

Senate Finance Committee
Budget Decision Sheets and Amendments
05/24/19

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Department of Agriculture, Markets and Food						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
<u>HB 1:</u>						
<u>Department Request</u> Department requested budget adjustment. Moves funds between accounting units to establish a part-time Informational Representative. No general fund impact.	Shawn Jasper, Commissioner 271-3686	O	\$0	\$31,805	\$33,055	\$64,860
<u>Animal Cruelty Position</u> Funds the animal cruelty position considered in SB161 as a Veterinary Technician I.	Senator Rosenwald	G	\$0	\$100,000	\$84,000	\$184,000
<u>HB 2:</u>						
<u>Veterinary Medicine</u> Proposed amendment to repeal the prohibition on the practice of veterinary medicine by corporations. On hold from 4-21-19 Amendment #2019-1672s.	Senator Reagan					

Sen. Reagan, Dist 17
April 25, 2019
2019-1672s
10/01

Amendment to HB 2-FN-A-LOCAL

- 1 1 Repeal. RSA 332-B:18, relative to the prohibition of the practice of veterinary medicine by
- 2 corporations, is repealed.

2019-1672s

AMENDED ANALYSIS

1. Repeals the prohibition on the practice of veterinary medicine by corporations.

UNAPPROVED

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Board of Tax and Land Appeals						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
HB 1:						
<i>RECONSIDERATION REQUESTED</i>	Sen.Guida	G	\$0	(\$55,576)	(\$57,846)	(\$113,422)
No Proposed Changes.						
HB 2:						
Housing Appeals Board						
SB 306 is added (tabled in Senate). Amendment increases the appropriation from \$400,000 per year to \$415,000 per year for rent. Amendment 2019-1862s.	Senator D'Allesandro	G	\$0	\$415,000	\$415,000	\$830,000

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Department of Environmental Services						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
HB 1:						
<u>Invasive Aquatic Species</u> Delete \$750k per year included by the House (not requested by the Department) for control of invasive aquatic species.	Robert Scott, Commissioner 271-2958	G	\$0	(\$750,000)	(\$750,000)	(\$1,500,000)
<u>Wetlands Administration</u> Request for 4 additional positions, consultants and associated operating expenses in Wetlands Administration to address audit observations.		G	\$0	\$688,265	\$600,130	\$1,288,395
<u>Federal Funds for Flood Assessment on the Souhegan River</u> Additional federal funds are available for flood assessment on four souhegan river dams.		F	\$0	\$1,025,000	\$0	\$1,025,000
<u>Murphy Dam Repair</u> Additional appropriation of other funds for gate repair on the Murphy dam.		O	\$0	\$230,000	\$0	\$230,000
HB 2:						
<u>Pediatric Cancer</u> Appropriates \$500,000 from the drinking water and groundwater trust fund to the Division of Public Health to fund a study on the high levels of pediatric cancer in NH.	Senator Rosenwald	O	\$0	\$500,000	\$0	\$500,000
<u>Amendment #2019-1782s.</u>						
<u>Ossipee Lake Dam</u> Department request for an additional \$1.5 million for reconstruction of the Ossipee Lake Dam.	Senator D'Allesandro	G	\$1,500,000	\$0	\$0	\$1,500,000
<u>Amendment #2019-1991s.</u>						
<u>State Aid Wastewater Grants</u> Request from the NH Municipal Association to fund the 12 remaining wastewater projects not funded by the House. 58 of 70 projects are funded in the House budget.	Senator D'Allesandro	G	\$0	\$774,898	\$965,542	\$1,740,440
<u>Amendments #2019-1727s and #2019-2233s.</u>						
<u>Technical Correction</u> Department requested technical corrections to the language concerning public bathing facilities. Amendment #2019-1675s.	Robert Scott, Commissioner 271-2958	N/A	0	0	0	0

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Department of Environmental Services						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
<p>HB682 Adds the text of HB682 as amended by the House and tabled in the Senate. Combines the wetlands and shorelands funds with the terrain alteration fee account to create the water resources fund. Raises various fees for wetlands, alteration of terrain and shoreland programs to maintain sustainability based on forecasted expenditures for the three programs over the next four years. Amendment #2019-2036s.</p>	<p>Senator D'Allesandro</p>	<p>N/A</p>				

Sen. Rosenwald, Dist 13
May 2, 2019
2019-1782s
11/01

Amendment to HB 2-FN-A-LOCAL

1 1 Appropriation; Division of Public Health Services. Notwithstanding the provisions of RSA
2 485-F, \$500,000 in fiscal year 2020 shall be appropriated from the drinking water and groundwater
3 trust fund established in RSA 6-D:1 to the department of health and human services, division of
4 public health services to fund a study to determine the causes of high levels of pediatric cancer in
5 New Hampshire. These funds shall not lapse until June 30, 2021.

AMENDED ANALYSIS

1. Makes an appropriation to the department of health and human services, division of public health services to fund a study to determine the causes of high levels of pediatric cancer in New Hampshire.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 15, 2019
2019-1991s
04/05

Amendment to HB 2-FN-A-LOCAL

- 1 1 Appropriation; Department of Environmental Services; Ossipee Lake Dam Reconstruction.
2 There is hereby appropriated the sum of \$1,500,000 for the fiscal year ending June 30, 2019 to the
3 department of environmental services to supplement the capital appropriation in 2017, 228:1, VIII,
4 H, for the purpose of reconstructing the Ossipee Lake Dam. This appropriation shall not lapse until
5 June 30, 2021. The governor is authorized to draw a warrant for said sum out of any money in the
6 treasury not otherwise appropriated.
7 2 Effective Date. This act shall take effect June 30, 2019.

2019-1991s

AMENDED ANALYSIS

1. Makes a supplemental appropriation to the department of environmental services for the Ossipee Lake Dam reconstruction.

UNAPPROVED

Sen. D'Allesandro, Dist 20
April 30, 2019
2019-1727s
11/10

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 189 with the following:

2

3 189 State Aid Grant Program; Appropriation to Department of Environmental Services.

4 I. The sum of \$3,652,347 for the fiscal year ending June 30, 2020, is hereby appropriated to
5 the department of environmental services for the purpose of funding state aid grant programs
6 under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580. The governor is authorized
7 to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

8 II. The sum of \$3,781,024 for the fiscal year ending June 30, 2021, is hereby appropriated to
9 the department of environmental services for the purpose of funding state aid grant programs
10 under RSA 486 for wastewater SAG 03-44-44-442010-1003-073-500580. The governor is authorized
11 to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 87 with the following:

2

3 87 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, for
4 the biennium ending June 30, 2021, no state aid grants shall be made for any new infrastructure
5 projects that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or
6 RSA 149-M, except that infrastructure projects that had achieved substantial completion by
7 December 31, 2019, shall be eligible for state aid grants, subject to availability of funding and in
8 accordance with other provisions of current law. Nothing in this section shall affect the provision of
9 the future water supply land protection grants under RSA 486-A if funding is available for such
10 purposes.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 Amend RSA 485-A:26, II(a) and (b) as inserted by section 126 of the bill by replacing them with the
2 following:

3

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

12 (b) Effective January 1, 2020, no person shall operate or maintain a public bathing
13 facility unless the facility is registered with the department under this section. The owner of a
14 public bathing facility shall register the facility using a form provided by the department. If all of
15 the requirements for the form are adopted in narrative rules, the form shall not be subject to RSA
16 541-A.

17

18 Amend RSA 485-A:26-a, I and II as inserted by section 128 of the bill by replacing them with the
19 following:

20

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

24 II. The owner of a public bathing facility that is open fewer than 9 months in a calendar
25 year shall on an annual basis submit to the department, prior to opening a self-certification
26 declaration stating that each pool at the facility is in compliance with all applicable public bathing
27 facility requirements.

28

29 Amend RSA 485-A:26-a, V(a) and (b) as inserted by section 128 of the bill by replacing them with
30 the following:

31

32 (a) Effective January 1, 2021, the owner of a public bathing facility that is open for 9

Amendment to
- Page 2 -

1 months or more in a calendar year and that existed as of January 1, 2019 shall file the initial self-
2 certification within 60 days of January 1, 2021.

3 (b) The owner of a public bathing facility that is open fewer than 9 months in a calendar
4 year and that existed as of January 1, 2019 shall file the initial self-certification prior to initiating
5 operations in 2021.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Fill and Dredge in Wetlands; Excavating and Dredging Permits. Amend RSA 482-A:3, I(b)
2 and (c) as follows:

3 (b) The application fee for shoreline structure projects shall be [~~\$200~~] **\$400** plus an
4 amount based on the area of dredge, fill, or dock surface area proposed, or a combination thereof,
5 which shall be [~~\$2~~] **\$1** per square foot for permanent dock surface area; [~~\$1~~] **\$2** per square foot for
6 seasonal dock surface area; and [~~\$.20~~] **\$.40** per square foot for dredge or fill surface area or both.
7 For projects involving only the repair, reconstruction, or reconfiguration of an existing docking
8 structure, the application fee shall be [~~\$200~~] **\$400**.

9 (c) The application fee shall be [~~\$200~~] **\$400** for minimum impact dredge and fill projects
10 [~~under this chapter~~] **and for non-enforcement related publicly funded and supervised**
11 **restoration projects as defined by rules, regardless of impact classification, if undertaken**
12 **by other than the person or persons responsible for causing the restoration to be needed.**
13 The application fee for all projects under this chapter which are not covered by subparagraph (b) or
14 (c) or paragraphs IV-a, V, X through XII, XV, XVI, or XVII through XIX shall be [~~\$.20~~] **\$.40** per
15 square foot of proposed impact, with a minimum fee of [~~\$200~~] **\$400** for all such projects that impact
16 fewer than [~~1,000~~] **600** square feet.

17 2 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Use of Fees. Amend RSA
18 482-A:3, III to read as follows:

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

27 3 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certain Fees. Amend RSA
28 482-A:3, X(a) to read as follows:

29 (a) The maximum cash application fee for the New Hampshire department of
30 transportation shall be [~~\$10,000~~] **\$30,000** per application plus provisions for technical or consulting
31 services or a combination of such services as necessary to meet the needs of the department. The
32 department may enter into a memorandum of agreement with the New Hampshire department of

Amendment to HB 2-FN-A-LOCAL

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1 transportation to accept equivalent technical or consulting services or a combination of such
2 services in lieu of a portion of their standard application fees.

3 4 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Review of Applications.
4 Amend RSA 482-A:3, XIV(b)(1) to read as follows:

5 (1) The time limits prescribed by this paragraph shall supersede any time limits
6 provided in any other provision of law. ***The time limits prescribed by this paragraph shall not***
7 ***apply to applications submitted by the department of transportation, for which time limits***
8 ***shall be set by a memorandum of agreement between the commissioner of the department***
9 ***of environmental services and the commissioner of the department of transportation.*** If
10 the department fails to act within the applicable time frame established in subparagraphs (a)(3),
11 (a)(4), and (a)(5), the applicant may ask the department to issue the permit by submitting a written
12 request. If the applicant has previously agreed to accept communications from the department by
13 electronic means, a request submitted electronically by the applicant shall constitute a written
14 request.

15 5 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Review of Applications.
16 Amend RSA 482-A:3, XIV(e) to read as follows:

17 (e) ***Any request for an amendment to an application or permit shall be***
18 ***submitted to the department on the appropriate amendment form.*** Any request for a
19 significant amendment to a pending application or an existing permit which changes the footprint
20 of the permitted fill or dredge area shall be deemed a new application subject to the provisions of
21 RSA 482-A:3, I and the time limits prescribed by this paragraph. "Significant amendment" means
22 an amendment which changes the proposed or previously approved acreage of the permitted fill or
23 dredge area by 20 percent or more, [~~relocates the proposed footprint of the permitted fill or dredge~~
24 ~~area,~~] includes a prime wetland, or [~~surface waters of the state, includes a wetland of a different~~
25 ~~classification as classified by the department, or includes non-wetland areas requiring permits for~~
26 ~~filling and dredging]~~ ***elevates the project's impact classification.*** This meaning of "significant
27 amendment" shall not apply to an application amendment that is in response to a request from the
28 department.

