Improvement Plan, to complete the project development phase of the project named
30 Nashua-Manchester-Concord, project number 40818. The department may use toll credits pursuant
31 to RSA 228:12-a for this project.

32 225 Department of Transportation; Use of Toll Credits. Amend RSA 228:12-a to read as
33 follows:

34 228:12-a Use of Toll Credits. The department may use toll credits as a match for federal
35 highway funds solely for the funding of highway and road projects, [~~or~~] projects concerning the
36 travel of motor vehicles on such highways and roads, ***and the completion of the project***
37 ***development phase of the project named Nashua-Manchester-Concord, project number***

1 **40818, in the 2019-2028 Ten Year Transportation Improvement Plan.** Any other use of toll
2 credits shall require approval of the joint legislative capital budget overview committee, established
3 in RSA 17-J:1, prior to moving the project forward for approval in the state 10-year transportation
4 improvement program.

5 226 Department of Transportation; Appropriation. There is hereby appropriated to the
6 department of transportation the sum of \$1,640,000 for the fiscal year ending June 30, 2020, for the
7 purpose of demolition and environmental mitigation of structures on state-owned property. Such
8 funds shall not lapse. The governor is authorized to draw a warrant for said sum out of any money
9 in the treasury not otherwise appropriated.

10 227 Rulemaking Exception; Medicaid Rate of Reimbursement Methodology for Nursing
11 Facilities. Amend RSA 541-A:21 by inserting after paragraph III the following new paragraph:

12 III-a. Rules adopted relative to the budget adjustment factor contained within the Medicaid
13 rate of reimbursement methodology for nursing facilities shall be exempt from the provisions of 541-
14 A:5 through 541-A:14 provided that the budget adjustment factor applied to the reimbursement
15 methodology is equal to or less than 28.76 percent. If the budget adjustment factor to be applied to
16 the reimbursement methodology is greater than 28.76 percent, the provisions of 541-A shall apply.

17 228 Alcohol Abuse Prevention and Treatment Fund; Disbursements. Amend RSA 176-A:1, III
18 to read as follows:

19 III. Moneys received from all other sources other than the liquor commission pursuant to
20 RSA 176:16, III, **including any community benefit contribution made by New Hampshire's**
21 **hospitals**, shall be disbursed from the fund upon the authorization of the governor's commission on
22 alcohol and drug abuse prevention, treatment, and recovery established pursuant to RSA 12-J:1
23 **and shall not be diverted for any other purposes.** Funds disbursed shall be used for alcohol
24 and other drug abuse prevention, treatment, and recovery services, and other purposes related to
25 the duties of the commission under RSA 12-J:3; provided, however, that funds received from any
26 source other than the liquor commission, pursuant to RSA 176:16, III, shall not be used to support
27 the New Hampshire granite advantage health care program and shall not be deposited into the fund
28 established in RSA 126-AA:3.

29 229 Appropriation; Department of Health and Human Services; Construction of Designated
30 Receiving Facility Beds. There is hereby appropriated to the department of health and human
31 services the sum of \$2,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing,
32 for the purpose of funding rate increases for and construction of designated receiving facility beds.
33 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
34 otherwise appropriated.

35 230 Appropriation; Department of Health and Human Services; Inpatient Psychiatric
36 Treatment Facility. There is hereby appropriated the sum of \$5,000,000 for the fiscal year ending
37 June 30, 2020, which shall be nonlapsing, to the department of health and human services for the

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1 purpose of obtaining and renovating a new treatment facility for children who are in need of acute
2 inpatient psychiatric treatment. The plans for developing such facility shall be completed by
3 December 31, 2019, and the facility shall be operational by December 31, 2020. The governor is
4 authorized to draw a warrant for said sum out of any money in the treasury not otherwise
5 appropriated.

6 231 Appropriation; Department of Health and Human Services; New Hampshire Hospital
7 Repurposing. There is hereby appropriated to the department of health and human services the
8 sum of \$4,000,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the
9 purpose of repurposing the children's unit at New Hampshire Hospital for adult beds. The plans for
10 repurposing the unit shall be developed by the department in consultation with the advisory council
11 on patients civilly committed to the secure psychiatric unit, established in RSA 622:52-a, and shall
12 be completed by June 1, 2020. The unit shall be operational for adult patients by June 1, 2021. The
13 governor is authorized to draw a warrant for said sum out of any money in the treasury not
14 otherwise appropriated.

15 232 Appropriation; Department of Health and Human Services; Transitional Housing Beds.
16 There is hereby appropriated to the department of health and human services the sum of
17 \$2,500,000 for the fiscal year ending June 30, 2020, which shall be nonlapsing, for the purpose of
18 funding 20 new transitional housing beds for forensic patients and/or patients with complex
19 behavioral health conditions including those transitioning from the New Hampshire hospital. The
20 plans for constructing such beds shall be completed by January 1, 2020, and the beds shall be
21 operational by June 1, 2021. The governor is authorized to draw a warrant for said sum out of any
22 money in the treasury not otherwise appropriated.

23 233 Appropriation; Department of Health and Human Services; Patients Residing in Hospital
24 Emergency Rooms. There is hereby appropriated to the department of health and human services
25 the sum of \$1,000,000 for the fiscal year ending June 30, 2019, which shall be nonlapsing, and shall
26 be expended for the purpose of providing assistance to hospitals in addressing the immediate needs
27 of involuntary emergency admissions patients currently residing in emergency rooms in hospitals
28 further than 30 miles from an established New Hampshire mobile crisis team or a designated
29 receiving facility; provided that no hospital shall receive more than \$100,000. The commissioner of
30 the department of health and human services shall establish the application process for such funds.
31 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
32 otherwise appropriated.

33 234 Transfer of Funds for Operation of the Sununu Youth Services Center. Notwithstanding
34 RSA 9:16-a and RSA 9:16-c, for the biennium ending June 30, 2021, prior approval of the fiscal
35 committee of the general court shall be required for any transfer of funds required for the operation
36 of the Sununu youth services center.