29 6 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Permit Duration and
30 Extensions. Amend RSA 482-A:3, XIV-a to read as follows:

31 XIV-a.(a) With the exception of permits issued under subparagraph (b) ***or paragraph XIV-***
32 ***b,*** all permits issued pursuant to this chapter shall be valid for a period of 5 years. Requests for
33 extensions of such permits may be made to the department ***by submitting the information***
34 ***required in rules adopted by the department.*** The department shall grant one extension of up
35 to 5 additional years, provided the applicant demonstrates all of the following:

36 (1) The permit for which extension is sought has not been revoked or suspended
37 without reinstatement.

Amendment to HB 2-FN-A-LOCAL

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1 (2) Extension would not violate a condition of law or rule *other than that*
2 *established in this paragraph relative to permit duration.*

3 (3) The project is proceeding towards completion in accordance with plans and other
4 documentation referenced by the permit.

5 (4) The applicant proposes reasonable mitigation measures to protect the public
6 waters of the state from deterioration during the period of extension.

7 (b) Any permit issued to repair or replace shoreline structures to maintain the integrity
8 and safety of such structures including, but not limited to docks, sea walls, breakwaters, riprap,
9 access ramps and stairs, that are damaged by storms or ice, shall expire 10 years from the date the
10 permit was issued as long as any work performed after the initial permitted work complies with the
11 following:

12 (1) The work is not in violation of the original permit or subparagraphs (a)(1)-(4).

13 (2) All structures are repaired or replaced to the original permitted location and
14 configuration.

15 (3) All significant work is reported to the department in accordance with the
16 reporting requirements for the original permit.

17 (c) *After review, if the department determines that a request to extend a permit*
18 *for a major project in public waters meets the stated criteria, the department shall submit*
19 *the request to the governor and executive council with a recommendation that the request*
20 *be approved. The department shall issue decisions on all other extension requests.*

21 7 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Utilities. Amend the
22 introductory paragraph of RSA 482-A:3, XV(b):

23 (b) [Appropriate] *The utility provider shall provide an annual* notice to the
24 department, *which* shall include the following information:

25 8 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Utilities. Amend RSA 482-
26 A:3, XV(d) to read as follows:

27 (d) A [~~one-time annual~~] *non-refundable* filing fee of [~~\$200~~] *\$400* per town[~~, not to~~
28 ~~exceed a maximum of \$10,000,~~] per year shall accompany the notice to the department. Such fees
29 shall be held in accordance with paragraph III.

30 9 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certified Culvert
31 Maintainers. Amend RSA 482-A:3, XVIII and XIX to read as follows:

32 XVIII. The department shall develop [~~an installer's~~] *a certification program for culvert*
33 *maintainers*, in accordance with paragraph XVII, and shall determine the educational
34 requirements for certification, including continuing education requirements. Professional engineers
35 who are duly licensed by the New Hampshire board of professional engineers are exempt from the
36 program requirements of this section. All certified individuals who perform such work shall submit
37 a quarterly report to the department fully identifying work that they performed during each

Amendment to HB 2-FN-A-LOCAL

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1 quarter and documentation of continuing education requirements.

2 XIX. The department shall issue [~~an installer's permit~~] **a culvert maintainer certificate**
3 to any individual who submits an application provided by the department, and has satisfactorily
4 completed the program in accordance with paragraphs XVII and XVIII. [~~Permits~~] **Initial**
5 **certificates** shall be [~~issued~~] **valid through December 31 of the year following the year of**
6 **issue. Renewal certificates shall be valid** from January 1 [~~and shall expire~~] **through** December
7 31 of every other year. Permits shall be renewable upon proper application, and documentation of
8 compliance with the continuing education requirement of paragraph XVIII. The installer's permit
9 may be suspended, revoked, or not renewed for just cause, including, but not limited to, the
10 installation of culverts in violation of this chapter or the refusal by a permit holder to correct
11 defective work. The department shall not suspend, revoke, or refuse to renew a permit except for
12 just cause until the permit holder has had an opportunity to be heard by the department. An
13 appeal from such decision to revoke, suspend, or not renew a permit may be taken pursuant to RSA
14 21-O:14.

15 10 Fill and Dredge in Wetlands; Excavating and Dredging Permits; Certified Application
16 Preparer Program. Amend RSA 482-A:3, XX(d) to read as follows:

17 (d) The certification shall be valid for one year from the date of issuance and may be
18 renewed every year. The initial fee for certification shall be \$200 and the fee for renewal shall be
19 \$50. The department shall not issue a certification or a renewal certification if the required fee is
20 not paid. All fees shall be deposited into the [~~wetlands and shoreland review~~] **water resources**
21 **fund** established in RSA 482-A:3, III.

22 11 Aquatic Resources Fund. Amend RSA 482-A:29, II to read as follows:

23 II. A separate, non-lapsing account shall be established within the fund into which all
24 administrative assessments collected under RSA 482-A:30, III and RSA 482-A:30-a, II shall be
25 placed. Such account moneys shall [~~only~~] be used [~~to support up to 2 full-time positions~~] for
26 administration of the fund, **including staff**, and **aquatic resource mitigation** related projects.
27 [~~No other fund moneys shall be used for state personnel costs.~~]

28 12 Shoreland Water Quality Protection; Permit Application Fees. Amend the introductory
29 paragraph of RSA 483-B:5-b, VI:

30 VI. All permits issued pursuant to this chapter shall be valid for a period of 5 years.
31 Requests for extensions of such permits may be made to the department **by providing such**
32 **information as is required by rules adopted pursuant to RSA 541-A**. The department shall
33 grant one extension of up to 5 additional years, provided the applicant demonstrates all of the
34 following:

35 13 Shoreland Water Quality Protection; Permit Application Fees. Amend RSA 483-B:5-b, I(b) to
36 read as follows:

37 (b) The permit application fee shall be [~~\$100~~] **the base fee specified in this**

Amendment to HB 2-FN-A-LOCAL

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1 **subparagraph** plus **an impact fee of** [~~\$.10~~] **\$.20** per square foot of area affected by the proposed
2 activities and shall be deposited in the [~~wetlands and shorelands review~~] **water resources** fund
3 established under RSA 482-A:3, III. [~~Such fees shall be capped as follows:~~

4 (1) For projects that qualify for permit by notification under this paragraph or RSA
5 483-B:17, X, [~~\$100~~], **the base fee shall be \$200** for restoration of water quality improvement
6 projects, and [~~\$250~~] **the base fee shall be \$400** for all other permit by notification projects.

7 (2) ~~For projects of 0-9,999 square feet, that do not qualify for a permit by~~
8 ~~notification, \$750.~~

9 (3) ~~For projects of 10,000-24,999 square feet, \$1,875.~~

10 (4) ~~For projects of 25,000 square feet or more, \$3,750.]~~

11 14 Shoreland Water Quality Protection; Other Required Permits and Approvals. Amend RSA
12 483-B:6, II to read as follows:

13 II. In applying for approvals and permits, pursuant to paragraph I, applicants shall
14 demonstrate that the proposal meets or exceeds the development standards of this chapter. The
15 department shall develop minimum standards for information to be required on or with all
16 applications under paragraph I. The department or municipality shall grant, deny, or attach
17 reasonable conditions to approvals or permits listed in subparagraphs I(a)-(f) **and RSA 483-B:5-b**,
18 to protect the public waters or the public health, safety, or welfare. Such conditions shall be related
19 to the purposes of this chapter.

20 15 Terrain Alteration; Permit Application Fees. Amend RSA 485-A:17, II to read as follows:

21 II.(a) The department shall charge a fee for each review of plans, including project
22 inspections, required under this section. The **plan review** fee shall be based on the [~~extent of~~
23 ~~contiguous~~] **total** area to be disturbed. Except for **property subject to** RSA 483-B:9, the fee for
24 **review of** plans encompassing an area of at least 100,000 square feet but less than 200,000 square
25 feet shall be [~~\$1,250~~] **\$3,125**. For the [~~purposes of~~] **property subject to** RSA 483-B:9, the fee for
26 **review of** plans encompassing an area of at least 50,000 square feet but less than 200,000 square
27 feet shall be [~~\$1,250~~] **\$3,125**. An additional fee of [~~\$500~~] **\$1,250** shall be assessed for each additional
28 area of up to 100,000 square feet to be disturbed. No [~~permit~~] **application** shall be [~~issued~~]
29 **accepted** by the department until the fee required by this paragraph is paid. All fees required
30 under this paragraph shall be paid when plans are submitted for review and shall be deposited in
31 the [~~terrain alteration~~] **water resources** fund established in [~~paragraph II-a~~] **RSA 482-A:3, III**.

32 (b) **The department shall charge a non-refundable fee of \$500 plus a \$.10 per**
33 **square foot fee for each request to amend a permit that requires plans to be reviewed.**

34 16 Wetlands and Shorelands Review Fund Renamed. Amend RSA 6:12, I(b)(131) to read as
35 follows:

36 (131) Moneys deposited in the [~~wetlands and shorelands review~~] **water resources**
37 fund **established** under RSA 482-A:3, III.

**Amendment to HB 2-FN-A-LOCAL
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- 1 17 Repeal. The following are repealed.
- 2 I. 2008, 5:27, I, relative to repealing permit application fees.
- 3 II. RSA 6:12, I(b)(256), relative to the terrain alteration fund.
- 4 III. RSA 482-A:3, XV(e), relative to the additional fee for amendments to the notification for
- 5 maintenance to existing utility services.
- 6 IV. RSA 485-A:17, II-a, relative to the terrain alteration fund.
- 7 18 Effective Date.
- 8 I. Paragraph I of section 17 of this act shall take effect June 30, 2019.
- 9 II. The remainder of this act shall take effect July 1, 2019.

2019-2036s

AMENDED ANALYSIS

1. Renames the wetlands and shoreland review fund as the water resources fund; clarifies that certain application and permit fees are non-refundable; and repeals the terrain alteration fund.

UNAPPROVED

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Human Rights Commission						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
<u>HB 1:</u>						
No Proposed Changes.	Ahni Malachi, Executive Director		\$0	\$0	\$0	\$0
<u>HB 2:</u>						
No Proposed Changes.						

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Office of Professional Licensure and Certification						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
HB 1:						
Prescription Drug Monitoring Program Agency requests additional funding (over House passed budget) in FY 20 and FY 21.	Sen. D'Allesandro	O	\$0	\$23,213	\$23,227	\$46,440
OPLC request for 2nd Attorney For rules and to assist with other legal matters (classified Attorney III).	Peter Danles, Executive Director, OPLC	O	\$0	\$93,663	\$101,461	\$195,124
HB 2:						
Prescription Drug Monitoring Program Add SB 120 as amended by the House to HB 2 (In House ED&A 2nd committee). Puts PDMP under OPLC and allows the program to establish fees for the establishment, administration, operations and maintenance of the program. HB 2 section 178, p.75 lapses unexpended appropriations to general fund. Amendment 2019-2231s (which includes House amendments to SB 120 as of 5/22/19).	Sen. D'Allesandro	O	\$0	\$0	\$0	\$0

Amendment to HB 2-FN-A-LOCAL

1 1 Controlled Drug Prescription Health and Safety Program; Definitions. Amend the
2 introductory paragraph of RSA 318-B:31, IV to read as follows:

3 IV. "Dispenser" means a person *or entity* who is lawfully authorized to deliver a schedule
4 II-IV controlled substance, but does not include:

5 2 New Paragraph; Controlled Drug Prescription Health and Safety Program; Definitions.
6 Amend RSA 318-B:31 by inserting after paragraph IV the following new paragraphs:

7 IV-a. "Executive director" means the executive director of the office of professional licensure
8 and certification.

9 IV-b. "Office" means office of professional licensure and certification, established in RSA
10 310-A.

11 3 Controlled Drug Prescription Health and Safety Program Established. RSA 318-B:32 is
12 repealed and reenacted to read as follows:

13 318-B:32 Controlled Drug Prescription Health and Safety Program Established.

14 I. The office shall design, establish, and contract with a third party for the implementation
15 and operation of an electronic system to facilitate the confidential sharing of information relating to
16 the prescribing and dispensing of schedule II-IV controlled substances, by prescribers and
17 dispensers within the state.

18 II. The office may establish fees for the establishment, administration, operations and
19 maintenance of the program. The program may also be supported through grants and gifts. The
20 fee charged to individuals requesting their own prescription information shall not exceed the actual
21 cost of providing that information.

22 III. Prescription information relating to any individual shall be deleted 3 years after the
23 initial prescription was dispensed. All de-identified data may be kept for statistical and analytical
24 purposes for perpetuity.

25 IV. The executive director shall establish an advisory council, as provided in RSA 318-B:38.

26 4 Controlled Drug Prescription Health and Safety Program Operation. Amend RSA 318-B:33, I
27 to read as follows:

28 I. The [board] *office* shall develop a system of registration for all prescribers and dispensers
29 of schedule II-IV controlled substances within the state. The system of registration shall be
30 established by rules adopted by the [board] *office*, pursuant to RSA 541-A.

31 5 Controlled Drug Prescription Health and Safety Program; Confidentiality. Amend RSA 318-
32 B:34, II and III to read as follows:

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 II. The ~~[board]~~ **office** shall establish and maintain procedures to ensure the privacy and
2 confidentiality of patients and patient information.

3 III. The ~~[board]~~ **office** may use and release information and reports from the program for
4 program analysis and evaluation, statistical analysis, public research, public policy, and educational
5 purposes, provided that the data are aggregated or otherwise de-identified.

6 6 New Subparagraph; Controlled Drug Prescription Health and Safety Program; Providing
7 Controlled Drug Prescription Health and Safety Information. Amend RSA 318-B:35, I(b) by
8 inserting after subparagraph (4) the following new subparagraph:

9 (5) A practitioner or consultant retained by the office to review the system
10 information of an impaired practitioner program participant or a referral who has agreed to be
11 evaluated or monitored through the program and who has separately agreed in writing to the
12 consultant's access to and review of such information.

13 7 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-
14 B:35, I(b)(3) to read as follows:

15 (3) Authorized law enforcement officials on a case-by-case basis for the purpose of
16 investigation and prosecution of a criminal offense when presented with a court order based on
17 probable cause. No law enforcement agency or official shall have direct access to ~~[the]~~ **query**
18 program **information**.

19 8 Controlled Drug Prescription Health and Safety Program; Providing Controlled Drug
20 Prescription Health and Safety Information. Amend RSA 318-B:35, II to read as follows:

21 II. The program shall notify the appropriate regulatory board listed in subparagraph I(b)(2)
22 and the prescriber or dispenser at such regular intervals as may be established by the ~~[board]~~ **office**
23 if there is reasonable cause to believe a violation of law or breach of professional standards may
24 have occurred. The program shall provide prescription information required or necessary for an
25 investigation.

26 9 Controlled Drug Prescription Health and Safety Program; Unlawful Act and Penalties.
27 Amend RSA 318-B:36, I and II to read as follows:

28 I. Any ~~[person]~~ **dispenser or prescriber** who fails to submit the information required in
29 RSA 318-B:33 or knowingly submits incorrect information shall be subject to a warning letter and
30 provided with an opportunity to correct the failure. Any ~~[person]~~ **dispenser or prescriber** who
31 subsequently fails to correct or fails to resubmit the information may be subject to discipline by the
32 ~~[board]~~ **appropriate regulatory board**.

33 II. Any ~~[person]~~ **dispenser or prescriber** whose failure to report the dispensing of a
34 schedule II-IV controlled substance that conceals a pattern of diversion of controlled substances into
35 illegal use shall be guilty of a violation and subject to the penalties established under RSA 318-B:26
36 and the ~~[board's]~~ **office's and appropriate regulatory board's** rules as applicable. In addition,
37 such ~~[person]~~ **dispenser or prescriber** may be subject to appropriate criminal charges if the failure

Amendment to HB 2-FN-A-LOCAL

- Page 3 -

1 to report is determined to have been done knowingly to conceal criminal activity.

2 10 Controlled Drug Prescription Health and Safety Program; Rulemaking. Amend the
3 introductory paragraph of RSA 318-B:37 to read as follows:

4 318-B:37 Rulemaking. [~~By June 30, 2013, the board~~] *The office* shall adopt rules, pursuant to
5 RSA 541-A, necessary to implement *and maintain* the program including:

6 11 Controlled Drug Prescription Health and Safety Program; Advisory Council. RSA 318-B:38
7 is repealed and reenacted to read as follows:

8 318-B:38 Advisory Council Established.

9 I. There is hereby established an advisory council to carry out the duties under this
10 subdivision. Members of the council shall not be compensated for serving on the council, or serve on
11 the council for more than 5 consecutive years except for the attorney general, or designee, or the
12 commissioner of the department of health and human services, or designee. The members of the
13 council shall be as follows:

14 (a) A member of the board of medicine, appointed by such board.

15 (b) A member of the pharmacy board, appointed by such board.

16 (c) A member of the board of dental examiners, appointed by such board.

17 (d) A member of the New Hampshire board of nursing, appointed by such board.

18 (e) A member of the board of veterinary medicine, appointed by such board.

19 (f) A physician appointed by the New Hampshire Medical Society.

20 (g) A dentist appointed by the New Hampshire Dental Society.

21 (h) A chief of police appointed by the New Hampshire Association of Chiefs of Police.

22 (i) A community pharmacist appointed jointly by the New Hampshire Pharmacists
23 Association, the New Hampshire Independent Pharmacy Association, and the New Hampshire
24 Association of Chain Drug Stores.

25 (j) Two public members appointed by the governor's commission on alcohol and drug
26 abuse prevention, treatment, and recovery, one of whom may be a member of the commission.

27 (k) A hospital administrator appointed by the New Hampshire Hospital Association.

28 (l) A nurse practitioner appointed by the New Hampshire Nurse Practitioner
29 Association.

30 (m) The attorney general, or designee.

31 (n) The commissioner of the department of health and human services, or designee.

32 (o) A member of the senate, appointed by the president of the senate.

33 (p) Two members of the house of representatives, appointed by the speaker of the house
34 of representatives.

35 II. The council shall:

36 (a) Make recommendations to the office relating to the design, implementation and
37 maintenance of the program, including recommendations relating to:

Amendment to HB 2-FN-A-LOCAL

- Page 4 -

1 (1) Rules.

2 (2) Legislation.

3 (3) Sources of funding, including grant funds and other sources of federal, private,
4 or state funds;

5 (b) Review the program's annual report and make recommendations to the office
6 regarding the operation of the program.

7 (c) Provide ongoing advice and consultation on the implementation and operation of the
8 program, including recommendations relating to:

9 (1) Changes in the program to reflect advances in technology and best practices.

10 (2) Changes to statutory requirements.

11 (3) The design and implementation of an ongoing evaluation component of the
12 program.

13 (d) Advise the executive director regarding the implementation of this subdivision.

14 (e) Adopt rules necessary for the operation of the council.

15 (f) Develop a mission statement for the program and strategic goals for its
16 implementation, develop metrics to measure the program's efficient operation, review the
17 performance of the program against the metrics, and make recommendations to the program and
18 ensure they are incorporated.

19 III. The council shall meet at least quarterly to effectuate its goals. A chairperson shall be
20 elected by the members. A majority of the members of the council constitutes a quorum for the
21 transaction of business. Action by the council shall require the approval of a majority of the
22 members of the council.

23 IV. The council shall make a report, at least annually, commencing on November 1, 2019, to
24 the senate president, the speaker of the house of representatives, the oversight committee on health
25 and human services, established in RSA 126-A:13, and the licensing boards of all professions
26 required to use the program relative to the effectiveness of the program.

27 12 Controlled Drug Prescription Health and Safety Program. Amend 2012, 196:3, I to read as
28 follows:

29 I. In the event that there is not adequate funding for the controlled drug prescription
30 health and safety program established in section 2 of this act, the ~~[pharmacy board]~~ **office** may
31 curtail, temporarily suspend, or cancel the program.

32 13 Repeal. The following are repealed:

33 I. RSA 318-B:31, I, relative to the definition of "board."

34 II. 2012, 196:3, III, relative to a reporting requirement.

35 14 Effective Date. This act shall take effect 60 days after its passage.

2019-2231s

AMENDED ANALYSIS

This bill makes changes to the controlled drug prescription health and safety program, including:

I. Transferring the program from the board of pharmacy to the office of professional licensure and certification.

II. Authorizing the program to share certain information with other state departments.

UNAPPROVED

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Department of the Treasury						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
<u>HB 1:</u>						
No proposed changes.	Bill Dwyer, Treasurer	G	\$0	\$0	\$0	\$0
<u>HB 2:</u>						
<u>Sunny Day Fund</u>						
SB 247 is added (tabled in Senate). One-time appropriation in FY 19. Amendment 2019-2178s.	Senator Feltes	G	\$3,000,000	\$0	\$0	\$3,000,000
<u>Municipal Aid</u>						
Appropriates \$40 million in municipal aid based on the 2009 formula. Deletes the \$12.5 million appropriated by the House. Amendment 2019-2000s.	Senator D'Allesandro	G	\$40,000,000	\$0	(\$12,500,000)	\$27,500,000

Amendment to HB 2-FN-A-LOCAL

1 1 New Subparagraph; Application of Receipts; Sunny Day Fund. Amend RSA 6:12, I(b) by
2 inserting after subparagraph (343) the following new subparagraph:

3 (344) Moneys credited to the sunny day fund established in RSA 12-O:21-a.

4 2 General Fund Surplus Account; Transfer to Sunny Day Fund. On June 30, 2019, the state
5 treasurer shall transfer the sum of \$3,000,000 from the general fund surplus account to the sunny
6 day fund established in RSA 12-O:21-a.

7 3 New Section; Department of Business and Economic Affairs; Sunny Day Fund. Amend RSA
8 12-O by inserting after section 21 the following new section:

9 12-O:21-a Sunny Day Fund Established.

10 I. There is hereby established in the office of the state treasurer a fund to be known as the
11 sunny day fund, which shall be kept distinct and separate from all other funds. The commissioner
12 shall administer the fund. The fund shall be nonlapsing and continually appropriated to the
13 commissioner for the purpose of obtaining and disbursing grants for research and development,
14 including any preliminary funding necessary to obtain grant funding, supporting the infrastructure
15 necessary to address critical gaps in the state's ability to attract research and development projects,
16 increasing commercialization of new technologies, leveraging federal funds, and supporting
17 business development and expansion. Grants may be from federal, private, or other sources.

18 II. The New Hampshire Research and Industry Council ("council"), with the support of the
19 New Hampshire Established Program to Stimulate Competitive Research (NH EPSCoR), shall
20 administer the grant program application and approval process in consultation with the
21 commissioner, manage the annual investment portfolio, and evaluate investment performance. An
22 organization may apply for funding under this section pursuant to the procedures established by
23 the council. The council shall assign preference to grant applications that:

24 (a) Increase New Hampshire's competitiveness through innovation.

25 (b) Attract talent to New Hampshire.

26 (c) Target existing industrial-cluster strength, potential growth, and research capacity.

27 (d) Target areas of strategic priority as determined by NH EPSCoR and the department
28 of business and economic affairs.

29 (e) Qualify for available matching funds from federal, private, or other sources.