37 235 Medicaid Managed Care Program; Dental Benefits. Amend RSA 126-A:5, XIX(a) to read as

1 follows:

2 XIX.(a) The commissioner shall employ a managed care model for administering the
3 Medicaid program and its enrollees to provide for managed care services for all Medicaid
4 populations throughout New Hampshire consistent with the provisions of 42 U.S.C. *section* 1396u-
5 2. Models for managed care may include, but not be limited to, a traditional capitated managed
6 care organization contract, an administrative services organization, an accountable care
7 organization, or a primary care case management model, or a combination thereof, offering the best
8 value, quality assurance, and efficiency, maximizing the potential for savings, and presenting the
9 most innovative approach compared to other externally administered models. The department shall
10 present the opportunities of the various models or combination of models with a recommendation for
11 the best managed care model for New Hampshire, no later than July 15, 2011, to the fiscal
12 committee of the general court which shall consult with the oversight committee on health and
13 human services. Services to be managed within the model shall include all mandatory Medicaid
14 covered services and may include, but shall not be limited to, care coordination, utilization
15 management, disease management, pharmacy benefit management, provider network management,
16 quality management, and customer services. ~~[The model shall not include mandatory dental~~
17 ~~services.]~~ The commissioner shall issue a 5-year request for proposals to enter into contracts with
18 the vendors that demonstrate the greatest ability to satisfy the state's need for value, quality,
19 efficiency, innovation, and savings. The request for proposals shall be released no later than
20 October 15, 2011. The vendors of the managed care model or combination of models demonstrating
21 the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings
22 shall be selected no later than January 15, 2012 with final contracts submitted to the governor and
23 council no later than March 15, 2012 unless this date is extended by the fiscal committee. After the
24 bidding process, the commissioner shall establish a capitated rate based on the bids by the
25 appropriate model for the contract that is full risk to the vendors. The capitated rate shall be
26 broken down into rate cells for each population including, but not limited to, the persons eligible for
27 temporary assistance to needy families (TANF), aid for the permanently and totally disabled
28 (APTD), breast and cervical cancer program (BCCP), home care for children with severe disabilities
29 (HC-CSD), and those residing in nursing facilities. The capitated rate shall be approved by the
30 fiscal committee of the general court. The managed care model or models' selected vendors
31 providing the Medicaid services shall establish medical homes and all Medicaid recipients shall
32 receive their care through a medical home. In contracting for a managed care model and the
33 various rate cells, the department shall ensure no reduction in the quality of care of services
34 provided to enrollees in the managed care model and shall exercise all due diligence to maintain or
35 increase the current level of quality of care provided. The target date for implementation of the
36 contract is July 1, 2012. The commissioner may, in consultation with the fiscal committee, adopt
37 rules, if necessary, to implement the provisions of this paragraph. The department shall seek, with

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1 the approval of the fiscal committee, all necessary and appropriate waivers to implement the
2 provisions of this paragraph.

3 236 New Subdivision; Child Abuse Specialized Medical Evaluation Program. Amend RSA 169-
4 C by inserting after section 39-k the following new subdivision:

5 Child Abuse Specialized Medical Evaluation Program

6 169-C:39-1 Child Abuse Specialized Medical Evaluation Program Established. A child abuse
7 specialized medical evaluation program is hereby established in the department. The program shall
8 include the following elements:

9 I. Child protective service workers shall have on-call access, 24 hours a day and 7 days a
10 week, to an experienced health care professional who is trained in and can advise on the
11 standardized diagnostic methods, treatment, and disposition of suspected child sexual abuse and
12 physical abuse.

13 II. Department nurses and child protective service workers performing screenings and
14 assessments of reported cases of child abuse shall receive pre-service training in the standardized
15 medical diagnostic methods, treatment, and disposition as well as periodic in-service training by
16 health care providers experienced in child abuse and neglect.

17 III. Annually, a limited number of designated health care providers geographically
18 distributed shall be trained in nationally recognized curricula to respond to initial presentations of
19 child sexual abuse, physical abuse, and neglect.

20 IV. Health care professionals who participate in the training or are members of a
21 multidisciplinary team, working with the department of health and human services or law
22 enforcement, shall participate in periodic peer or expert reviews of their evaluations and undertake
23 continuing education in the medical evaluation of child abuse and neglect according to professional
24 standards.

25 V. The department shall contract with a health care provider with experience in child
26 abuse and neglect to administer the program in collaboration with participating private and public
27 entities.

28 VI. Reimbursement rates for health care providers who participate in the program shall
29 reflect the average cost to deliver such services, including the participation in multidisciplinary
30 team activities and associated court proceedings. The rates shall be periodically reviewed and, if
31 necessary, revised.

32 VII. The commissioner of the department shall adopt rules, under RSA 541-A, relative to
33 the medical evaluation program, training and continuing education requirements, and
34 reimbursement rates.

35 237 Delinquent Children; Dispositional Hearing; Commitment of Minors. RSA 169-B:19, VI is
36 repealed and reenacted to read as follows:

37 VI.(a) A minor committed to the youth development center pursuant to this section shall be

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1 promptly evaluated by the center to determine whether a safe, therapeutic, and cost-effective
2 placement may be made as an alternative to the youth development center. Such evaluation is not
3 required if the minor has been committed for a serious violent offense as defined in RSA 169-B:31-c,
4 II.

5 (b) If the commissioner determines that an alternative placement for a minor would be
6 safe, therapeutic, and cost-effective, the commissioner may place the minor in a residential
7 treatment facility that the commissioner has certified for the immediate transfer of committed
8 minors. If the commissioner determines that an alternative placement for a minor would be safe,
9 therapeutic, and cost-effective, but decides not to make an alternative placement, the commissioner
10 shall notify the court within 5 business days of the decision to not pursue an alternative placement,
11 along with the basis for the decision not to place the minor outside the youth development center.
12 Within 2 business days of receiving notice, the court shall provide a copy of the notice to the parent
13 or guardian of the minor and to the attorney who represented the minor at the time of the
14 commitment to the youth development center.