30 III. Beginning July 1, 2021, and annually thereafter, the council shall conduct a survey of
31 all organizations which receive grants under this section to evaluate the return on investment from
32 the state's funding support and to permit the general court to consider legislation for continued

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 funding. The council shall, no sooner than 18 months after the effective date of this section, develop
2 and distribute a survey instrument to all organizations that have received grant funding under this
3 section. The survey shall, at a minimum, collect the following information for each organization
4 that receives grant funds under this section:

- 5 (a) Number of grants obtained.
- 6 (b) Total funding from grants and other investments.
- 7 (c) Amount of federal funds obtained.
- 8 (d) Number of employees.
- 9 (e) Number of jobs created as a result of funding received under this section.
- 10 (f) Number of licensing agreements secured.
- 11 (g) Number of patents filed.

12 IV. An organization shall submit the completed survey to the council within 6 weeks of
13 receipt. The council shall collect the completed surveys and submit them to the commissioner of the
14 department of business and economic affairs. Any organization which fails to timely submit a
15 completed survey shall not be eligible to obtain additional funding under this section.

16 V. Administrative costs shall not exceed 8 percent of annual fund expenditures.

17 4 Effective Date. This act shall take effect June 30, 2019.

2019-2178s

AMENDED ANALYSIS

1. Establishes the sunny day fund and grant program in the department of business and economic affairs to obtain and disburse grants for research and development, support the infrastructure necessary to address critical gaps in the state's ability to attract research and development projects, increase commercialization of new technologies, leverage federal funds, and support business development and expansion.

2. Transfers funds from the general fund surplus account to fund the program.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 185 with the following:

2

3 185 Appropriation; State Treasurer; Municipal Aid. The sum of \$40,000,000 for the fiscal year
4 ending June 30, 2019 is hereby appropriated to the state treasurer for the purpose of providing
5 municipal aid to each city, town, and unincorporated place in the state. The treasurer shall
6 distribute \$20,000,000 of the municipal aid to each city, town, and unincorporated place in the state
7 by September 1 of the fiscal year ending June 30, 2020 and \$20,000,000 of the municipal aid to each
8 city, town, and unincorporated place in the state by September 1 of the fiscal year ending June 30,
9 2021. The proportion of municipal aid distributed to each municipality pursuant to this paragraph
10 shall be the same as was distributed in fiscal year 2009 under RSA 31-A. The governor is
11 authorized to draw a warrant for said sums out of any money in the treasury not otherwise
12 appropriated. The appropriation in this section shall not lapse until June 30, 2021.
13 Notwithstanding RSA 31:95-b or any other provision of law, no such additional municipal aid shall
14 be considered unanticipated money from the state.

15 Effective Date. This act shall take effect June 30, 2019.

2019-2000s

AMENDED ANALYSIS

Replace paragraph 60 with the following:

60. Makes an appropriation to the state treasurer for the fiscal year ending June 30, 2019 for the purpose of providing municipal aid to each city, town, and unincorporated place in the state in each of the fiscal years ending in June 30, 2020 and June 30, 2021.

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Department of Transportation						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
<u>HB 1:</u>						
No Proposed Changes.			\$0	\$0	\$0	\$0
<u>HB 2:</u>						
<u>State Aid Construction - Tilton</u>						
Provide \$2,140,000 in FY 2019 to the Department of Transportation for the purpose of providing state aid construction program match for the Calef Hill Road project in Tilton. Amendment 2019-2171s	Senator Giuda	G	\$2,140,000	\$0	\$0	\$2,140,000
<u>Demolition of Buildings</u>						
Amend section 226 by moving the appropriation from FY 2020 to FY 2019. Amendment 2019-2193s	Senator D'Allesandro	G	\$1,640,000	(\$1,640,000)	\$0	\$0

Sen. Giuda, Dist 2
May 21, 2019
2019-2171s
06/10

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Transportation; Appropriation. The sum of \$2,140,000 is hereby appropriated
2 to the department of transportation for the fiscal year ending June 30, 2019, which shall be
3 nonlapsing, for the purpose of providing a state aid construction program match for the project
4 named Tilton project number 29753, to reconstruct and reclassify 1.97 miles of Calef Hill Road. The
5 governor is authorized to draw a warrant for said sum out of any money in the treasury not
6 otherwise appropriated.

7 2 Effective Date. Section 1 of this act shall take effect June 30, 2019.

2019-2171s

AMENDED ANALYSIS

1. Makes an appropriation to the department of transportation to provide a state aid construction program match for the project named Tilton project number 29753, to reconstruct and reclassify 1.97 miles of Calef Hill Road.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 21, 2019
2019-2193s
10/05

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 226 with the following:

2

3 226 Department of Transportation; Appropriation. There is hereby appropriated to the
4 department of transportation the sum of \$1,640,000 for the fiscal year ending June 30, 2019, for the
5 purpose of demolition and environmental mitigation of structures on state-owned property. Such
6 funds shall not lapse. The governor is authorized to draw a warrant for said sum out of any money
7 in the treasury not otherwise appropriated.

8 Effective Date. Section 226 shall take effect June 30, 2019.

UNAPPROVED

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET							
Department of Safety							
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total	
Facility Maintenance Request funding to resolve deferred maintenance items. The Department owns and operates nine facilities across the state.	Steve Lavoie, Director of Administration	H	\$0	\$229,000	\$45,000	\$274,000	
Auxiliary Troopers Request funding to increase hours worked by part-time auxiliary troopers to bridge gap in areas where full-time staff is not available.		G	\$0	\$61,214	\$61,766	\$122,980	
		H	\$0	\$11,910	\$11,353	\$23,263	
		T	\$0	\$28,876	\$28,881	\$57,757	
		Total		\$0	\$102,000	\$102,000	\$204,000
State Police Overtime Additional overtime funding is requested to address expected gaps in coverage resulting from expected changes in permanent and temporary special assignments.		G	\$0	\$169,575	\$170,647	\$340,222	
		H	\$0	\$35,103	\$34,032	\$69,135	
		T	\$0	\$55,182	\$55,180	\$110,362	
		Total		\$0	\$259,860	\$259,859	\$519,719
Granite Shield Program In HB 2, appropriate \$587,700 to the Department of Safety (\$176,600 for forensic lab overtime and \$416,100 for narcotics related enforcement overtime) and \$2,400,000 for grants to county/local law enforcement agencies for overtime relative to substance abuse enforcement. Amendment 2019-2095s		Steve Lavoie / Senator D'Allesandro	G	\$2,987,700	\$0	\$0	\$2,987,700
State Building Code Review Board Relative to HB 710, in HB 2, appropriate \$195,000 to the Department of Safety to hire part-time staff to support the state building code review board. Amendment 2019-2208s	G		\$195,000	\$0	\$0	\$195,000	
Budget Transfer Authority Delete transfer authority in HB 1 footnote and consider as HB 2 amendment. Amendment 2019-1870s	N/A		\$0	\$0	\$0	\$0	
Plea-By-Mail Revenue "I Footnote" In FY 2019, exempt accounts funded with "plea-by-mail" revenue from the "I footnote". Amendment 2019-2264s	N/A		\$0	\$0	\$0	\$0	
Delete Funding "Swap" / Appropriation to Highway Fund Delete HB 1 section 9 relative to swapping highway/general funds to instead appropriate general funds to the highway fund in FY 2019 in HB 2. HB 1 Amendment 2019-2097s / HB 2 Amendment 2019-2206s	H		\$0	\$3,232,000	\$3,231,000	\$6,463,000	
	G	\$6,463,000	(\$3,232,000)	(\$3,231,000)	\$0		

Amendment to HB 2-FN-A-LOCAL

1 1 Substance Abuse Enforcement Program; Appropriations.

2 I. The sum of \$587,700 for the fiscal year ending June 30, 2019 is hereby appropriated to
3 the department of safety. This sum shall be expended as follows:

4 (a) \$171,600 shall be expended for the purpose of funding overtime at the state forensic
5 laboratory as a result of increased caseloads attributable to narcotics related enforcement and
6 investigations with no more than 50 percent of the appropriation expended in each fiscal year of the
7 biennium ending June 30, 2021.

8 (b) \$416,100 shall be expended for the purpose of funding overtime at the state police
9 for narcotics related enforcement and investigations with no more than 50 percent of the
10 appropriation expended in each fiscal year of the biennium ending June 30, 2021.

11 II. The sum of \$2,400,000 for the fiscal year ending June 30, 2019 is hereby appropriated to
12 the department of safety to disburse grants to county and local law enforcement agencies for the
13 purpose of funding overtime costs for county and local law enforcement officers performing law
14 enforcement activities attributable to the substance abuse enforcement program established in RSA
15 21-P:66. No more than 50 percent of the appropriation shall be expended in each fiscal year of the
16 biennium ending June 30, 2021.

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

19 IV. No appropriation made in this section shall lapse until July 1, 2021.

20 2 Effective Date. Section 1 of this act shall take effect June 30, 2019.

2019-2095s

AMENDED ANALYSIS

1. Makes appropriations to the department of safety for narcotics related law enforcement activities.

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 II. The ~~[board]~~ **office** shall establish and maintain procedures to ensure the privacy and
2 confidentiality of patients and patient information.

3 III. The ~~[board]~~ **office** may use and release information and reports from the program for
4 program analysis and evaluation, statistical analysis, public research, public policy, and educational
5 purposes, provided that the data are aggregated or otherwise de-identified.

6 6 New Subparagraph; Controlled Drug Prescription Health and Safety Program; Providing
7 Controlled Drug Prescription Health and Safety Information. Amend RSA 318-B:35, I(b) by
8 inserting after subparagraph (4) the following new subparagraph:

9 (5) A practitioner or consultant retained by the office to review the system
10 information of an impaired practitioner program participant or a referral who has agreed to be
11 evaluated or monitored through the program and who has separately agreed in writing to the
12 consultant's access to and review of such information.

13 7 Controlled Drug Prescription Health and Safety Program; Information. Amend RSA 318-
14 B:35, I(b)(3) to read as follows:

15 (3) Authorized law enforcement officials on a case-by-case basis for the purpose of
16 investigation and prosecution of a criminal offense when presented with a court order based on
17 probable cause. No law enforcement agency or official shall have direct access to ~~[the]~~ **query**
18 program **information**.

19 8 Controlled Drug Prescription Health and Safety Program; Providing Controlled Drug
20 Prescription Health and Safety Information. Amend RSA 318-B:35, II to read as follows:

21 II. The program shall notify the appropriate regulatory board listed in subparagraph I(b)(2)
22 and the prescriber or dispenser at such regular intervals as may be established by the ~~[board]~~ **office**
23 if there is reasonable cause to believe a violation of law or breach of professional standards may
24 have occurred. The program shall provide prescription information required or necessary for an
25 investigation.

26 9 Controlled Drug Prescription Health and Safety Program; Unlawful Act and Penalties.
27 Amend RSA 318-B:36, I and II to read as follows:

28 I. Any ~~[person]~~ **dispenser or prescriber** who fails to submit the information required in
29 RSA 318-B:33 or knowingly submits incorrect information shall be subject to a warning letter and
30 provided with an opportunity to correct the failure. Any ~~[person]~~ **dispenser or prescriber** who
31 subsequently fails to correct or fails to resubmit the information may be subject to discipline by the
32 ~~[board]~~ **appropriate regulatory board**.

33 II. Any ~~[person]~~ **dispenser or prescriber** whose failure to report the dispensing of a
34 schedule II-IV controlled substance that conceals a pattern of diversion of controlled substances into
35 illegal use shall be guilty of a violation and subject to the penalties established under RSA 318-B:26
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37 such ~~[person]~~ **dispenser or prescriber** may be subject to appropriate criminal charges if the failure

Amendment to HB 2-FN-A-LOCAL

- Page 3 -

1 to report is determined to have been done knowingly to conceal criminal activity.

2 10 Controlled Drug Prescription Health and Safety Program; Rulemaking. Amend the
3 introductory paragraph of RSA 318-B:37 to read as follows:

4 318-B:37 Rulemaking. [~~By June 30, 2013, the board~~] *The office* shall adopt rules, pursuant to
5 RSA 541-A, necessary to implement *and maintain* the program including:

6 11 Controlled Drug Prescription Health and Safety Program; Advisory Council. RSA 318-B:38
7 is repealed and reenacted to read as follows:

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9 I. There is hereby established an advisory council to carry out the duties under this
10 subdivision. Members of the council shall not be compensated for serving on the council, or serve on
11 the council for more than 5 consecutive years except for the attorney general, or designee, or the
12 commissioner of the department of health and human services, or designee. The members of the
13 council shall be as follows:

14 (a) A member of the board of medicine, appointed by such board.

15 (b) A member of the pharmacy board, appointed by such board.

16 (c) A member of the board of dental examiners, appointed by such board.

17 (d) A member of the New Hampshire board of nursing, appointed by such board.

18 (e) A member of the board of veterinary medicine, appointed by such board.

19 (f) A physician appointed by the New Hampshire Medical Society.

20 (g) A dentist appointed by the New Hampshire Dental Society.

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23 Association, the New Hampshire Independent Pharmacy Association, and the New Hampshire
24 Association of Chain Drug Stores.

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26 abuse prevention, treatment, and recovery, one of whom may be a member of the commission.

27 (k) A hospital administrator appointed by the New Hampshire Hospital Association.

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29 Association.

30 (m) The attorney general, or designee.

31 (n) The commissioner of the department of health and human services, or designee.

32 (o) A member of the senate, appointed by the president of the senate.

33 (p) Two members of the house of representatives, appointed by the speaker of the house
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Amendment to HB 2-FN-A-LOCAL

- Page 4 -

1 (1) Rules.

2 (2) Legislation.

3 (3) Sources of funding, including grant funds and other sources of federal, private,
4 or state funds;

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8 program, including recommendations relating to:

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13 (d) Advise the executive director regarding the implementation of this subdivision.

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18 ensure they are incorporated.

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31 curtail, temporarily suspend, or cancel the program.

32 13 Repeal. The following are repealed:

33 I. RSA 318-B:31, I, relative to the definition of "board."

34 II. 2012, 196:3, III, relative to a reporting requirement.

35 14 Effective Date. This act shall take effect 60 days after its passage.

2019-2231s

AMENDED ANALYSIS

This bill makes changes to the controlled drug prescription health and safety program, including:

I. Transferring the program from the board of pharmacy to the office of professional licensure and certification.

II. Authorizing the program to share certain information with other state departments.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

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7 3 New Section; Department of Business and Economic Affairs; Sunny Day Fund. Amend RSA
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11 sunny day fund, which shall be kept distinct and separate from all other funds. The commissioner
12 shall administer the fund. The fund shall be nonlapsing and continually appropriated to the
13 commissioner for the purpose of obtaining and disbursing grants for research and development,
14 including any preliminary funding necessary to obtain grant funding, supporting the infrastructure
15 necessary to address critical gaps in the state's ability to attract research and development projects,
16 increasing commercialization of new technologies, leveraging federal funds, and supporting
17 business development and expansion. Grants may be from federal, private, or other sources.

18 II. The New Hampshire Research and Industry Council ("council"), with the support of the
19 New Hampshire Established Program to Stimulate Competitive Research (NH EPSCoR), shall
20 administer the grant program application and approval process in consultation with the
21 commissioner, manage the annual investment portfolio, and evaluate investment performance. An
22 organization may apply for funding under this section pursuant to the procedures established by
23 the council. The council shall assign preference to grant applications that:

24 (a) Increase New Hampshire's competitiveness through innovation.

25 (b) Attract talent to New Hampshire.

26 (c) Target existing industrial-cluster strength, potential growth, and research capacity.

27 (d) Target areas of strategic priority as determined by NH EPSCoR and the department
28 of business and economic affairs.

29 (e) Qualify for available matching funds from federal, private, or other sources.

30 III. Beginning July 1, 2021, and annually thereafter, the council shall conduct a survey of
31 all organizations which receive grants under this section to evaluate the return on investment from
32 the state's funding support and to permit the general court to consider legislation for continued

Amendment to HB 2-FN-A-LOCAL

- Page 2 -

1 funding. The council shall, no sooner than 18 months after the effective date of this section, develop
2 and distribute a survey instrument to all organizations that have received grant funding under this
3 section. The survey shall, at a minimum, collect the following information for each organization
4 that receives grant funds under this section:

- 5 (a) Number of grants obtained.
- 6 (b) Total funding from grants and other investments.
- 7 (c) Amount of federal funds obtained.
- 8 (d) Number of employees.
- 9 (e) Number of jobs created as a result of funding received under this section.
- 10 (f) Number of licensing agreements secured.
- 11 (g) Number of patents filed.

12 IV. An organization shall submit the completed survey to the council within 6 weeks of
13 receipt. The council shall collect the completed surveys and submit them to the commissioner of the
14 department of business and economic affairs. Any organization which fails to timely submit a
15 completed survey shall not be eligible to obtain additional funding under this section.

16 V. Administrative costs shall not exceed 8 percent of annual fund expenditures.

17 4 Effective Date. This act shall take effect June 30, 2019.

2019-2178s

AMENDED ANALYSIS

1. Establishes the sunny day fund and grant program in the department of business and economic affairs to obtain and disburse grants for research and development, support the infrastructure necessary to address critical gaps in the state's ability to attract research and development projects, increase commercialization of new technologies, leverage federal funds, and support business development and expansion.

2. Transfers funds from the general fund surplus account to fund the program.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 185 with the following:

2

3 185 Appropriation; State Treasurer; Municipal Aid. The sum of \$40,000,000 for the fiscal year
4 ending June 30, 2019 is hereby appropriated to the state treasurer for the purpose of providing
5 municipal aid to each city, town, and unincorporated place in the state. The treasurer shall
6 distribute \$20,000,000 of the municipal aid to each city, town, and unincorporated place in the state
7 by September 1 of the fiscal year ending June 30, 2020 and \$20,000,000 of the municipal aid to each
8 city, town, and unincorporated place in the state by September 1 of the fiscal year ending June 30,
9 2021. The proportion of municipal aid distributed to each municipality pursuant to this paragraph
10 shall be the same as was distributed in fiscal year 2009 under RSA 31-A. The governor is
11 authorized to draw a warrant for said sums out of any money in the treasury not otherwise
12 appropriated. The appropriation in this section shall not lapse until June 30, 2021.
13 Notwithstanding RSA 31:95-b or any other provision of law, no such additional municipal aid shall
14 be considered unanticipated money from the state.

15 Effective Date. This act shall take effect June 30, 2019.

2019-2000s

AMENDED ANALYSIS

Replace paragraph 60 with the following:

60. Makes an appropriation to the state treasurer for the fiscal year ending June 30, 2019 for the purpose of providing municipal aid to each city, town, and unincorporated place in the state in each of the fiscal years ending in June 30, 2020 and June 30, 2021.

Sen. Giuda, Dist 2
May 21, 2019
2019-2171s
06/10

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Transportation; Appropriation. The sum of \$2,140,000 is hereby appropriated
2 to the department of transportation for the fiscal year ending June 30, 2019, which shall be
3 nonlapsing, for the purpose of providing a state aid construction program match for the project
4 named Tilton project number 29753, to reconstruct and reclassify 1.97 miles of Calef Hill Road. The
5 governor is authorized to draw a warrant for said sum out of any money in the treasury not
6 otherwise appropriated.

7 2 Effective Date. Section 1 of this act shall take effect June 30, 2019.

2019-2171s

AMENDED ANALYSIS

1. Makes an appropriation to the department of transportation to provide a state aid construction program match for the project named Tilton project number 29753, to reconstruct and reclassify 1.97 miles of Calef Hill Road.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 21, 2019
2019-2193s
10/05

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 226 with the following:

2

3 226 Department of Transportation; Appropriation. There is hereby appropriated to the
4 department of transportation the sum of \$1,640,000 for the fiscal year ending June 30, 2019, for the
5 purpose of demolition and environmental mitigation of structures on state-owned property. Such
6 funds shall not lapse. The governor is authorized to draw a warrant for said sum out of any money
7 in the treasury not otherwise appropriated.

8 Effective Date. Section 226 shall take effect June 30, 2019.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Substance Abuse Enforcement Program; Appropriations.

2 I. The sum of \$587,700 for the fiscal year ending June 30, 2019 is hereby appropriated to
3 the department of safety. This sum shall be expended as follows:

4 (a) \$171,600 shall be expended for the purpose of funding overtime at the state forensic
5 laboratory as a result of increased caseloads attributable to narcotics related enforcement and
6 investigations with no more than 50 percent of the appropriation expended in each fiscal year of the
7 biennium ending June 30, 2021.

8 (b) \$416,100 shall be expended for the purpose of funding overtime at the state police
9 for narcotics related enforcement and investigations with no more than 50 percent of the
10 appropriation expended in each fiscal year of the biennium ending June 30, 2021.

11 II. The sum of \$2,400,000 for the fiscal year ending June 30, 2019 is hereby appropriated to
12 the department of safety to disburse grants to county and local law enforcement agencies for the
13 purpose of funding overtime costs for county and local law enforcement officers performing law
14 enforcement activities attributable to the substance abuse enforcement program established in RSA
15 21-P:66. No more than 50 percent of the appropriation shall be expended in each fiscal year of the
16 biennium ending June 30, 2021.

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

19 IV. No appropriation made in this section shall lapse until July 1, 2021.

20 2 Effective Date. Section 1 of this act shall take effect June 30, 2019.

2019-2095s

AMENDED ANALYSIS

1. Makes appropriations to the department of safety for narcotics related law enforcement activities.

Sen. D'Allesandro, Dist 20
May 22, 2019
2019-2208s
11/06

Amendment to HB 2-FN-A-LOCAL

- 1 1 Department of Safety; Appropriation. There is hereby appropriated to the department of
2 safety the sum of \$195,000 for the fiscal year ending June 30, 2019, for the purpose of providing
3 administrative support to the state building code review board. The governor is authorized to draw
4 a warrant for said sums out of any money in the treasury not otherwise appropriated and said sums
5 shall not lapse until June 30, 2021.
6 2 Effective Date. This act shall take effect June 30, 2019.

2019-2208s

AMENDED ANALYSIS

1. Makes an appropriation to the Department of Safety for the purpose of providing administrative support to the building code review board.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 8, 2019
2019-1870s
11/01

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Safety; Fund Transfer; Authorization. Notwithstanding the provisions of RSA
2 9:16-a, for the biennium ending June 30, 2021, the department of safety may transfer funds
3 between accounting units in classes 027-transfers to the department of information technology, 028-
4 transfers to general services, 064-retiree pension benefit-health insurance compensation, and 211-
5 property and casualty insurance, upon approval of the department of administrative services'
6 budget office.

2019-1870s

AMENDED ANALYSIS

1. Authorizes the department of safety to transfer funds between certain accounting units as necessary and upon approval of the department of administrative services budget office.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 23, 2019
2019-2264s
06/01

Amendment to HB 2-FN-A-LOCAL

1 Department of Safety Appropriations; Revenue from Motor Vehicle Fines; Exemption. For the fiscal year ending June 30, 2019, department of safety appropriations funded with agency income from restricted revenue collected under RSA 262:44, I, shall be exempt from 2017, 155:1.08(I).

2 Effective Date. This act shall take effect June 30, 2019.

2019-2264s

AMENDED ANALYSIS

Exempts department of safety appropriations funded with income from motor vehicle fines from certain reductions for the fiscal year ending June 30, 2019.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 20, 2019
2019-2097s
04/10

Amendment to HB 1-A

- 1 Amend the bill by deleting section 9.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 22, 2019
2019-2206s
01/05

Amendment to HB 2-FN-A-LOCAL

- 1 1 General Fund Transfer to Highway Fund. The sum of \$6,463,000 for the fiscal year ending
- 2 June 30, 2019 is hereby appropriated to the highway fund. The governor is authorized to draw a
- 3 warrant for said sum out of any money in the treasury not otherwise appropriated.
- 4 2 Effective Date. Section 1 of this act shall take effect June 30, 2019.