15 (c) The commissioner shall notify the court of an alternative placement made pursuant
16 to this paragraph within 5 business days of the placement. The commissioner shall notify the court
17 of any change in placement to another facility made during the period of commitment. All such
18 notices shall include a description of the basis for the change in placement, and shall be provided to
19 the parent or guardian of the minor and to the attorney who represented the minor at the time of
20 the commitment to the youth development center.

21 (d) The commissioner shall certify at least 2 facilities for the immediate transfer of
22 committed minors pursuant to this paragraph. Only facilities which are eligible for Medicaid
23 reimbursement may be certified for immediate transfers. The process for certification of residential
24 treatment facilities under this subparagraph shall include consultation with the operators of
25 existing facilities in the state about their physical and programmatic capacity, as well as the
26 identification of any necessary enhancements in programming or rate structure so that the certified
27 facilities are appropriate to receive minors immediately following their commitment to the youth
28 development center.

29 (e) The commissioner shall notify the administrative justice of the circuit court and the
30 fiscal committee of the general court if a facility is certified for alternative placements pursuant to
31 this paragraph within 10 business days of the certification.

32 (f) The commissioner shall maximize the utilization of facilities other than the youth
33 development center and reserve the use of the youth development center for the confinement of only
34 those minors who are so dangerous to themselves or to the public that no other safe placement is
35 available. The commissioner shall pursue the same objectives in complying with the requirements
36 of all provisions of this chapter and the provisions of RSA 621.

37 238 Applicability. RSA 169-B:19, VI, as amended by section 237 of this act, shall apply to

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1 children committed to the youth development center on or after November 1, 2019.

2 239 Federal Family Planning Funding. If the proposed federal rule on Compliance with
3 Statutory Program Integrity Requirements, 83 Fed. Reg. 25,502 (to be codified at 42 C.F.R. pt 59)
4 does not go into effect and federal family planning funds are made available to the providers funded
5 out of account 05-95-90-902010-5530, the unused portion of general funds appropriated to that
6 account for the purpose of replacing lost federal funds shall lapse to the general fund.

7 240 New Section; Commission to Study School Funding. Amend RSA 193-E by inserting after
8 section 2-d the following new section:

9 193-E:2-e Commission Established.

10 I. There is established a commission to study school funding.

11 II. The members of the commission shall be as follows:

12 (a) Four members of the house of representatives, appointed by the speaker of the house
13 of representatives.

14 (b) Two members of the senate, appointed by the president of the senate.

15 (c) Six members of the public, 3 of whom shall be appointed by the president of the
16 senate and 3 of whom shall be appointed by the speaker of the house of representatives.

17 (d) One member appointed by the governor.

18 (e) Three members appointed by the chairperson of the commission pursuant to
19 paragraph V.

20 III. Legislative members of the commission shall receive mileage at the legislative rate
21 when attending to the duties of the commission.

22 IV. The commission shall:

23 (a) Review the education funding formula and make recommendations to ensure a
24 uniform and equitable design for financing the cost of an adequate education for all public school
25 students in the state.

26 (b) Determine whether the New Hampshire school funding formula complies with court
27 decisions mandating the opportunity for an adequate education for all students, with a revenue
28 source that is uniform across the state.

29 (c) Identify trends and disparities across the state in student performance in
30 kindergarten through grade 12 based on current school funding options.

31 (d) Re-establish the baseline for the costs, programs, staffing, and facilities needed to
32 provide the opportunity for an adequate education.

33 (e) Act as an independent commission.

34 (f) Consider other policy issues as the committee deems necessary. The commission
35 may consult with outside resources and state agencies, including but not limited to the department
36 of education, the department of revenue administration, and the legislative budget office.

37 V. The members of the study commission shall elect a chairperson from among the

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1 members. The chairperson shall appoint 3 individuals to be members of the commission. The first
2 meeting of the commission shall be called by the first-named house member. The first meeting of
3 the commission shall be held within 60 days of the effective date of this section. Eight members of
4 the commission shall constitute a quorum. The commission shall establish a calendar to meet on a
5 regular basis.

6 VI. The commission shall establish a budget and hire staff with an understanding of school
7 finance options. Such staff shall be independent of government agencies.

8 VII. The commission shall make an initial report to the speaker of the house of
9 representatives, the president of the senate, the senate clerk, the house clerk, the governor, and the
10 state library 9 months after its first meeting, with a subsequent report to the house clerk, the
11 senate clerk, the governor, and the state library on or before September 1, 2020. The commission
12 shall remain active until and when the general court addresses its recommendations.

13 241 Appropriation. The sum of \$500,000 for the biennium ending June 30, 2021 is hereby
14 appropriated to the commission to study school funding established in RSA 193-E:2-e for the
15 purpose of administration, staffing, and the utilization of independent school finance experts.
16 Notwithstanding restrictions on the use of moneys in the education trust fund in RSA 198:39, said
17 appropriation shall be a charge against the education trust fund and shall be nonlapsing.

18 242 Interest and Dividends Tax; Exemptions Increased; Capital Gain Income. Amend RSA
19 77:3, I to read as follows:

20 I. Taxable income is that ***interest, dividend, and capital gain*** income, ***as defined in***
21 ***RSA 77:4***, received [~~from interest and dividends~~] during the tax year prior to the assessment date
22 by:

23 (a) Individuals who are inhabitants or residents of this state for any part of the taxable
24 year whose gross interest [~~and~~], ***gross*** dividend [~~income from all sources~~], ***and capital gain***
25 ***income, as defined in RSA 77:4***, including income from a qualified investment company pursuant
26 to RSA 77:4, V, exceeds [~~\$2,400~~] ***\$5,000*** during that taxable period.

27 (b) Partnerships, limited liability companies, and associations, the beneficial interest in
28 which is not represented by transferable shares, whose gross interest [~~and~~], ***gross*** dividend, [~~income~~
29 ~~from all sources~~] ***and capital gain income, as defined in RSA 77:4***, exceeds [~~\$2,400~~] ***\$5,000***
30 during the taxable year, but not including a qualified investment company as defined in RSA 77-
31 A:1, XXI, or a trust comprising a part of an employee benefit plan, as defined in the Employee
32 Retirement Income Security Act of 1974, section 3.