2019-2206s

AMENDED ANALYSIS

1. Makes a transfer from the general fund to the highway fund.

UNAPPROVED

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Department of Education (Not Including Education Trust Fund or Governor's Scholarship Program)						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
<u>Dual and Concurrent Enrollment</u> Fund the Dual and Concurrent Enrollment Program at \$950,000 per year.	Frank Edelblut / Senator Kahn	G	\$0	\$450,000	\$450,000	\$900,000
<u>School Nurse Coordinator</u> Add funding for school nurse coordinator (HB 719) to HB 1 and establish position in HB 2. No net cost as House carried appropriation on the surplus statement for HB 719 (\$110K in each FY 2020 and FY 2021). Amendment 2019-1668s	Senator Kahn	G	\$0	\$0	\$0	\$0
<u>Robotics Education Fund</u> Reduce funding for grants from the robotics education fund.		G	\$0	(\$250,000)	(\$250,000)	(\$500,000)
<u>School Breakfast Reimbursement</u> Relative to SB 82 passed by the Senate, adds language to HB 2 and funding relative to change in state reimbursement relative to school breakfast in HB 1. Amendment 2019-2012s		G	\$0	\$298,302	\$308,802	\$607,104
<u>Professional Standards Board / Council for Teacher Ed</u> Delete sections 122 and 123, which are non-budget related and addressed in HB 448 (passed by both bodies). Amendment #2019-1786s		N/A	\$0	\$0	\$0	\$0
<u>Public School Infrastructure Fund</u> Amend HB 2 to allow for the Department to retain up to 3% of the total annual appropriation of the public school infrastructure fund for administrative costs and add Americans with Disabilities Act (ADA) compliance projects as eligible fund expenditures. Amendment 2019-2121s		O	\$0	\$0	\$0	\$0
<u>Vocational Rehabilitation - IMPACCT Program</u> Provides \$500,000 in FY 2019 to the Department of Education to provide to funding for the IMPACCT program (Granite State Independent Living). Amendment 2019-2052s		G	\$500,000	\$0	\$0	\$500,000

	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
Vocational Rehabilitation Funding Provides authority for the Department to seek additional funds not otherwise appropriated (general funds) to cover unanticipated costs relative to vocational rehabilitation programs or services, with Fiscal Committee approval. Amendment 2019-2020s	Senator Giuda	N/A	\$0	\$0	\$0	\$0
School District Employee FMLA Coverage Provide Family and Medical Leave Act (FMLA) coverage for certain school district employees. Amendment 2019-2237s	Senator Feltes / Senator Reagan	N/A	\$0	\$0	\$0	\$0

Sen. Kahn, Dist 10
April 25, 2019
2019-1668s
06/04

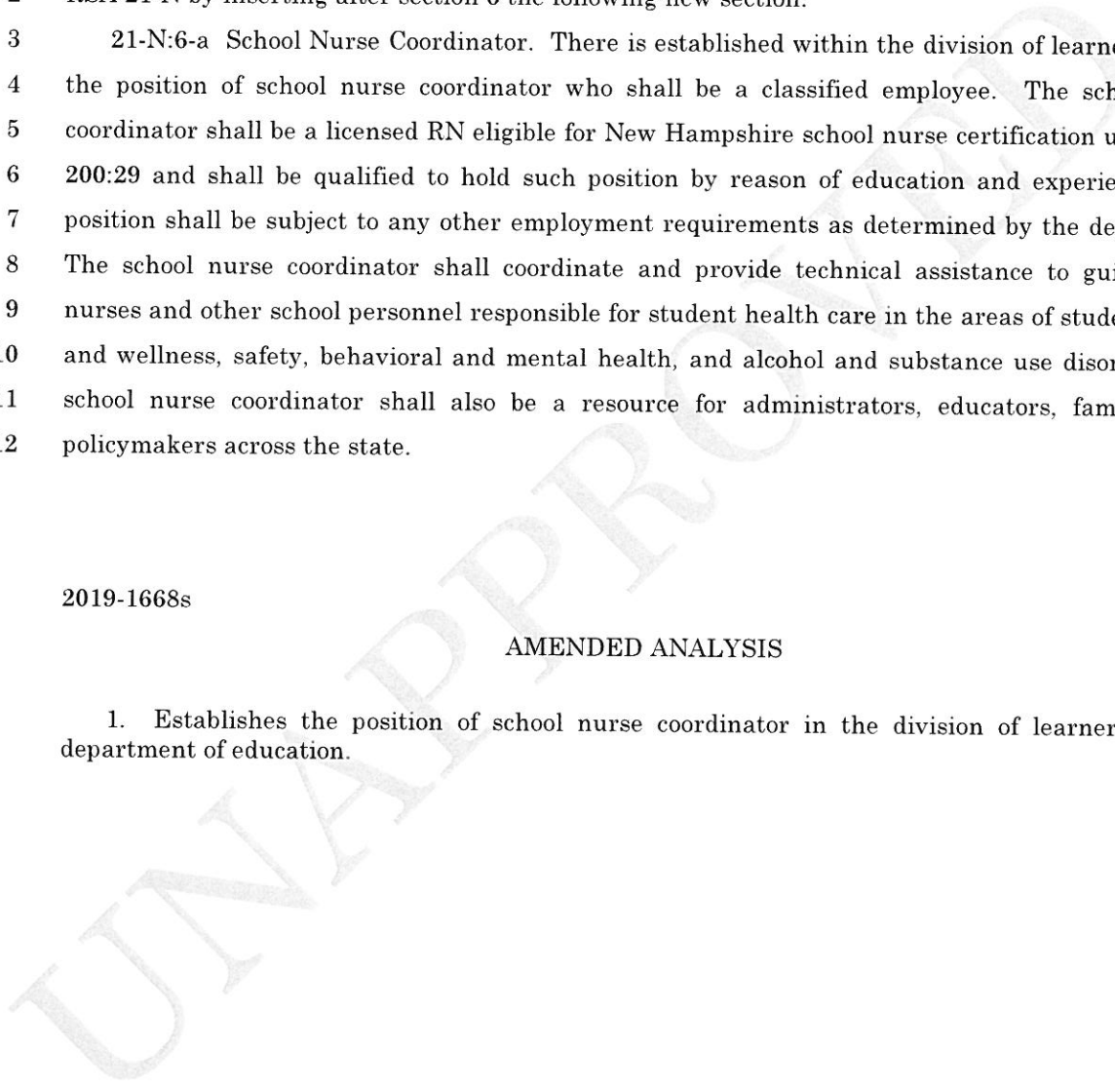
Amendment to HB 2-FN-A-LOCAL

1 1 New Section; Department of Education; New Position; School Nurse Coordinator. Amend
2 RSA 21-N by inserting after section 6 the following new section:
3 21-N:6-a School Nurse Coordinator. There is established within the division of learner support
4 the position of school nurse coordinator who shall be a classified employee. The school nurse
5 coordinator shall be a licensed RN eligible for New Hampshire school nurse certification under RSA
6 200:29 and shall be qualified to hold such position by reason of education and experience. The
7 position shall be subject to any other employment requirements as determined by the department.
8 The school nurse coordinator shall coordinate and provide technical assistance to guide school
9 nurses and other school personnel responsible for student health care in the areas of student health
10 and wellness, safety, behavioral and mental health, and alcohol and substance use disorder. The
11 school nurse coordinator shall also be a resource for administrators, educators, families, and
12 policymakers across the state.

2019-1668s

AMENDED ANALYSIS

1. Establishes the position of school nurse coordinator in the division of learner support, department of education.



Amendment to HB 2-FN-A-LOCAL

1 1 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, I to read as follows:

2 I. Each school board shall make [a] **at least one** meal available during school hours to
3 every pupil under its jurisdiction. Such meals shall be served without cost or at a reduced cost to
4 any [needy] child who [is unable to pay the full cost of said meals] **meets federal income**
5 **eligibility guidelines**. The state board of education shall [insure] **ensure** compliance with this
6 section and shall establish minimum nutritional standards for such meals [and shall further
7 establish] **as well as** income guidelines [setting forth] **set for** the [minimum] family size [annual
8 income levels to be] used in determining eligibility for free and reduced price meals. Nothing in this
9 section shall prohibit the operation of both a breakfast and lunch program in the same school.
10 [Further any requirement of this section which conflicts with any federal statute or regulation may
11 be waived by the state board of education.]

12 2 School Boards; Food and Nutrition Programs. Amend RSA 189:11-a, VII(b) to read as follows:

13 (b) Such school which demonstrates to the department of education that an approved
14 school wellness policy, as required under the [Child Nutrition and WIC Reauthorization Act of 2004]
15 **Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, and the Richard B. Russell**
16 **National School Lunch Act, 42 U.S.C. section 1758b** is in effect, and that such school is
17 providing breakfast meals to pupils that meet or exceed the United States Department of
18 Agriculture's child nutrition criteria may apply for and receive a 3 cent reimbursement for each
19 breakfast meal served to a pupil **and an additional 27 cent reimbursement for each meal**
20 **served to students eligible for a reduced price meal**. The department of education shall
21 request biennial appropriations in an amount sufficient to meet projected school breakfast
22 reimbursements **to ensure students eligible for reduced price meals are offered breakfast at**
23 **no cost**. The department of education shall prescribe forms as necessary under this paragraph.

2019-2012s

AMENDED ANALYSIS

1. Requires schools to make at least one free or reduced cost meal available to children who meet federal eligibility guidelines and increases reimbursement to schools offering breakfast at no cost to eligible students.

Sen. Kahn, Dist 10
May 2, 2019
2019-1786s
08/10

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting sections 122 and 123 relative to membership of the professional
- 2 standards board and the council for teacher education.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Public School Infrastructure Fund. Amend RSA 198:15-y, II to read as follows:

2 II. There is hereby established in the office of the state treasurer the public school
3 infrastructure fund which shall be kept distinct and separate from all other funds and which shall
4 be administered by the department of education. After transferring sufficient funds to the revenue
5 stabilization reserve account to bring the balance of that account to \$100,000,000, the state
6 treasurer shall transfer the remainder of the general fund surplus for fiscal year 2017, as
7 determined by the official audit performed pursuant to RSA 21-I:8, II(a), to the fund. Any earnings
8 on fund moneys shall be added to the fund. All moneys in the fund shall be continually
9 appropriated [~~for the biennium ending June 30, 2019 and~~]. ***The department of education may***
10 ***retain up to 3 percent of the total annual appropriation of the public school***
11 ***infrastructure fund on or after July 1, 2019, to be used to administer the public school***
12 ***infrastructure program.*** Any unexpended or unencumbered balance as of June 30, 2019 shall be
13 transferred to the general fund.

14 2 Public School Infrastructure Fund. Amend RSA 198:15-y, III(e) to read as follows:

15 (e) ***A school building or infrastructure proposal which is necessary to comply***
16 ***with Americans with Disabilities Act (ADA) regulations.***

17 (f) Other school building or infrastructure needs the governor, in consultation with the
18 public school infrastructure commission, may identify, except for school building aid projects that
19 are otherwise prohibited by law.

2019-2121s

AMENDED ANALYSIS

Authorizes the department of education to retain a certain percentage of public school infrastructure funds to administer the public school infrastructure program.

Sen. Kahn, Dist 10
May 17, 2019
2019-2052s
04/05

Amendment to HB 2-FN-A-LOCAL

1 1 Appropriation; Department of Education. The sum of \$500,000 for the fiscal year ending
2 June 30, 2019 is hereby appropriated to the department of education for the purpose of providing
3 funding to Granite State Independent Living to support the IMPACCT (Inspiring the Mastery of
4 Post-Secondary Achievement in College, Career, and Training) program. This appropriation shall
5 be in addition to any other funds appropriated to the department of education and shall not lapse.
6 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
7 otherwise appropriated.

8 2 Effective Date. This act shall take effect June 30, 2019.

2019-2052s

AMENDED ANALYSIS

1. Makes an appropriation to the department of education to support the Granite State Independent Living IMPACCT program.