33 (c) Executors deriving their appointment from a court of this state whose gross interest
34 [~~and~~], ***gross*** dividend, [~~income from all sources~~] ***and capital gain income, as defined in***
35 ***RSA 77:4***, exceeds [~~\$2,400~~] ***\$5,000*** during the taxable year.

36 243 Taxation of Incomes; What Taxable. Amend RSA 77:4, IV and V to read as follows:

37 IV. [~~Dividends, other than that portion of a dividend declared by corporations to be a return~~

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1 of capital and considered by the federal internal revenue service to be such, the exemption of which
2 is permitted by RSA 77:7.] ***The capital gain reported on the taxpayer's federal income tax***
3 ***return which shall be the amount, if any, that is equal to the positive sum of the net short-***
4 ***term capital gain or loss and the net long-term capital gain or loss reported on that***
5 ***return.***

6 V. Amounts reported and taxed federally as ~~[dividends or interest]~~ ***interest, dividend, or***
7 ***capital gain income*** to a holder of an ownership interest in a qualified investment company as
8 defined in RSA 77-A:1, XXI, a mutual fund, or a unit investment trust.

9 244 Taxation of Incomes; Exclusion of Certain Income; Employee Benefit Plans. Amend
10 RSA 77:4-b to read as follows:

11 77:4-b ~~[Interest and Dividend]~~ Income of Employee Benefit Plans and Tax Deferred
12 Investments Not Taxable. Notwithstanding any provisions of RSA 77:4 to the contrary, ~~[interest~~
13 ~~and dividend income]~~ ***interest, dividend, and capital gain income, as defined in RSA 77:4,***
14 received by an employee benefit plan as defined by the Employee Retirement Income Security Act of
15 1974, section 3, or any successor act enacted for the purpose of regulating employee benefit plans, or
16 an individual retirement arrangement, Keogh plan or any other arrangement pursuant to which
17 payment of federal tax on the income thereof and of the plan sponsors, participants and
18 beneficiaries is deferred, shall at no time be considered taxable income under RSA 77:4, either to
19 the plan or arrangement or to its sponsors, participants or beneficiaries, irrespective of when or
20 whether all or any portion of such income is accumulated or expended for the benefit of, or
21 distributed in any form or manner to, such sponsors, participants or beneficiaries.

22 245 Taxation of Incomes; Exclusion of Certain Income; Qualified Investment Companies,
23 Mutual Funds, and Unit Investment Trusts. Amend the introductory paragraph of RSA 77:4-d to
24 read as follows:

25 77:4-d Special Rule for Qualified Investment Companies, Mutual Funds, and Unit Investment
26 Trusts. Notwithstanding any other provision of RSA 77:4, the following income items shall not be
27 treated as ~~[dividends or interest]~~ income taxable under this chapter:

28 246 Taxation of Incomes; Exclusion of Certain Income; College Tuition Savings Plans. Amend
29 RSA 77:4-e to read as follows:

30 77:4-e Interest ~~[and Dividends]~~, ***Dividend, and Capital Gain Income*** from Funds Invested
31 in College Tuition Savings Plan Not Taxable. Notwithstanding any provision of RSA 77:4, income
32 and distributions from any qualified tuition program as defined in the Internal Revenue Code of
33 1986, as amended, shall not be taxable under this chapter to the plan or to its sponsors,
34 participants, or beneficiaries to the extent that the same is exempt from federal income taxation
35 under section 529 of the Internal Revenue Code of 1986, as amended, as that section was in effect
36 on July 1, 2003.

37 247 Taxation of Incomes; Excess Compensation. Amend RSA 77:4-g to read as follows:

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1 77:4-g ~~[Dividend]~~ **Excess Compensation.** Excess compensation determined by audit of the
2 department shall not be considered ~~[a dividend]~~ **taxable income** under this chapter unless such
3 determination is accepted by the Internal Revenue Service.

4 248 Taxation of Incomes; ABLE Plans. Amend RSA 77:4-h to read as follows:

5 77:4-h Interest ~~[and Dividends]~~, **Dividend, and Capital Gain Income** from Funds Invested
6 in Achieving a Better Life Experience (ABLE) Plan Not Taxable. Notwithstanding any provision of
7 RSA 77:4, income and distributions from any Achieving a Better Life Experience (ABLE) plan as
8 defined in the Internal Revenue Code of 1986, as amended, shall not be taxable under this chapter
9 to the plan or its sponsors, participants, or beneficiaries to the extent that the same is exempted
10 from federal income taxation under section 529A of the Internal Revenue Code of 1986, as amended.

11 249 Exemptions Increased. Amend RSA 77:5 to read as follows:

12 77:5 Exemptions. Each taxpayer shall have the following exemptions:

13 I. Income of ~~[\$2,400]~~ **\$5,000.**

14 II. An additional ~~[\$1,200]~~ **\$7,500** if either or both taxpayers are 65 years of age or older on
15 the last day of the tax year.

16 III. An additional ~~[\$1,200]~~ **\$2,500** if either or both taxpayers are blind.

17 IV. An additional ~~[\$1,200]~~ **\$2,500** if either or both taxpayers are disabled, unable to work,
18 and have not yet reached their sixty-fifth birthday.

19 250 Taxation of Incomes; Married Taxpayers; Joint Returns. Amend RSA 77:5-a to read as
20 follows:

21 77:5-a Married Taxpayers; Joint Returns. A married taxpayer may claim the exemptions
22 provided in RSA 77:5 for both self and spouse, regardless of the ownership of the ~~[income from~~
23 ~~interest or dividends,]~~ **interest, dividend, or capital gain income, as defined in RSA 77:4,**
24 provided that both ~~[husband and wife]~~ **spouses** file a joint return.