UNAPPROVED

Sen. Giuda, Dist 2
May 16, 2019
2019-2020s
04/05

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Education; Vocational Rehabilitation Programs or Services. For the biennium
2 ending June 30, 2021, the department of education may request funds not otherwise appropriated
3 for the purpose of funding unanticipated costs relative to vocational rehabilitation programs or
4 services, with review and approval of the joint fiscal committee of the general court.

2019-2020s

AMENDED ANALYSIS

1. Permits the department of education to request funds for vocational rehabilitation programs and services.

UNAPPROVED

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET						
Veterans Home						
	Contact	SOF	FY 2019	FY 2020	FY 2021	Total
<u>HB 1:</u>						
Remove two budget footnotes that suspend state statute.	N/A	N/A	\$0	\$0	\$0	\$0
<u>HB 2:</u>						
Moves the above footnotes to HB 2, providing the Veterans Home with expanded transfer authority and exempting the Home from RSA 9:17-a,I and RSA 9:17-c for the biennium. Amendment 2019-2167s						

Sen. D'Allesandro, Dist 20
May 21, 2019
2019-2167s
11/05

Amendment to HB 2-FN-A-LOCAL

1 1 New Hampshire Veterans' Home; Transfer Among Accounts and Classes. Notwithstanding
2 any provision of law to the contrary, for the biennium ending June 30, 2021, the commandant of the
3 New Hampshire veterans' home is authorized to transfer funds within and among all accounting
4 units within the home and to create accounting units and expenditure classes as required and as
5 the commandant deems necessary and appropriate to address present or projected budget deficits,
6 or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for
7 the efficient management of the home, including funding of unfunded positions, provided that if a
8 transfer does not include new accounting units or expenditure classes, only such transfers of
9 \$100,000 or more shall require prior approval of the fiscal committee of the general court and the
10 governor and council. The New Hampshire veterans' home shall be exempt from RSA 9:17-a, I and
11 RSA 9:17-c, subject to approval by the fiscal committee of the general court of any transfer of
12 appropriations from permanent personal services or employee benefits to any other use or purpose.

2019-2167s

AMENDED ANALYSIS

1. Grants authority to the New Hampshire Veterans' Home to transfer funds among accounts and classes for the biennium ending June 30, 2021.

SENATE FINANCE COMMITTEE - BUDGET DECISION SHEET					
DEPARTMENT OF HEALTH AND HUMAN SERVICES - PART 1					
	SOF	FY 2019	FY 2020	FY 2021	Total
Office of the Commissioner					
No changes.	N/A	\$0	\$0	\$0	\$0
Glenclyff Home					
No changes.	N/A	\$0	\$0	\$0	\$0
DHHS - Division of Long-Term Supports and Services					
Skilled Nursing Services	G	\$0	\$1,000,000	\$1,000,000	\$2,000,000
Add \$1 million per year of general funds for skilled nursing services.	F	\$0	\$1,000,000	\$1,000,000	\$2,000,000
Developmental Services	G	\$0	(\$5,000,000)	\$0	(\$5,000,000)
Due to an error, the governor and House overbudgeted funds for developmental services by \$10 million per year, 50/50 state/federal. Reduce appropriation accordingly.	F	\$0	(\$5,000,000)	\$0	(\$5,000,000)
County Contributions and Cap (HB 1 and 2 Combined)	G	\$0	(\$574,625)	(\$1,180,854)	(\$1,755,479)
Revise year-over-year growth in county contributions for long-term care from 2.5% to 3.0%, and adjust the county cap on long-term care costs to \$123,372,750 in FY20 and \$126,923,933 in FY21.	O	\$0	\$574,625	\$1,180,854	\$1,755,479
Amendment 2019-2076s					
Foster Grandparent Program (HB 1 and 2 Combined)	G	\$0	\$100,000	\$100,000	\$200,000
Fund the foster grandparent program. Remove suspension in HB 2.					
Amendment 2019-2072s					
Congregate Services (HB 1 and 2 Combined)	G	\$0	\$750,000	\$750,000	\$1,500,000
Fund the congregate services program. Reinstated through HB2 change below. Remove suspension in HB 2. Amendment 2019-2068s					
Technical Change (Early Supports)	F	\$0	\$78,750	\$78,750	\$157,500
Adjust federal match for early supports and services to reflect 50/50 share.					

Technical Change (Nursing Home Footnote) Adjust footnote to reflect correct terminology (budget adjustment factor).	N/A	\$0	\$0	\$0	\$0
Medicare Part D Coverage Limits (Donut Hole) Appropriates \$2 million to establish a pilot program assisting lower income seniors with prescription drug costs when they reach the coverage limit for prescription drugs under Medicare Part D. (Language consistent with SB 260) Amendment 2019-2079s	G	\$2,000,000	\$0	\$0	\$2,000,000
Pro-Share Methodology Clarifies proportionate share payment methodology. Amendment 2019-1916s	N/A	\$0	\$0	\$0	\$0
Home Health Care Rate Setting Suspension Reinstates suspension of the home health care rate setting statute (RSA 126-A:18-a) for the biennium. Amendment 2019-2267s	N/A	\$0	\$0	\$0	\$0
Presumptive Eligibility Suspends rather than repeals RSA 151-E:18, relative to presumptive eligibility for home- and community-based long-term care programs. Amendment 2019-1807s	N/A	\$0	\$0	\$0	\$0
Continuing Care Facilities Moratorium Deletes section 100, relative to a moratorium on licensure of continuing care facilities. Amendment 2019-1808s	N/A	\$0	\$0	\$0	\$0
Dementia Care Training Amends RSA 151 to require staff working in certain facilities and programs regulated by DHHS to incorporate principles of dementia care into training curriculum. (Language from SB 255.) Amendment 2019-2186s	N/A	\$0	\$0	\$0	\$0

DHHS - Division of Economic and Housing Stability (Not Including TANF)					
APTD Funding Restore \$600,000 of APTD reduction made by the House.	G	\$0	\$200,000	\$400,000	\$600,000

Rapid Re-Housing Reduce funding for rapid re-housing by \$250,000/year, consistent with the funding level in SB 84. Adjust budget footnote accordingly.	G	\$0	(\$250,000)	(\$250,000)	(\$500,000)
Liability for Support and Reimbursement Suspends RSA 165:20-c relative to liability for support and reimbursement from the state. Amendment 2019-1911s	N/A	\$0	\$0	\$0	\$0
DHHS - New Hampshire Hospital (Non-Facility Related)					
NHH Mobile Tablets Replace general funds for mobile tablets with NHH trust funds.	G	\$0	(\$400,000)	\$0	(\$400,000)
	O	\$0	\$400,000	\$0	\$400,000
DHHS - Division of Public Health (Pediatric Cancer Study, Lead Paint and Student Loan Repayment Programs)					
Pediatric Cancer Study Remove general funds and corresponding footnote for pediatric cancer study. Corresponding reduction associated with proposal under Department of Environmental Services to fund study with water grants.	G	\$0	(\$500,000)	\$0	(\$500,000)
Lead Paint Positions Fund one position for lead paint remediation and a contract for environmental risk assessment and investigation.	G	\$0	\$340,640	\$301,496	\$642,136
Lead Paint Hazard Remediation Fund Repeals the DHHS lead remediation loan program under RSA 130-A:15-a and establishes the Lead Paint Hazard Remediation Fund under RSA 204-C, Housing Finance Authority. It also appropriates \$3 million to the fund to make loans to owners of properties and licensed child care facilities to remediate lead paint hazards. Amendment 2019-2220s	G	\$0	\$3,000,000	\$0	\$3,000,000
Student Loan Repayment Program Establishes two positions and appropriates \$6.74 million over the biennium for the Student Loan Repayment Program to fund contracts, positions, and delivery of services in certain counties. (Language from the relevant portions of SB 308.) Amendment 2019-2094s	G	\$0	\$3,370,000	\$3,370,000	\$6,740,000

Sen. D'Allesandro, Dist 20
May 20, 2019
2019-2076s
04/08

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 59 with the following:

2

3 59 County Reimbursement of Funds; Limitations on Payments. Amend RSA 167:18-a, II(a) to
4 read as follows:

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

7 (1) State fiscal year [~~2018~~] **2020**, [~~\$117,573,000~~] **\$123,372,750**.

8 (2) State fiscal year [~~2019~~] **2021**, [~~\$119,925,000~~] **\$126,923,933**.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 17, 2019
2019-2072s
05/10

Amendment to HB 2-FN-A-LOCAL

- 1 Delete sections 56 and 89.

2019-2072s

AMENDED ANALYSIS

Delete:

13. Suspends the senior volunteer grant program and congregate services for the biennium ending June 30, 2021.

Delete:

33. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program for the biennium ending June 30, 2021.

UNAPPROVED

Sen. D'Allesandro, Dist 20
May 17, 2019
2019-2068s
06/01

Amendment to HB 2-FN-A-LOCAL

- 1 Delete section 57, relative to the suspension of congregate housing.

2019-2068s

AMENDED ANALYSIS

13. Suspends the senior volunteer grant program for the biennium ending June 30, 2021.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Statement of Purpose. The purpose of sections 2-3 this act is to assist lower income seniors
2 with prescription drug costs when they reach the coverage limit for prescription drugs under the
3 Medicare Part D program. Since most Medicare drug plans have a coverage gap, often called the
4 “donut hole,” the general court finds that there is a need for a state assistance plan to supplement
5 or wrap around the benefit available under the federal program to ensure that low income seniors
6 retain access to necessary medication during this gap in coverage.

7 2 New Subdivision; Department of Health and Human Services; New Hampshire
8 Pharmaceutical Assistance Pilot Program for Seniors. Amend RSA 126-A by inserting after section
9 77 the following new subdivision:

10 New Hampshire Pharmaceutical Assistance Pilot Program for Seniors
11 126-A:78 New Hampshire Pharmaceutical Assistance Pilot Program for Seniors.

12 I. The commissioner of the department of health and human services shall establish a
13 prescription drug assistance pilot program for seniors. The purpose of the pilot program shall be to
14 wraparound or supplement the federal prescription drug benefit under Medicare Part D by paying
15 the out-of-pocket costs for prescription drugs for eligible individuals who have reached the coverage
16 gap, known as the donut hole, under Medicare Part D. The pilot program shall be the payer of last
17 resort and shall cover all out-of-pocket prescription drug costs for which assistance is not otherwise
18 available in the coverage gap, known as the donut hole. The pilot program shall be available to the
19 first 1,000 individuals age 65 or older who apply for such assistance, who have a gross annual
20 household income of 200 percent or less of the federal poverty level, and who otherwise meet the
21 eligibility criteria established by the department. Assistance shall be available under the pilot
22 program from January 1, 2020 to January 1, 2021. The commissioner shall make available an
23 online application, a telephone number for applications and questions, and shall provide written
24 applications upon request. Applications shall include information on income, household size,
25 Medicare Part D enrollment and coverage information, the prescription drugs for which assistance
26 is sought, the age of the applicant, and the location of the applicant. On or before November 1,
27 2019, the commissioner shall adopt rules, under RSA 541-A, relative to pilot program enrollment,
28 administration, and evaluation.

29 II. On or before March 1, 2021, the commissioner of the department of health and human
30 services shall submit an evaluation report of the pilot program to the senate president, the speaker
31 of the house of representatives, the governor, the senate finance committee, the house finance
32 committee, the senate health and human services committee, and the house health, human services

Amendment to HB 2-FN-A-LOCAL

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1 and elderly affairs committee. The report shall include information regarding the number of
2 applications, age and location of applicants, prescription drugs for which assistance was provided,
3 costs per eligible applicant, likely costs per non-eligible applicant, and descriptions regarding
4 applicant ineligibility.

5 3 Appropriation; Department of Health and Human Services. For the purpose of funding the
6 prescription drug assistance pilot program for seniors established in section 2 of this act, the sum of
7 \$2,000,000 for fiscal year ending June 30, 2019, is hereby appropriated to the department of health
8 and human services. Such appropriation shall not lapse. The governor is authorized to draw a
9 warrant for said sum out of any money in the treasury not otherwise appropriated.