25 251 Taxation of Incomes; Decedents Estates. Amend RSA 77:9 to read as follows:

26 77:9 Decedents' Estates. The estates of deceased persons who last dwelt in this state shall be
27 subject to the taxes imposed by this chapter upon all taxable income received by such persons
28 during their lifetime, which has not already been taxed. The ~~[income]~~ **interest, dividend, or**
29 **capital gain income, as defined in RSA 77:4,** received by such estates during administration
30 shall be taxable to the estate, except such proportion thereof as equals the proportion of the estate
31 to be distributed to non-taxable persons or organizations. The commissioner of revenue
32 administration and executors and administrators of estates may effect a settlement by compromise
33 of any question of doubt or dispute arising under this section.

34 252 Taxation of Incomes; Income From Trusts. Amend RSA 77:10 to read as follows:

35 77:10 Income From Trusts. ~~[Interest and dividend income]~~ **The interest, dividend, and**
36 **capital gain income,** received by estates held by trustees treated as grantor trusts under section
37 671 of the United States Internal Revenue Code shall be included in the return of their grantor, to

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1 the extent that the grantor is an inhabitant or resident of this state. Income reported by, and taxed
2 federally as interest [~~or dividends to~~], **dividend, or capital gain income to** a trust beneficiary
3 who is an individual inhabitant or resident of this state with respect to distributions from a trust
4 that is not treated as a grantor trust under section 671 of the United States Internal Revenue Code
5 shall be included as interest [~~or dividends~~], **dividend, or capital gain income** in the return of
6 such beneficiary and subject to taxation in accordance with the provisions of this chapter.

7 253 Taxation of Incomes; Returns and Declaration. Amend RSA 77:18, IV(a) and (b) to read as
8 follows:

9 (a) Every individual whose total [~~interest and dividend income~~] **interest, dividend, or**
10 **capital gain income, as defined in RSA 77:4**, is less than [~~\$2,400~~] **\$5,000** for a taxable period.

11 (b) For joint filers whose total [~~interest and dividend income~~] **interest, dividend, or**
12 **capital gain income, as defined in RSA 77:4**, is less than [~~\$4,800~~] **\$10,000** for a taxable period.

13 254 Repeals. The following are repealed:

14 I. RSA 77:4-c, relative to sale or exchange of transferable shares not taxable.

15 II. RSA 77:7, relative to capital distribution.

16 255 Applicability. Sections 242-254 of this act shall be applicable to tax periods ending on and
17 after December 31, 2020.

18 256 Education Trust Fund; Revenue From Tax on Interest and Dividends. Amend RSA 198:39,
19 I, (l) to read as follows:

20 (l) ***\$150,000,000 of funds collected and paid to the state treasurer by the***
21 ***commissioner of the department of revenue administration pursuant to RSA 77 relative to***
22 ***the tax on interest and dividends and capital gains.***

23 (m) Any other moneys appropriated from the general fund.

24 257 School Money; Definitions. Amend RSA 198:38, I(a) to read as follows:

25 (a) "Average daily membership in attendance" or "ADMA" means the average daily
26 membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade
27 12, in the determination year [~~provided that no kindergarten pupil shall count as more than 1/2~~
28 ~~day attendance per school year~~]. ADMA shall only include pupils who are legal residents of New
29 Hampshire pursuant to RSA 193:12 and educated at school district expense which may include
30 public academies or out-of-district placements. For the purpose of calculating funding for
31 municipalities, the ADMA shall not include pupils attending chartered public schools, but shall
32 include pupils attending a charter conversion school approved by the school district in which the
33 pupil resides.

34 258 Repeal. RSA 198:48-c, III, relative to distribution of a kindergarten grant based on Keno
35 revenue, is repealed.

36 259 Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a, III to read as
37 follows:

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

4 ***IV. A school district which receives adequate education aid under this section for***
5 ***schools within its jurisdiction shall separately account for such aid as part of its***
6 ***financial accounting procedures. Such aid may also be used to provide enhanced***
7 ***programs in schools within its jurisdiction for which such aid has been allocated that are***
8 ***known to improve pupil achievement, including but not limited to: pre-kindergarten***
9 ***programs, full-day kindergarten programs, extended learning time, professional***
10 ***development opportunities for teachers, hiring of additional instructional and non-***
11 ***instructional personnel, programs designed to reduce class size, parental involvement***
12 ***programs, additional technology resources, dropout prevention programs, principal***
13 ***incentive programs, and curriculum enrichment programs. The school district shall***
14 ***determine which programs are most needed and most appropriate for their pupils. The***
15 ***department shall annually review and update the list of approved programs from which a***
16 ***school district may choose.***

17 ***V. A school district which receives adequate education aid under this section for***
18 ***use in schools within its jurisdiction shall annually submit a report to the commissioner***
19 ***documenting for each school within its jurisdiction for which such aid has been allocated,***
20 ***the enhanced programs selected for implementation, an explanation of the specific***
21 ***educational needs which the program is intended to address, an explanation of how the***
22 ***program will be implemented in the school, and an estimate of the cost of implementing***
23 ***the program. The commissioner shall review these reports to ensure that adequate***
24 ***education aid will be used to provide programs approved under paragraph I.***

25 ***VI. A school district which receives adequate education aid for schools within its***
26 ***jurisdiction pursuant to this section shall direct such aid to the schools for which such***
27 ***aid was calculated. A school district which receives adequate education aid for pupils***
28 ***that attend schools in another school district, shall direct such aid to the school district***
29 ***where its pupils are being educated. Any adequate education aid directed from one school***
30 ***district to another pursuant to this paragraph shall be a credit against any existing***
31 ***financial liability between the school districts.***

32 260 School Money; Additional Aid Based on Free or Reduced-Price Meals; Fiscal Capacity
33 Disparity Aid. RSA 198:40-b and 40-c are repealed and reenacted to read as follows:

34 198:40-b Additional Aid Based on Free or Reduced-Price Meals.

35 I. In a school district in which 48 percent or more of the ADMA is eligible to receive a free
36 or reduced-priced meal, an additional \$3,708 for each pupil in the ADMA who is eligible for a free or
37 reduced-priced meal.

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1 II. In a school district in which at least 12 percent but less than 48 percent of the ADMA is
2 eligible to receive a free or reduced-priced meal, an amount equal to \$927 plus \$0.7725 for each 0.01
3 percent that its free or reduced-priced meal eligibility rate exceeds 12 percent, for each pupil in the
4 ADMA who is eligible for a free or reduced-priced meal.

5 III. A school district in which less than 12 percent of the ADMA is eligible to receive a free
6 or reduced-priced meal shall receive no additional aid under this section.

7 198:40-c Fiscal Capacity Disparity Aid.

8 I. In addition to aid for the cost of the opportunity for an adequate education provided
9 under RSA 198:40-a, each biennium the commissioner shall calculate fiscal capacity disparity aid
10 and provide that amount of aid in each year of the biennium to a municipality's school districts as
11 follows:

12 (a) A municipality with an equalized valuation per pupil of \$350,000 or less shall
13 receive \$6,000 per pupil in the municipality's ADMA.

14 (b) A municipality with an equalized valuation per pupil between \$350,001 and
15 \$999,999 shall receive a grant equal to .0092 cents for each dollar of difference between its equalized
16 valuation per pupil and \$1,000,000, per pupil in the municipality's ADMA.

17 (c) A municipality with an equalized valuation per pupil of \$1,000,000 or more shall
18 receive no fiscal capacity disparity aid.

19 II. Fiscal capacity disparity aid shall be distributed pursuant to RSA 198:42.

20 III. In this section, "equalized valuation per pupil" means a municipality's equalized
21 valuation, including properties subject to taxation under RSA 82 and RSA 83-F, as determined by
22 the department of revenue administration, that was the basis for the local tax assessment in the
23 determination year, divided by the school district's kindergarten through grade 12 ADMA in the
24 determination year.

25 261 School Money; Consumer Price Index Adjustment. Amend RSA 198:40-d to read as follows:

26 198:40-d Consumer Price Index Adjustment.

27 ***I.*** Beginning July 1, 2017 and every biennium thereafter, the department of education shall
28 adjust the cost of an adequate education under RSA 198:40-a based on the average change in the
29 Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical
30 care services" special aggregate index, as published by the Bureau of Labor Statistics, United States
31 Department of Labor. The average change shall be calculated using the 3 calendar years ending 18
32 months before the beginning of the biennium for which the calculation is to be performed.

33 ***II.*** ***Beginning July 1, 2021 and every biennium thereafter, the department of***
34 ***education shall adjust the additional aid based on free or reduced-price meals as***
35 ***provided in RSA 198:40-b based on the average change in the Consumer Price Index for All***
36 ***Urban Consumers, Northeast Region, using the "services less medical care services"***
37 ***special aggregate index, as published by the Bureau of Labor Statistics, United States***

1 ***Department of Labor. The average change shall be calculated using the 3 calendar years***
2 ***ending 18 months before the beginning of the biennium for which the calculation is to be***
3 ***performed.***

4 262 Determination of Adequate Education Grants. Amend RSA 198:41, I to read as follows:

5 I. Except for municipalities where all school districts therein provide education to all of
6 their pupils by paying tuition to other institutions, the department of education shall determine the
7 total education grant for the municipality as follows:

8 (a) Add the per pupil cost of providing the opportunity for an adequate education for
9 which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

10 (b) Subtract the amount of the education tax warrant to be issued by the commissioner
11 of revenue administration for such municipality reported pursuant to RSA 76:8 for the next tax
12 year; ***and***

13 ***(c) Add the municipality's additional aid for free or reduced-price meals***
14 ***pursuant to RSA 198:40-b and fiscal capacity disparity aid pursuant to RSA 198:40-c.***

15 263 Determination of Education Grants. RSA 198:41, III is repealed and reenacted to read as
16 follows:

17 III.(a) No municipality shall receive a total education grant which is less than the total
18 education grant received in the preceding fiscal year. This subparagraph shall not apply to a
19 municipality in which the education tax revenue collected pursuant to RSA 76 exceeds the
20 municipality's total cost of an adequate education or to a municipality in which the ADMA is equal
21 to zero.

22 (b) For the fiscal year ending June 30, 2021, the department of education shall adjust a
23 municipality's total education grant to an amount not to exceed 120 percent of the total education
24 grant it received in the preceding fiscal year or an amount equal to its calculated cost of an
25 opportunity for an adequate education under RSA 198:40-a less the amount of its education tax,
26 whichever is greater. However, if a municipality received no education grant in the preceding fiscal
27 year because the municipality's education tax revenue collected pursuant to RSA 76 exceeded its
28 total cost of an adequate education, the commissioner of the department of education shall adjust
29 the municipality's total education grant to an amount not to exceed 120 percent of the amount of its
30 education tax revenue collected in the preceding fiscal year.

31 (c) For the fiscal year ending June 30, 2022, and every fiscal year thereafter, the
32 department of education shall adjust a municipality's total education grant to an amount not to
33 exceed 102 percent of the total education grant it received in the preceding fiscal year or an amount
34 equal to its calculated cost of an opportunity for an adequate education under RSA 198:40-a less the
35 amount of its education tax, whichever is greater.

36 264 Determination of Education Grants. Amend RSA 198:41, IV(d) to read as follows:

37 (d) For fiscal year 2017 [~~and each fiscal year thereafter~~] ***through fiscal year 2019***, the

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1 department of education shall distribute a total education grant to each municipality in an amount
2 equal to the total education grant for the fiscal year in which the grant is calculated plus a
3 percentage of the municipality's fiscal year 2012 stabilization grant, if any, distributed to the
4 municipality; the percentage shall be 96 percent for fiscal year 2017, and shall be reduced by 4
5 percent of the amount of the 2012 education grant for each fiscal year [~~thereafter~~] **through fiscal**
6 **year 2019.**

7 ***(e) For fiscal year 2020, the department of education shall distribute a total***
8 ***education grant to each municipality in an amount equal to the total education grant to***
9 ***that municipality for the fiscal year in which the grant is calculated plus the amount of***
10 ***the fiscal year 2016 stabilization grant, if any, distributed to the municipality.*** No
11 stabilization grant shall be distributed to any municipality for any fiscal year in which the
12 municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of
13 an adequate education or to any municipality for any fiscal year in which the municipality's ADMA
14 is zero.