10 4 Effective Date. This act shall take effect June 30, 2019.

2019-2079s

AMENDED ANALYSIS

1. Establishes the New Hampshire pharmaceutical assistance pilot program for seniors and makes an appropriation therefor.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 County Nursing Homes; Proportionate Share Payments. Amend RSA 167:18-h to read as
2 follows:

3 167:18-h County Nursing Homes; Proportionate Share Payments.

4 I. Proportionate share payments to county nursing homes shall be made each state fiscal
5 year in an amount equal to the maximum permissible by federal regulations. All payments shall be
6 [~~apportioned~~] **specific** to each facility in [~~a percentage equal to that facility's proportion of total~~
7 ~~county nursing home medicaid utilization~~] **accordance with the methodology in the approved**
8 **Medicaid state plan amendment**. If the federal government makes adjustments to any
9 proportionate share payments that have been made by the state, the amounts due under this
10 section shall be amended accordingly and adjusted payments shall be made to or from the state as
11 necessary.

12 II. [~~Notwithstanding any provision of law to the contrary, each county government shall~~
13 ~~reimburse the state for 50 percent of the total cost of proportionate share payments made to the~~
14 ~~county pursuant to paragraph I~~].

15 (a) **The certified public expenditure (CPE) nursing facilities group shall be**
16 **financed on the basis of a CPE methodology and shall not require a transfer of funds from**
17 **the respective county to the state to effectuate the federal match.**

18 (b) **Any intergovernmental transfers (IGT) specific to the IGT nursing facilities**
19 **group that serve as the basis for generating the federal match shall originate from the**
20 **county.**

2019-1916s

AMENDED ANALYSIS

1. Clarifies proportionate share payments to county nursing homes.

Sen. D'Allesandro, Dist 20
May 23, 2019
2019-2267s
01/10

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Health and Human Services; Suspension of Home Health Services; Rate
2 Setting. Notwithstanding any provision of law to the contrary, RSA 126-A:18-a, relative to rate
3 settings for home health services, shall be suspended for the biennium ending June 30, 2021.
4 Payments for home health services shall be limited to appropriations for home health services as
5 may be restricted or reduced by action of the fiscal committee of the general court or by legislative
6 action.

2019-2267s

AMENDED ANALYSIS

This bill suspends rate settings for home health services for the biennium ending June 30, 2021.

UNAPPROVED

Sen. Rosenwald, Dist 13
May 6, 2019
2019-1807s
11/04

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing section 70 with the following:

2

3 70 Eligibility for Home and Community-Based Services; Suspension. RSA 151-E:18, regarding
4 presumptive eligibility for home and community based services, shall be suspended for the
5 biennium ending June 30, 2021.

AMENDED ANALYSIS

Replace paragraph 22 with the following:

22. Suspends RSA 151-E:18, relative to presumptive eligibility for home and community based services, for the biennium ending June 30, 2021.

UNAPPROVED

Sen. Rosenwald, Dist 13
May 6, 2019
2019-1808s
10/04

Amendment to HB 2-FN-A-LOCAL

- 1 Amend the bill by deleting section 100.

2019-1808s

AMENDED ANALYSIS

Delete paragraph 37, relative to the health facilities licensure moratorium.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Statement of Purpose. The purpose of sections 1-3 of this act is to set minimum training
2 requirements for staff members working in facilities or programs regulated by the health facilities
3 administration, department of health and human services which include persons with Alzheimer's
4 disease or other dementias in the populations they serve. Under this act, the dementia-specific
5 training curriculum shall incorporate principles of person-centered dementia care including:
6 thorough knowledge of the person and the person's abilities and needs; advancement of optimal
7 functioning and a high quality of life; and use of problem-solving approaches to care. Staff members
8 shall be trained adequately and appropriately to best address the needs of the population of care
9 recipients they serve. Training shall be culturally competent both for the staff member and the care
10 recipient.

11 2 New Subdivision; Dementia Training for Direct Care Staff in Residential Facilities and
12 Community-Based Services. Amend RSA 151 by inserting after section 46 the following new
13 subdivision:

14 Dementia Training for Direct Care Staff in Residential Facilities
15 and Community-Based Services

16 151:47 Definitions. In this subdivision:

17 I. "Covered administrative staff member" means the senior manager of the facility or
18 program, including administrators, as well as managerial staff members that directly supervise
19 covered direct service staff members.

20 II. "Covered direct service staff member" means a staff member whose work involves
21 extensive contact with residents or program participants. Such staff members include: certified
22 nursing assistants, nurse aides, personal care assistants, home health or personal care aides,
23 licensed practical nurses, licensed vocational nurses, registered nurses, social workers, activity
24 directors, and dietary staff.

25 III. "Department" means the department of health and human services.

26 IV. "Facilities or programs" means residential facilities or home and community-based
27 programs, serving an adult population, licensed as appropriate under this chapter, that provide
28 supportive services including, but not limited to, skilled care facilities, intermediate care facilities,
29 assisted living facilities, residential care for the elderly, adult day programs, home health, in-home
30 services, or adult family care homes or programs that advertise specialty memory care that have
31 residents or program participants with Alzheimer's disease or other dementias.

32 V. "Other covered staff member" means a staff member who has incidental contact on a

Amendment to HB 2-FN-A-LOCAL

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1 recurring basis with residents or program participants, including housekeeping staff, front desk
2 staff, maintenance staff, other administrative staff, and other individuals who have such incidental
3 contact.

4 VI. "Staff member" includes full and part-time employees, independent consultants, and
5 staff of contractors and subcontractors.

6 151:48 Initial and Continuing Training in Dementia Required.

7 I. Facilities and programs shall provide initial training to:

8 (a) All covered staff members hired on or after July 1, 2019, who shall complete initial
9 training within 6 months of the commencement of employment.

10 (b) All covered staff members who were employed prior to the date under subparagraph
11 (a) and who have not received equivalent training; such training shall be completed within 6
12 months of that date.

13 II. Each facility or program shall establish a system for ongoing onsite support, supervision,
14 and mentoring for its staff with regard to the treatment and care of persons with dementia.

15 III. For covered direct service staff members and covered administrative staff members, at
16 a minimum, the curriculum used for the initial training shall adhere to the latest nationwide
17 Alzheimer's Association Dementia Care Practice Recommendations and, at a minimum, cover the
18 following topics:

19 (a) Alzheimer's disease and dementia;

20 (b) Person-centered care;

21 (c) Assessment and care planning;

22 (d) Activities of daily living; and

23 (e) Dementia-related behaviors and communication.

24 IV. For other covered staff members, training shall include, at a minimum, communication
25 issues related to dementia.

26 V. Initial dementia training shall be considered complete only after the staff member has
27 taken and passed an evaluation.

28 151:49 Portability.

29 I. The facility or staff shall issue a certificate to covered staff members upon completion of
30 initial training, which shall be portable between settings. Provided that the covered staff member
31 does not have a lapse of dementia related direct service or administration employment for 24
32 consecutive months or more, the covered staff member shall not be required to repeat the initial
33 dementia training.

34 II. Covered staff members shall be responsible for maintaining records of certificates
35 received.

36 151:50 Continuing Education. In addition to initial training, the commissioner shall adopt
37 rules to determine when and how often continuing education on dementia shall be required. Such

Amendment to HB 2-FN-A-LOCAL

- Page 3 -

1 continuing education shall include new information on best practices in the treatment and care of
2 persons with dementia. The department shall require at least a minimum of 6 hours of initial
3 continuing education for covered administrative staff members and covered direct service staff
4 members and shall require at least a minimum of 4 hours of ongoing training each calendar year.
5 Such continuing education shall include new information on best practices in the treatment and
6 care of persons with dementia.

7 151:51 Requirements for Trainers; Training Costs. Persons responsible for conducting in-
8 person dementia trainings shall meet minimum criteria including: 2 years of work experience
9 related to Alzheimer's disease or other dementias or in health care, gerontology, or other related
10 field; and have completed training equivalent to the requirements provided herein. Covered staff
11 members shall not be required to bear any of the cost of training or to attend trainings and shall
12 receive their normal compensation when attending required trainings.

13 151:52 Departmental Oversight.

14 I. The department shall exercise oversight of a facility's or program's dementia training
15 program as part of its comprehensive regulatory responsibilities. Such oversight shall:

16 (a) Ensure that the facility or program provides continuing education opportunities.

17 (b) Ensure that the facility or program uses designated online training programs or
18 facility-based training that meets the requirements for dementia training in the state.

19 (c) Ensure compliance with any other requirements specified in this subdivision.

20 II. The department may use all of its enforcement tools to ensure that facilities and
21 programs comply with paragraph I.

22 3 Applicability. This act is intended to address gaps in current dementia training requirements
23 for covered staff and improve the quality of training. If prior-enacted laws or rules contain more
24 rigorous training requirements for some covered staff members, those laws or rules shall apply.
25 Where there is overlap between these provisions and other laws and rules, the department shall
26 interpret this statute to avoid duplication of requirements while ensuring that the minimum
27 requirements set forth in this act are met.

28 4 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 2-FN-A-LOCAL
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2019-2186s

AMENDED ANALYSIS

Requires dementia training for direct care staff in residential facilities and community-based settings. Grants rulemaking authority to the commissioner for the purposes of the bill.

UNAPPROVED

Sen. Rosenwald, Dist 13
May 10, 2019
2019-1911s
06/05

Amendment to HB 2-FN-A-LOCAL

1 1 Aid to Assisted Persons; Liability for Support and Reimbursement from the State;
2 Suspension. RSA 165:20-c, relative to liability for support and reimbursement from the state, shall
3 be suspended for the biennium ending June 30, 2021.

AMENDED ANALYSIS

1. Suspends liability for support and reimbursement for assisted persons for the biennium ending June 30, 2021.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 Department of Health and Human Services; Rural Health and Primary Care Section;
2 Positions Established. There is established within the department of health and human services,
3 division of public health services, rural health and primary care section, 2 full-time, unclassified
4 positions. The salary for such positions shall be as set forth in RSA 94:1-a, provided that the salary
5 for such positions shall be determined after assessment and review of the appropriate temporary
6 letter grade allocation in RSA 94:1-a, I(b) for the positions which shall be conducted pursuant to
7 RSA 94:1-d and RSA 14:14-c.

8 2 Appropriations; Department of Health and Human Services; Rural Health and Primary Care
9 Section.

10 I. State Loan Repayment Program. The sum of \$3,250,000 for the fiscal year ending June
11 30, 2020 and the sum of \$3,250,000 for the fiscal year ending June 30, 2021 are hereby appropriated
12 to the department of health and human services, division of public health services, rural health and
13 primary care section to accounting unit 05-95-90-901010-7965, line 103, Contracts for Op Services,
14 and to fund one of the positions established in section 1 of this act. This appropriation shall be
15 nonlapsing. Of this appropriation, the sums of \$750,000 for the fiscal year ending June 30, 2020
16 and \$750,000 for the fiscal year ending June 30, 2021 shall be expended by clinicians solely to
17 deliver mental health and substance use disorder treatment services in Carroll, Cheshire, and Coos
18 counties. The governor is authorized to draw a warrant for said sums out of any money in the
19 treasury not otherwise appropriated.

20 II. Primary Care Workforce Program. The sum of \$120,000 for the fiscal year ending June
21 30, 2020 and the sum of \$120,000 for the fiscal year ending June 30, 2021 are hereby appropriated
22 to the department of health and human services, division of public health services, rural health and
23 primary care section, for the purpose of funding one of the positions established in section 1 of this
24 act. The commissioner of the department of health and human services may use up to \$20,000 of
25 the appropriation in each fiscal year towards the upgrade of an existing position in the rural health
26 and primary care section. The governor is authorized to draw a warrant for said sums out of any
27 money in the treasury not otherwise appropriated.

2019-2094s

AMENDED ANALYSIS

1. Makes appropriations to the department of health and human services, rural health and primary care section to establish new positions and to fund the state loan repayment program.