15 265 Repeal. RSA 198:41, IV, relative to stabilization grants, is repealed.

16 266 General Fund Surplus; Revenue Stabilization Reserve Account. Notwithstanding RSA
17 9:13-e, after transferring \$5,000,000 to the revenue stabilization reserve account at the close of the
18 fiscal biennium ending June 30, 2019, the remainder of the general fund surplus for said biennium
19 shall remain in the general fund.

20 267 Effective Date.

21 I. Sections 1, 34, 65, 71, 72, 233, and 266 of this act shall take effect June 30, 2019.

22 II. Section 5 of this act shall take effect as provided in section 6 of this act.

23 III. Sections 76, 77, and 240 of this act shall take effect upon its passage.

24 IV. Section 78 of this act shall take effect November 1, 2022.

25 V. Sections 133-140 and 223 of this act shall take effect January 1, 2020.

26 VI. Sections 107-108, 256, 259-263, and 265 of this act shall take effect July 1, 2020.

27 VII. Section 235 of this act shall take effect January 1, 2021.

28 VIII. The remainder of this act shall take effect July 1, 2019.

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2019-1403h

AMENDED ANALYSIS

1. Repeals 2017,155:7, which directed the commissioner of administrative services to eliminate appropriations to class 027 transfers to OIT in all agencies and departments.
2. Establishes the unclassified position of director of plant and property within the department of administrative services.
3. Converts managers in the department of administrative services to directors, and renames divisions and units accordingly.
4. Authorizes the department of administrative services to consolidate state agency human resources, payroll, and business processing functions.
5. Provides that cost sharing and plan design for unrepresented active state employees who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement.
6. Extends the state heating systems savings account.
7. Establishes an additional surplus fund within the department of administrative services.
8. Establishes the building maintenance fund within the department of administrative services and assesses charge to state agencies.
9. Limits the number of judges on the superior court and the number of full time judges on the circuit court for the biennium ending June 30, 2021.
10. Permits the supreme court to transfer funds among judicial branch accounts.
11. Provides the department of corrections with additional transfer authority for the biennium ending June 30, 2021 and establishes the cost of care reimbursement account and the unclassified position of director of nursing in the department of corrections.
12. Provides that chartered school lease aid shall not exceed more than \$30,000 per school in any fiscal year.
13. Suspends the senior volunteer grant program and congregate services for the biennium ending June 30, 2021.
14. Directs the department of health and human services to raise the income eligibility for elderly and adult clients under the social services block grant program each January.
15. Increases the limit for county reimbursements under RSA 167:18-a.
16. Extends the prospective repeal for eligibility of state mental health services under 2011, 209:6, I.
17. Suspends direct and indirect graduate medical education payments to hospitals for the biennium ending June 30, 2021.
18. Suspends catastrophic aid to hospitals for the biennium ending June 30, 2021.

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19. Makes an appropriation the department of safety, division of fire standards and training and emergency medical services, for the purpose of providing grants to local firefighters for medical examinations conducted pursuant to RSA 281-A:17.

20. Requires the commissioner of the department of health and human services to make quarterly reports to the governor, speaker of the house of representatives, and president of the senate on the status of estimated Medicaid payments in relation to actual costs.

21. Permits the department of health and human services to fill unfunded positions during the biennium ending June 30, 2021.

22. Repeals RSA 151-E:18, relative to presumptive eligibility for nursing services.

23. Establishes certain revolving funds within the department of health and human services.

24. Directs that the Laconia state school trust shall be dissolved upon final distribution of the funds pursuant to court order.

25. Establishes a committee to study outdated non-regulatory boards.

26. Requires the department of health and human services to develop a plan to close the cliff effect for individuals and families who receive public benefits.

27. Directs the commissioner of the department of health and human services to develop a plan for patients civilly committed to the secure psychiatric unit which shall consider the renovation of space at the New Hampshire hospital and establishes an advisory council.

28. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2021.

29. Modifies the funding source of the travel and tourism budget in the department of business and economic affairs.

30. Suspends the integrated land development permit procedure for the biennium ending June 30, 2021.

31. Suspends certain environmental state aid grants.

32. Provides for reimbursement for sheriff's offices for court security.

33. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program for the biennium ending June 30, 2021.

34. Adds a representative from the New Hampshire Hospital Association and a representative from the state's faith-based community to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery.

35. Establishes a system of paid family and medical leave insurance.

36. Modifies the provision of civil legal services funds for low-income persons to New Hampshire legal assistance and eliminates the dedicated civil services legal fund.

37. Clarifies the health facilities licensure moratorium.

38. Authorizes sports betting in New Hampshire and establishes a council for responsible gambling.

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39. Requires Keno revenue to be deposited in the education trust fund.
40. Defines and regulates the sale of electronic cigarettes and e-cigarettes.
41. Modifies the duties of the board of veterinary medicine.
42. Modifies the procedure for certified application prepayers for minimum environmental impact projects.
43. Regulates public bathing facilities.
44. Moves recreational camp licensing to the department of health and human services.
45. Combines the adjutant general's department, the office of veterans services, and the bureau of community based military programs into the department of military affairs and veterans services.
46. Transfers the bureau of visitor services within the department of business and economic affairs to the office of the commissioner of business and economic affairs.
47. Authorizes the establishment of the governor's finish line New Hampshire scholarship program in the community college system of New Hampshire and transfers administration of the existing governor's scholarship program to the department of education.
48. Authorizes the commissioner of the department of transportation to recommend the bulk disposal of real estate purchased with state or federal highway funds or both, or turnpike funds.
49. Repeals the Maine-New Hampshire interstate bridge authority.
50. Repeals witness fees for witnesses summoned before certain boards and commissions.
51. Amends the granite workforce program.
52. Exempts certain accounting units within the department of cultural and natural resources from transfer restrictions.
53. Requires payment of any transaction costs assessed for credit card payments on motor vehicle fines to be paid out of the fine amount which is credited to the highway fund.
54. Deletes obsolete limits on total bonds issued by the business finance authority.
55. Repeals the requirement for the Pease development authority to submit a comprehensive development plan.
56. Authorizes the attorney general, subject to the approval of the governor and council, to appoint a director of the office of victim/witness assistance and a director of communications.
57. Establishes an unclassified full-time investigator position in the department of justice for the purpose of working on officer-involved use of deadly force investigations and to provide training to local law enforcement officers.
58. Abolishes a position in the department of justice to fund the director of communication position and establishes the position of assistant attorney general.

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59. Provides for the rehiring of laid-off classified state employees, if possible.
60. Makes an appropriation to the state treasurer for the fiscal year ending June 30, 2021 for the purpose of providing municipal aid to each city, town, and unincorporated place in the state.
61. Establishes the community development fund for New Hampshire, which shall be administered by the community development finance authority, and makes an appropriation to the fund.
62. Makes appropriations to the department of environmental services for the purpose of funding state aid grant programs.
63. Establishes victim/witness specialist positions in the department of justice.
64. Establishes an unclassified, full-time elections attorney position within the department of justice.
65. Permits the department of natural and cultural resources to suspend curatorial responsibilities for the biennium ending June 30, 2021.
66. Allows for statewide public boat access funds to be used for payment of the cost of bonds for the Mount Sunapee state park beach boat ramp project of the department of natural and cultural resources.
67. Makes an appropriation to the department of natural and cultural resources for redevelopment and improvement projects at the Fort Stark historic site.
68. Clarifies the qualifications of the director of the division of archives and records management.
69. Modifies the election fund to include monies received by the state pursuant to the 2018 Election Reform Program, and expands the list of authorized uses of monies deposited into the fund.
70. Authorizes an appropriation of money to the department of state for the purpose of implementing the 2018 Election Reform Program authorized by the Consolidated Appropriations Act of 2018, Public Law 115-141.
71. Makes changes to unemployment compensation contribution rates.
72. Transfers the job training program for economic growth from the department of business and economic affairs to the department of employment security.
73. Makes an appropriation to the housing finance authority for affordable housing.
74. Establishes a separate account for funds acquired to provide financial and technical assistance associated with agricultural restricted covenants, funding developmental rights, or for farmland preservation and makes an appropriation therefor.
75. Suspends the position of state demographer for the biennium.
76. Changes the number of review appraisers the staff of the board of tax and land appeals is required to have.
77. Extends the Coos county job creation tax credit until 2027.

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78. Establishes the rates of the business profits tax and the business enterprise tax for taxpayer tax years ending on or after December 31, 2019 and for subsequent tax years, and repeals rate reductions effective in 2021.

79. Amends the authorized uses of the education trust fund.

80. Directs the governor to submit a document to be known as the trailer bill to the legislature as part of the budget process and clarifies that the document shall not be considered a budget bill under the New Hampshire constitution.

81. Establishes the position of deputy director of administration in the department of safety, division of administration.

82. Provides that the current assistant director of the division of fire standards and training and emergency medical services, department of safety, shall be considered to have been properly enrolled as a member in group II of the New Hampshire retirement system as of his original date of hire.

83. Raises the fee for email or other computer-generated motor vehicle record requests by insurance companies or other authorized agents.

84. Establishes the fee for a Real ID Act compliant driver's license.

85. Permits the department of transportation to access certain federal funding for the purpose of completing the project development phase of the capital corridor rail project in the 2019-2028 Ten Year Transportation Improvement Plan and permits the department of transportation to use toll credits for this project.

86. Makes an appropriation to the department of transportation for the purpose of demolition and environmental mitigation of structures on state-owned property.

87. Exempts certain rules on the Medicaid rate of reimbursement methodology for nursing facilities from the administrative procedures act, RSA 541-A.

88. Clarifies disbursements of community benefit contributions from the alcohol abuse prevention and treatment fund.

89. Makes an appropriation to the department of health and human services for rate increases and construction of designated receiving facility beds.

90. Makes an appropriation to the department of health and human services for the purpose of obtaining and renovating a new treatment facility for children in need of inpatient psychiatric treatment.

91. Makes an appropriation to the department of health and human services for the purpose of repurposing the children's unit of New Hampshire hospital for adult beds.

92. Makes an appropriation to the department of health and human services for the purpose of constructing transitional housing beds.

93. Makes an appropriation to the department of health and human services for the purpose of providing assistance to hospitals in addressing the needs of certain patients residing in emergency rooms.

94. Requires fiscal committee approval for any transfer of funds required for operation of the

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Sununu youth services center.

95. Requires the Medicaid managed care program to provide dental benefits to covered persons beginning in 2021.

96. Establishes a child abuse specialized medical evaluation program in the department of health and human services.

97. Requires evaluation of a minor committed to the youth development center to determine whether an alternative placement in a safe, therapeutic, and cost-effective, residential treatment facility is feasible.

98. Provides for the availability of certain federal family planning funds.

99. Establishes a commission to study school funding.

100. Extends the interest and dividends tax to capital gains and increases exemptions for the tax.

101. Requires a portion of interest and dividend and capital gains tax revenues to be credited to the education trust fund.

102. Calculates kindergarten pupils as full day attendance for the purpose of adequate education grants.

103. Repeals distribution of kindergarten grants based on Keno revenue.

104. Establishes fiscal capacity disparity aid to municipalities based on equalized valuation per pupil.

105. Provides additional aid to municipalities based on the percentage of pupils eligible to receive a free or reduced-price meal.

106. Requires school districts to report on the use of adequate education grant funds.

107. Provides stabilization grants to municipalities in fiscal year 2020 and repeals the grants in fiscal year 2021 and thereafter.

108. Provides that any budget surplus in excess of \$5,000,000 at the close of the biennium ending June 30, 2019, shall not be deposited in the revenue stabilization reserve account but shall remain in the general fund.